

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: 03/11/08 ☒ Consent ☐ Regular
 ☐ Workshop ☐ Public Hearing

Department: Planning, Zoning and Building

Submitted By: Planning Division

Submitted For: Planning, Zoning and Building

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to adopt: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING A RESPONDING RESOLUTION, AUTHORIZING PALM BEACH COUNTY, FLORIDA TO COMMENCE THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF GREENACRES, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Summary: On February 4, 2008, the City of Greenacres adopted an Initiating Resolution No. 2008-05 pursuant to Chapter 171, Part II, F.S., as a first step in the process of completing an Interlocal Service Boundary Agreement for an area designated outside of the boundaries of the City, within the City's future annexation area. The area subject to the proposed agreement is depicted in Exhibit A of the resolution. This resolution also identifies issues that may be negotiated during the agreement process, including identifying service providers and possible planned improvements. Additionally, the City of Atlantis, the Village of Palm Springs and the Town of Lantana are invited to participate in the negotiations, as their municipal borders and/or the future annexation areas are contiguous or within the area subject to the proposed agreement. By adopting this resolution, the negotiation process can begin, however, the County is not obligated to enter into the Interlocal Agreement. The resolution does not annex any property at this time. Planning staff will work closely with key County agencies and City staff during the six months following the adoption of the responding resolution to develop an Interlocal Agreement, which will be subsequently presented to the Board at a later date. Districts 2, 3, 6 (RB)

Background and Justification: The Intergovernmental Coordination Element Objective 1.4 states that Palm Beach County shall adopt policies and implement strategies which support municipal efforts to secure boundary changes that maintain cost-effective service delivery, assist in the elimination of enclaves, pockets and finger-like areas, and ensure consistency between municipal and County land use. The Statutes establish the Interlocal Service Boundary Agreement process as a flexible, joint planning option for Counties and municipalities to cooperatively adjust municipal boundaries while planning for service delivery and land use changes. Pursuant to State Statutes, this item is being presented to the Board within 60 days of receipt of the City's adoption of their initiating resolution. This resolution is consistent with the Intergovernmental Coordination Element of the Comprehensive Plan.

Attachments: 1. Palm Beach County Responding Resolution
 2. Exhibit A Map of Designated Area
 3. Greenacres Adopted Initiating Resolution Number 2008-05

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Recommended by: 
 Executive Director

2/19/08
 Date

Approved By: 
 Deputy County Administrator

3/4/08
 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 20 <u>08</u> | 20 <u>09</u> | 20 <u>10</u> | 20 <u>11</u> | 20 <u>12</u> |
|--|--------------|--------------|--------------|--------------|--------------|
| Capital Expenditures | _____ | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | ===== | ===== | ===== | ===== | ===== |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |

Is Item Included In Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this item.

C. Departmental Fiscal Review:

Pat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

Atwillhite 2-25-08
2/22/08 OFMB *CN 2/14/08*
SH 2/21/08 *2/26/08* *Contract Dev. and Control* *2/28/08*

B. Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

RESOLUTION NO. R-2008-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING A RESPONDING RESOLUTION, AUTHORIZING PALM BEACH COUNTY, FLORIDA TO COMMENCE THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF GREENACRES, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Intergovernmental Coordination Element of the 1989 Comprehensive Plan states that Palm Beach County shall adopt policies and implement strategies which support municipal efforts to secure boundary changes that maintain cost-effective service delivery, assisting with the elimination of enclaves, pockets and finger-like areas, and ensure consistency between municipal and County land use; and

WHEREAS, the Intergovernmental Coordination Element Policy of the 1989 Comprehensive Plan requires Palm Beach County to support municipal efforts to secure boundary changes; and

WHEREAS, the Intergovernmental Coordination Element Policy of the 1989 Comprehensive Plan requires the County to work with municipalities to determine areas to be considered for annexation; and

WHEREAS, Chapter 171, Part II, Florida Statutes (2007), as amended, establishes the Interlocal Service Boundary Agreement process as a flexible, joint planning option for Counties and municipalities to cooperatively adjust municipal boundaries while planning for service delivery and land use changes; and

WHEREAS, on February 4, 2008, the City of Greenacres adopted an Initiating Resolution pursuant to Chapter 171, Part II, F.S., to commence the negotiation process for an interlocal service boundary agreement for an area (referred to herein as the "Area") described in Exhibit "A" attached hereto; and

WHEREAS, the City of Greenacres complied with Chapter 171.203(1)(b), F.S., by sending a notification of the initiating resolution by United States certified mail to each municipality within Palm Beach County; and

WHEREAS, Chapter 171, Part II, Florida Statutes (2007), states that the Responding Resolution be presented to the Board of County Commissioners within sixty (60) days of receipt of the City's adoption of their Initiating Resolution; and

WHEREAS, the Board of County Commissioners deems it in the best interest of Palm Beach County to negotiate an Interlocal Service Boundary Agreement with the City of Greenacres for the area described in Exhibit "A" attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. The Board of County Commissioners hereby agrees to negotiate in good faith with the City of Greenacres, in accordance with Chapter 171.203, Florida Statutes, to prepare an Interlocal Agreement to provide for a streamlined annexation and land use amendment process and schedule for properties within the "Area" and to designate the service provider(s) for the services identified in Section 2 herein.

Section 2. Palm Beach County agrees that negotiations regarding an Interlocal Service

Boundary Agreement will address, at a minimum, issues concerning service delivery, fiscal responsibilities, and boundary adjustment as they concern the City's and the County's responsibilities for the funding and delivery of the following services:

- a. Police
- b. Fire rescue and emergency medical
- c. Water and wastewater
- d. Road ownership, construction and maintenance including street lights
- e. Conservation, parks and recreation
- f. Stormwater management and drainage

Section 3. Negotiations regarding an Interlocal Service Boundary Agreement will address land use designations within the area outlined in Exhibit "A" and the future vision for this area.

Section 4. In accordance with Chapter 171.203, Florida Statutes, the Board of County Commissioners hereby concurs with the City of Greenacres to invite the City of Atlantis, the Village of Palm Springs, and the Town of Lantana to participate in the Interlocal Service Boundary Agreement negotiations, as the municipal borders and/or the future annexation areas are contiguous to the area.

Section 5. The provisions of this resolution shall become effective upon adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

| | |
|---|---|
| Commissioner Addie L. Greene, Chairperson | — |
| Commissioner John F. Koons, Vice Chair | — |
| Commissioner Karen T. Marcus | — |
| Commissioner Robert J. Kanjian | — |
| Commissioner Mary McCarty | — |
| Commissioner Burt Aaronson | — |
| Commissioner Jess R. Santamaria | — |

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the _____ day of _____, 2008.

ATTEST:
SHARON R. BOCK, Clerk &
Comptroller

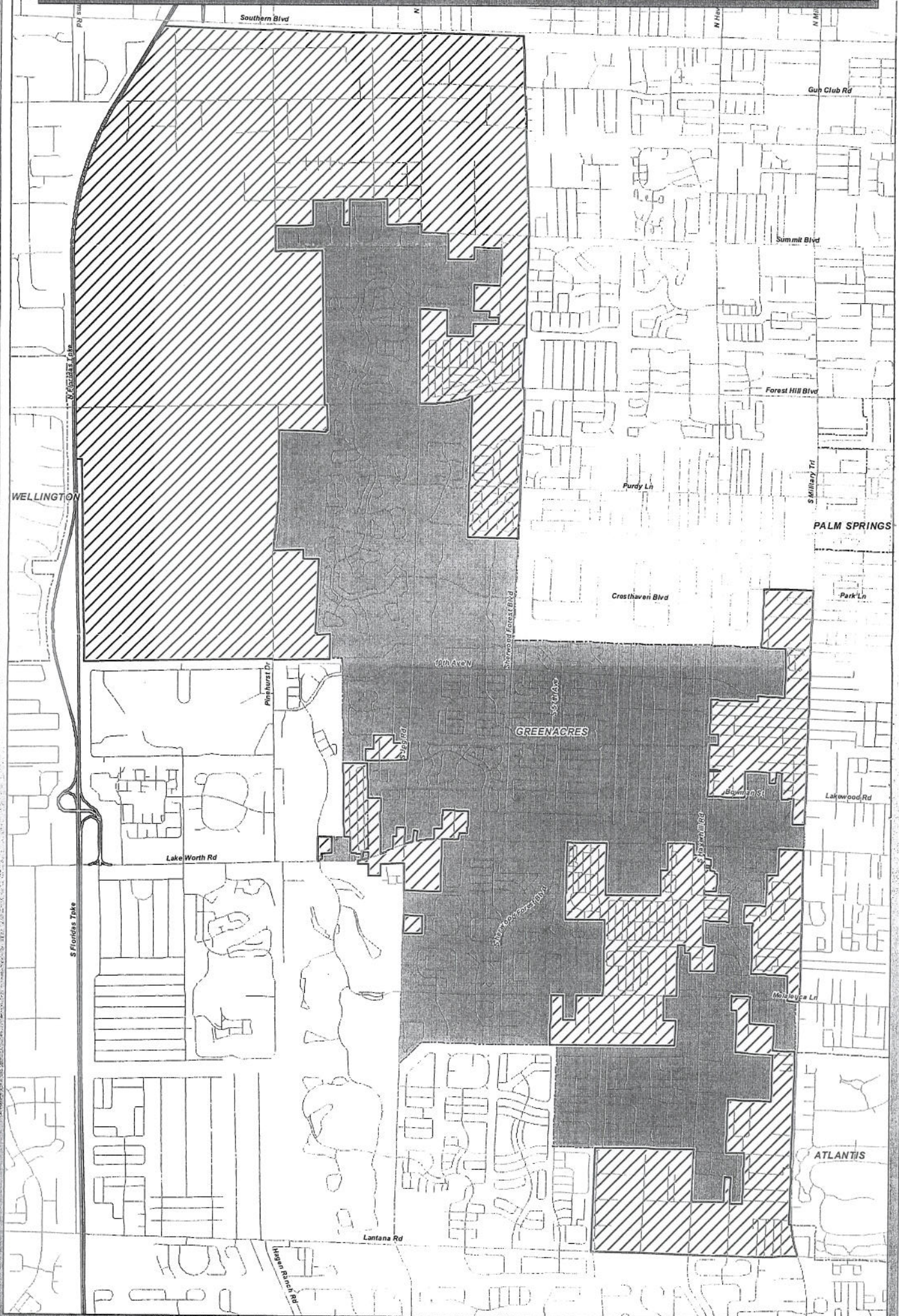
By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


Assistant County Attorney

City of Greenacres

Exhibit A - Interlocal Service Boundary Agreement (ISBA)



Date: 2/2/2020
 Contact: James Geronzi@cityofgreenacres.com
 Filename: N:\GIS\MapFiles\GISBA\AGUA20A.mxd

Note: Map is not official, for presentation purposes only.

ISBA Boundary Greenacres Other Municipalities

1,000 0 1,000 2,000 Feet



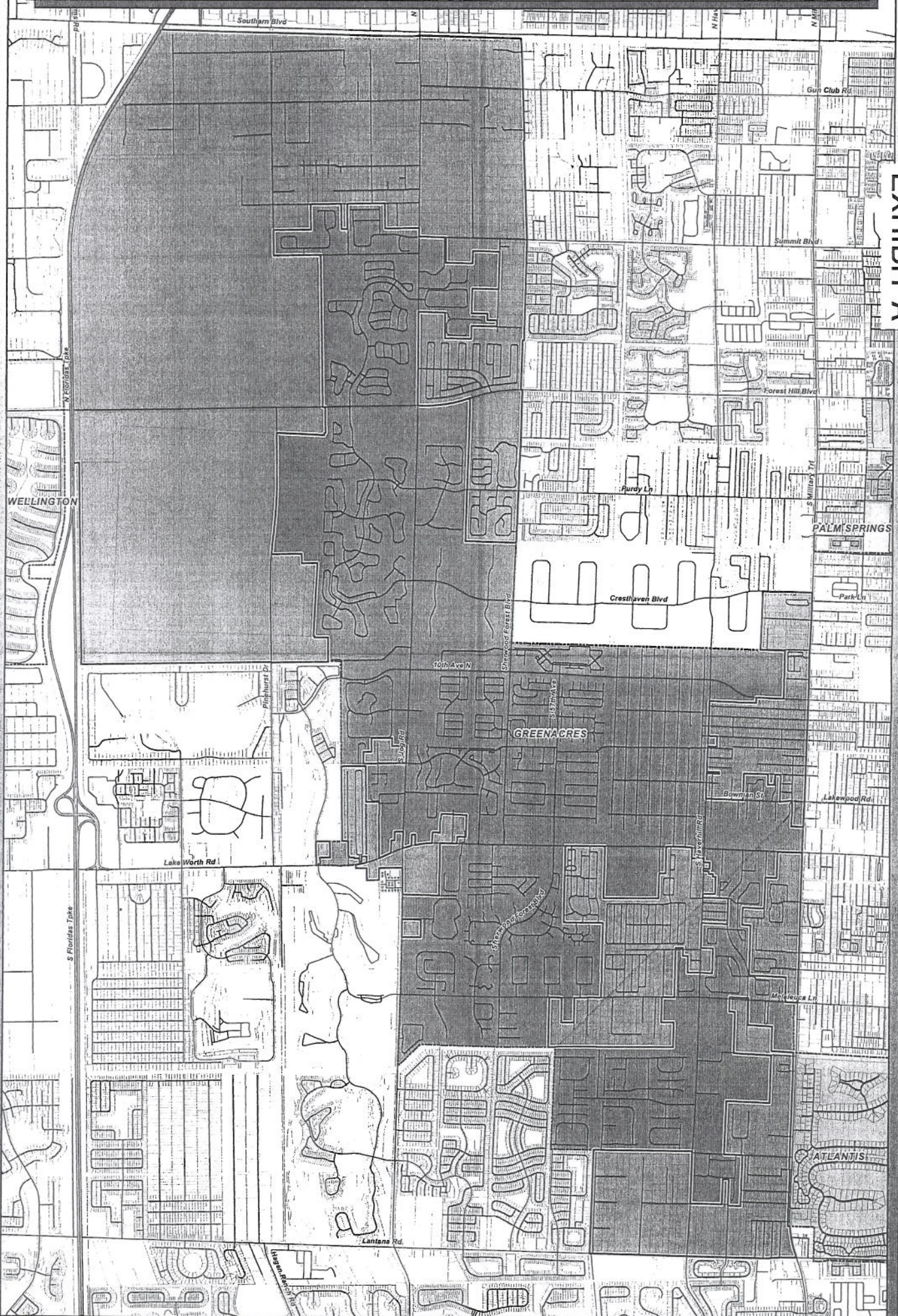
Planning, Zoning
 & Building
 200 W. 2nd St.
 West Palm Beach, FL 33411
 Phone: (561) 231-2322



City of Greenacres

Potential Interlocal Service Boundary Agreement (ISBA)

EXHIBIT A



Revision Date: 10/20/08
 Created: James Greenacres City
 Filename: H:\City\GIS\Map\10081008ISBA\ISBA.mxd

Note: Map is not official for professional purposes only.

ISBA Boundary



Greenacres



Other Municipalities

1,000 0 1,000 2,000 Feet



Planning, Zoning
 & Building
 2200 N. Hwy 1
 West Palm Beach, FL 33411
 Phone (561) 231-5300





City of Greenacres

5800 Melaleuca Lane • Greenacres • Florida • 33463-3515
Ph: 561-642-2006 • Fax: 561-642-2004 • Email: shill@ci.greenacres.fl.us

Samuel J. Ferreri
Mayor

Wadie Atallah
City Manager

Sondra K. Hill
City Clerk

OFFICE OF THE CITY CLERK CERTIFICATION

STATE OF FLORIDA

COUNTY OF PALM BEACH

I, SONDRA K. HILL, THE UNDERSIGNED AUTHORITY, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE, EXACT, AND CORRECT COPY OF EXECUTED RESOLUTION NO. 2008-05 THAT WAS ADOPTED BY THE CITY COUNCIL AT THE MEETING OF FEBRUARY 4TH, 2008.

WITNESS BY MY HAND AND OFFICIAL CORPORATE SEAL, THIS 5TH DAY OF FEBRUARY, 2008.

CITY OF GREENACRES, FLORIDA

Sondra K. Hill
SONDRA K. HILL, MMC
CITY CLERK

SEAL

CORPORATE
SEAL
1026

Richard C. Radcliffe
Councilman • District I

Peter A. Noble
Councilman • District II

Charles E. Shaw
Councilman • District III

Doris A. Fouts
Councilwoman • District IV

Norman W. Rose
Councilman • District V

RESOLUTION NO. 2008-05

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING THE CITY OF GREENACRES TO INITIATE THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF GREENACRES AND PALM BEACH COUNTY, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; PROVIDING THAT THIS RESOLUTION SHALL ACT AS THE REQUIRED INITIATING RESOLUTION UNDER CHAPTER 171.203, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Greenacres deems it to be in the best interest of the City to negotiate an Interlocal Service Boundary Agreement with Palm Beach County for the area described in Exhibit "A" attached hereto and by this reference made a part hereof; and

WHEREAS, the City of Greenacres desires to annex properties within the Palm Beach County Urban Services Area boundary; and

WHEREAS, the area described in Exhibit "A" is within the future annexation area of the City of Greenacres as set forth in the Annexation Element of the City's Comprehensive Plan; and

WHEREAS, Chapter 171, Part II, Florida Statutes, establishes a more flexible process of adjusting municipal boundaries through intergovernmental coordination in planning and service delivery; and

WHEREAS, Chapter 171.203(1)(a), Florida Statutes, provides that other municipalities may be invited to also participate in the Interlocal Service Boundary Agreement negotiations and the City of Greenacres is aware that the City of Atlantis,

the Village of Palm Springs, and the Town of Lantana may desire to be included in the negotiations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:

Section 1. The City of Greenacres, Florida hereby agrees to negotiate in good faith with Palm Beach County, in accordance with Chapter 171.203, Florida Statutes, regarding a streamlined annexation and land use amendment process for property currently in the unincorporated area of the County as outlined in Exhibit "A", a copy of which is attached hereto and incorporated herein by reference; and further agrees to address during the negotiations the issues outlined in Section 2 and 3 herein.

Section 2. The City of Greenacres agrees that negotiations regarding an Interlocal Service Boundary Agreement will address, at a minimum, issues concerning service delivery, fiscal responsibilities, and boundary adjustment as they concern the City's and the County's responsibilities for the funding and delivery of the following services:

1. Police
2. Fire, Rescue, and Emergency Medical
3. Water and Wastewater
4. Road Ownership, Construction, and Maintenance including street lights
5. Conservation, Parks and Recreation
6. Stormwater Management and Drainage

Section 3. Negotiations regarding an Interlocal Service Boundary Agreement will also address land use designations within the area outlined in Exhibit "A" and the City's vision for this area.

Section 4. The City of Atlantis, the Village of Palm Springs, and the Town of Lantana are hereby invited to participate in the Interlocal Service Boundary Agreement negotiations however, per Chapter 171.203(2), Florida Statutes, they must, within 60 days of the effective date of this resolution, adopt a responding resolution in order to participate.


Section 5. This resolution shall be effective upon its adoption.

RESOLVED AND ADOPTED this 4th day of February, 2008.

Voted



Samuel J. Ferreri
Mayor




Doris A. Fouts
Deputy Mayor

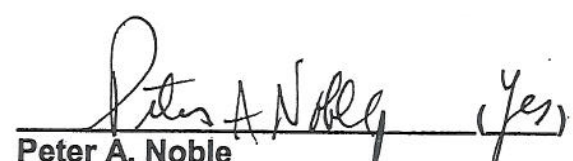
Attest:



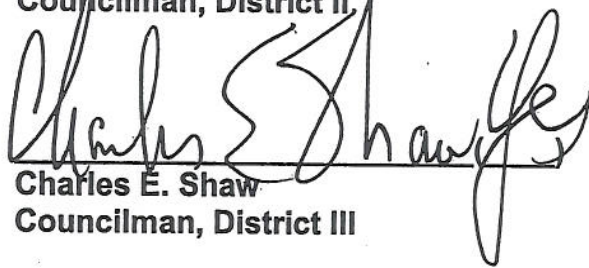
Sondra K. Hill
City Clerk



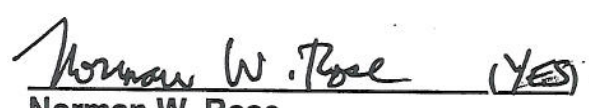
Richard C. Radcliffe
Councilman, District I



Peter A. Noble
Councilman, District II

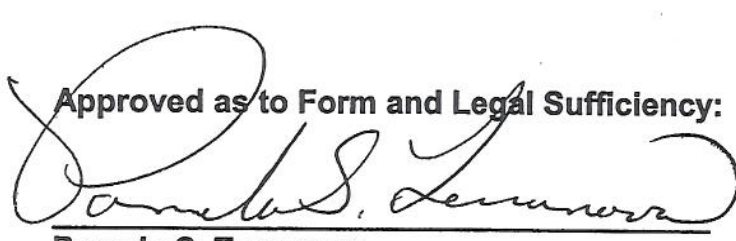


Charles E. Shaw
Councilman, District III



Norman W. Rose
Councilman, District V

Approved as to Form and Legal Sufficiency:



Pamela S. Terranova
City Attorney