



**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income(County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match(County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	-0-	-0-	-0-	-0-	-0-
#ADDITIONAL FTE	-0-	-0-	-0-	-0-	-0-
POSITIONS (CUMULATIVE)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget? Yes\_\_\_ No X  
 Does this item include the use of federal funds? Yes\_\_\_ No X

**Budget Account No:**  
 Fund                      Agency                      Organization                      Object

**B. Recommended Sources of Funds/Summary of Fiscal Impact:** There is no fiscal impact with the proposed annexation. Fire Rescue will continue to service these areas.

**C. Departmental Fiscal Review:**

*[Signature]*

**III. REVIEW COMMENTS:**

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

*[Signature]* 9/30/19  
 OFMB DC 9/30 (21) 9/30

*[Signature]* 10/28/19  
 Contract Dev. & Control  
 10/27/19 TW

**B. Legal Sufficiency**

*[Signature]*  
 Assistant County Attorney

**C. Other Department Review**

\_\_\_\_\_  
 Department Director



# Village of Palm Springs

"a great place to call home"

Planning, Zoning & Building

226 Cypress Lane • Palm Springs, Florida 33461-1699  
561.965.4016 • Fax 561.439.4132

August 2, 2019

RECEIVED  
AUG 12 2019  
PLANNING DIVISION

Via U.S. Certified Mail

Ms. Patricia Behn  
Director of Planning  
Palm Beach County  
2300 N. Jog Road 2<sup>nd</sup> Floor  
West Palm Beach, Florida 33411

RE: Request to Continue Consideration of Annexation Interlocal Agreement

Dear Patricia:

Pursuant to our recent discussions, the Village of Palm Springs is requesting that the enclosed annexation interlocal agreement be scheduled for County Commission consideration. The interlocal agreement, which involuntarily annexes two (2) parcels totaling 1.91 acres, was approved by the Village Council via Resolution No. 2017-49. Formal notice of the annexation, pursuant to Chp. 171.046, F.S, is being resent to the two property owners,.

Enclosed for your consideration is a certified copy of the Village resolution and three (3) executed original copies of the interlocal agreement.

We would be happy to meet to discuss the Village's annexation efforts, if desired. Thank you for your ongoing assistance.

Sincerely,

Kim Glas-Castro, AICP LEED AP  
Planning, Zoning & Building Director

cc: Verdenia Baker, County Administrator, via Certified Mail  
Rich Reade, Village Manager  
Nicole Delsoin, Planning Division, via email

[www.vpsfl.org](http://www.vpsfl.org)

## INTERLOCAL AGREEMENT

**THIS INTERLOCAL AGREEMENT** is made on this \_\_\_\_ day of \_\_\_\_\_, 2018 between the VILLAGE OF PALM SPRINGS, a municipal corporation located in Palm Beach County, Florida, hereinafter referred to as "VILLAGE," and PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", each entity constituting a "public agency" as defined in Part 1, Chapter 163, Florida Statutes (2017).

**WHEREAS**, Section 163.01, Florida Statutes (2017), known as the "Florida Interlocal Cooperation Act of 1969," as amended, authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and to thereby provide services and facilities which will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, the "Florida Interlocal Cooperation Act of 1969" permits public agencies as defined herein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

**WHEREAS**, Section 171.046, Florida Statutes (2017), provides for annexation of certain enclaves by entering into an interlocal agreement between the municipality and the county having jurisdiction over such enclave; and

**WHEREAS**, Section 171.046, Florida Statutes (2017), limits annexation by interlocal agreement to enclaves of 110 acres or less in size; and

**WHEREAS**, Section 171.031 (13) (a) and (b), Florida Statutes (2017), defines enclaves as developed or improved property bounded on all sides by a single municipality, or bounded by a single municipality and by a natural or manmade obstacle that allows passage of vehicular traffic to that incorporated area only through the municipality; and

**WHEREAS**, the County and the Village have determined that it is appropriate and will promote efficient provision of governmental services for the Village to annex certain enclaves; and

**WHEREAS**, it has been determined by the Village and by the County that the parcel to be annexed via this interlocal Agreement meets the requirements set out in Section 171.031 (a) and (b) and 171.046, Florida Statutes (2017), as such enclave is developed or is improved, is 110 acres or less in size, and is completely surrounded by the Village or is surrounded by the Village and a natural or manmade obstacle that allows passage of vehicular traffic to the enclaves only through the Village; and

**WHEREAS**, the enclave identified for annexation in this Interlocal Agreement is in the Village's future annexation area as provided for in the Village's Comprehensive Plan; and

**WHEREAS**, the County and the Village agree that the parcel to be annexed via this Interlocal Agreement is subject to the Land Use Atlas of the Palm Beach County Comprehensive Plan and County zoning and subdivision regulations until the Village adopts a comprehensive plan amendment to include the parcel to be annexed into the comprehensive plan; and

**NOW, THEREFORE**, in consideration of the mutual representations, terms, and covenants hereinafter set forth, the parties hereby agree as follows:

Section 1. Purpose

The purpose of the Agreement is to allow annexation by the Village of Palm Springs of that certain unincorporated enclave which is identified in Exhibit "A" attached hereto and made a part hereof:

Section 2. Definitions

The following definitions shall apply to this Agreement:

1. The term "enclave" shall be defined as set forth in Section 171.031(13) (a) and (b), Florida Statutes (2017).
2. "Act" means Part 1 of Chapter 163, Florida Statutes (2017).
3. "Agreement" means this Interlocal Agreement, including any amendments or supplements hereto, executed and delivered in accordance with the terms hereof.

Section 3. Annexation

The unincorporated enclave identified in Exhibit "A", which is attached hereto and made a part hereof, is hereby annexed into and is included in the corporate boundaries of the Village of Palm Springs.

Section 4. Effective Date

This agreement shall take effect upon execution by both parties.

Section 5. Filing

Upon execution by both parties, a certified copy of this agreement shall be filed with the Clerk of Circuit Court in and for Palm Beach County.

Section 6. Notification

The Village hereby acknowledges that it has provided written notice to all owners of real property located in the enclave identified in Exhibit "A" whose names and addresses are known by reference to the latest published ad valorem tax records of the Palm Beach County Property Appraiser. The written notice described the purpose of the Interlocal Agreement and stated the date, time, and place of the meeting of the Village Council of the Village of Palm Springs where this Interlocal Agreement is to be considered for adoption. The written notice also indicated the name and telephone number of the Palm Beach County staff person to

contact regarding the date, time and place when the Board of County Commissioners is to consider the adoption of this Interlocal Agreement.

Section 7. Captions

The captions and section designations herein set forth are for convenience only and shall have no substantive meaning.

Section 8. Severability

In the event any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement, and the same shall remain in full force and effect.

Section 9. Entire Agreement & Counterparts

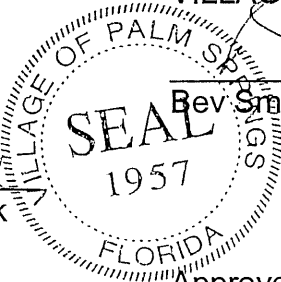
This Agreement represents the entire understanding between the parties, concerning the subject, and supersedes all other negotiations, representation, or agreements, either written or oral, relating this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

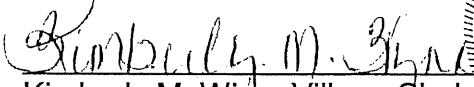
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VILLAGE OF PALM SPRINGS

ATTEST:

  
Rev. Smith, Mayor



  
Kimberly M. Winn, Village Clerk

(Seal)

Approved as to Form and Legal Sufficiency

  
Glen Torcivia, Village Attorney

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

**Sharon R. Bock**  
Clerk & Comptroller

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

(SEAL)

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS  
AND CONDITIONS

By: \_\_\_\_\_  
Robert Banks, Chief Land Use  
County Attorney

By:   
Ramsay Bulkeley, Executive Director  
Planning, Zoning & Building

Exhibit A  
Enclave Parcels

<i>ADDRESS (Number)</i>	<i>Street Name</i>	<i>PCN #</i>	<i>ACRES</i>	<i>Site Devl</i>	<i>OWNER NAME</i>
4037	Davis Road	00-43-44-30-01-009-0020	1.17	mobile home park	Awesome God LLC
4063	Davis Road	00-43-44-30-01-009-0030	0.74	single family	Butler, Susan





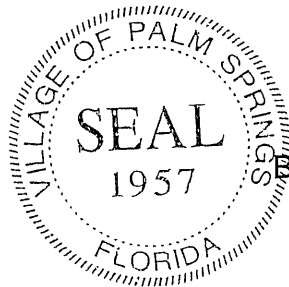
# OFFICE OF THE VILLAGE CLERK

VILLAGE OF PALM SPRINGS  
226 Cypress Lane  
Palm Springs, Florida 33461  
Phone: 561-965-4010 Fax: 561-965-0899

## CERTIFICATE OF TRUE COPY

The undersigned is the Village Clerk of the Village of Palm Springs, Florida, and is the duly authorized records custodian for said Village and hereby certifies this document is a **true and correct copy** of Resolution No. 2017-49, adopted December 21, 2017, by the Village Council. The original document is on file in the clerk's office.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Village of Palm Springs, Florida this 1<sup>st</sup> day of August 2019.



By: Kimberly Wynn  
Kimberly Wynn  
Village Clerk

**RESOLUTION NO. 2017-49**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, PURSUANT TO SECTION 163.01, AND SECTION 171.046 FLORIDA STATUTES, ET SEQ., FOR THE PURPOSE OF ANNEXING TWO (2) INDIVIDUAL PARCELS, CONSISTING OF 1.91 ACRES IN SIZE, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" TO THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village Council of the Village of Palm Springs ("Village") deems it in the best interest of the Village to enter into that certain Interlocal Agreement with Palm Beach County for the annexation of a two (2) parcels of land consisting of 1.91 acres in size; and

**WHEREAS**, the Village wishes to annex the two (2) parcels of land that would otherwise become an enclave; which is more fully described in Exhibit "A" to the Interlocal Agreement.

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:**

**Section 1.** The Village of Palm Springs, Florida hereby agrees to the terms and conditions of that certain Interlocal Agreement with Palm Beach County, a copy of which is attached hereto and which is incorporated herein by reference, and which is authorized pursuant to Chapter 163.01 and Section 171.046 et seq., Florida Statutes; and further authorizes the Mayor and Village Clerk to execute and deliver said Interlocal Agreement to Palm Beach County, along with a certified copy of this Resolution.

**Section 2.** Upon their execution, the Village Clerk shall forthwith cause a certified copy of this Resolution, together with a copy of said Interlocal Agreement to be filed with the Clerk of the Circuit Court in and for Palm Beach County, Florida.

**Section 3.** This Resolution shall become effective immediately upon its passage.

Council Member Gunther, offered the foregoing Resolution, and moved its adoption. The motion was seconded by Council Member Brinkman, and upon being put to a vote, the vote was as follows:

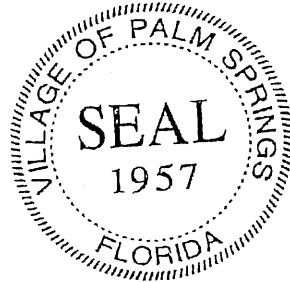
	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	✓		
PATTI WALLER, VICE MAYOR	✓		
LIZ SHIELDS, MAYOR PRO TEM			✓
JONI BRINKMAN, COUNCIL MEMBER	✓		
DOUG GUNTHER, COUNCIL MEMBER	✓		

The Mayor thereupon declared this Resolution duly passed and adopted this 21<sup>st</sup> day of December, 2017.

VILLAGE OF PALM SPRINGS, FLORIDA  
BY: [Signature]  
BEV SMITH, MAYOR

ATTEST:

BY: [Signature]  
KIMBERLY M. WYNN, VILLAGE CLERK



REVIEWED FOR LEGAL FORM AND SUFFICIENCY

BY: [Signature]  
GLEN J. TORCIVIA, VILLAGE ATTORNEY