

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 8, 2020  Consent  Regular  
 Workshop  Public Hearing

Department: Planning, Zoning & Building Department

Submitted By: Planning Division

Submitted For: Planning Division

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, 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 November 2, 2020, the City of Greenacres adopted an Initiating Resolution No. 2020-45 pursuant to Chapter 171, Part II, Florida Statutes (F.S.), as a first step in the process of completing an Interlocal Service Boundary Agreement (ISBA) for a designated area outside of the boundaries of the City. Pursuant to Chapter 171, Part II, F.S., the County shall adopt a Responding Resolution within 60 days after the receipt of an Initiating Resolution. Exhibit "A" of the Responding Resolution identifies the unincorporated area for discussion, and is located within the City's future annexation area. The Responding Resolution provides options that may be negotiated during the process, including service providers and boundary adjustments. By adopting the Responding Resolution, the negotiations can begin; however, the County is not obligated to enter into an interlocal agreement. Additionally, the Responding Resolution does not annex any property. Planning staff will work closely with other County departments and City staff following the adoption of the Responding Resolution to develop an interlocal agreement, which will be presented to the Board at a later date. District 2 (RB)

**Background and Justification:** Chapter 171, Part II, F.S., establishes the ISBA to encourage local governments to jointly determine how to provide services to residents and property in the most efficient and effective manner, while balancing the needs and desires of the community. The ISBA process was established in the Florida Statutes to encourage local governments to coordinate service delivery and plan for boundary adjustments. This action is consistent with the Intergovernmental Coordination Element of the 1989 Comprehensive Plan.

**Attachments:**

1. Palm Beach County Responding Resolution
2. City of Greenacres Adopted Initiating Resolution No. 2020-45

Recommended by:  11/20/2020  
Department Director Date

Approved By:  11/22/20  
Assistant County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2021	2022	2023	2024	2025
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 associated with the Resolution.

**C. Departmental Fiscal Review:**

Pat O'Connell

**III. REVIEW COMMENTS:**

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

Steve Monte 11/15/20  
 OFMB 11/14

Joe D. Jacobson 11/17/2020  
 Contract Dev. & Control  
 11-17-20 TW

**B. Legal Sufficiency**

Assistant County Attorney      11/23/20

**C. Other Department Review**

Department Director

**(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)**

RESOLUTION NO. R-2020-

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, assist 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 (F.S.), (2020), 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 November 2, 2020, the City of Greenacres adopted an Initiating Resolution No. 2020-045, 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, F. S. (2020), states that the Responding Resolution be presented to the Board of County Commissioners within sixty (60) days 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.

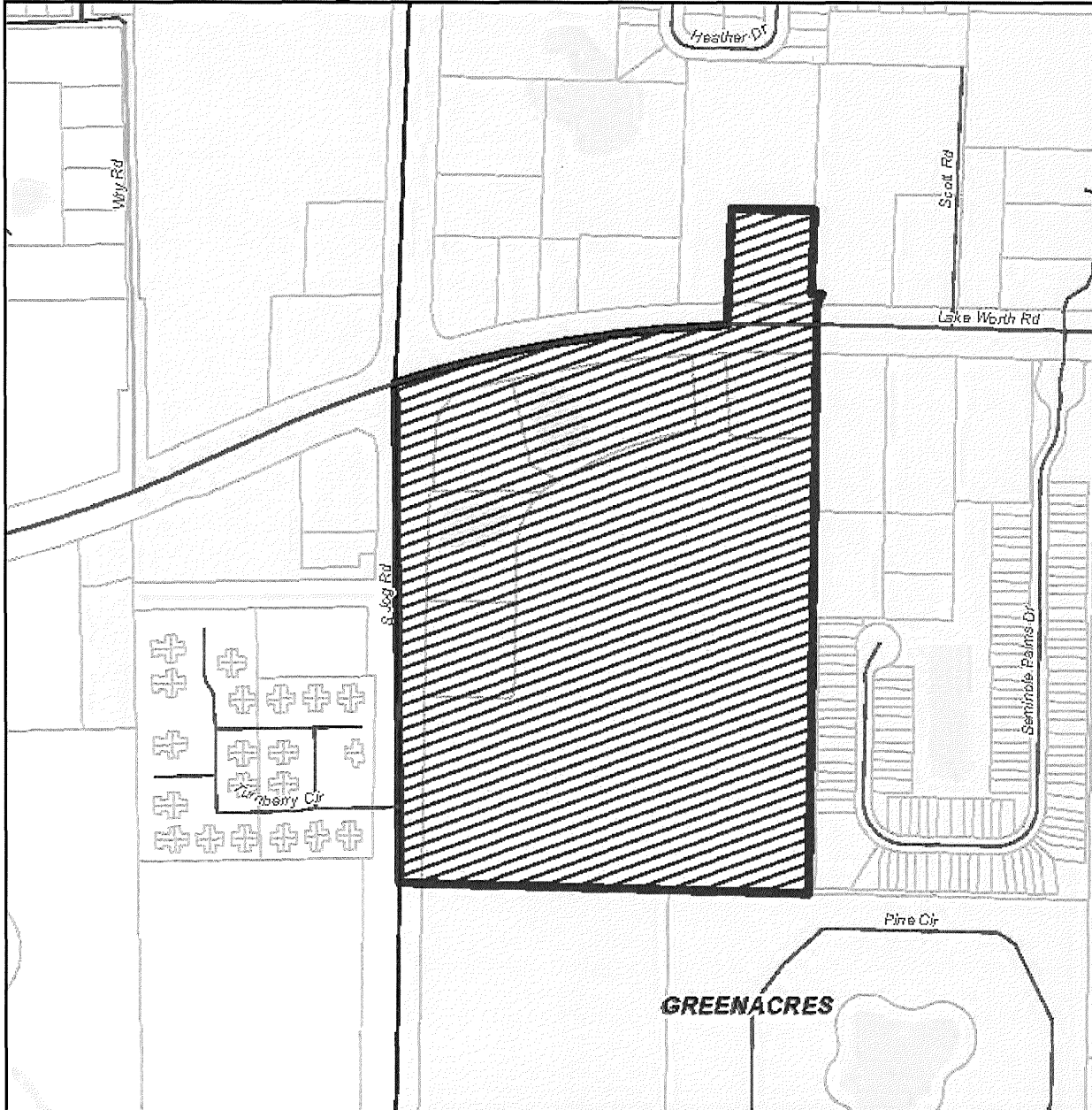
**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**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, F.S., to prepare an Interlocal Service Boundary Agreement to provide for a streamlined annexation and land use amendment process, and 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

EXHIBIT A

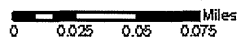
**Interlocal Service Boundary Agreement (ISBA)  
Jog and Lake Worth Rd**



Proposed ISBA	Water	<b>Right-of-Way Maintenance</b>	
Municipality	PBC Owned	<b>County ROW Maintenance</b>	<b>Other ROW Maintenance</b>
		County Maintained	State Maintained
		Courtesy Maintained	Other

Updated 10/09/2020  
Contact: Nicole Dalton  
Filename: NIDwProj\AnnexA-FY 2021

Note: Map is not official for interlocal purposes only  
Source: ROW Maintenance Data PBC Engineering  
Dept 2015 GISPROG SDE GEO DATA CENTER LINE\_LN



Planning, Zoning  
& Building

200 N. Jog Rd.  
West Palm Beach, FL 33411  
Phone: 561-231-5266



**RESOLUTION NO. R-2020-**

**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, assist 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 (F.S.), (2020), 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 November 2, 2020, the City of Greenacres adopted an Initiating Resolution No. 2020-045, 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, F. S. (2020), states that the Responding Resolution be presented to the Board of County Commissioners within sixty (60) days 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, F.S., to prepare an Interlocal Service Boundary Agreement to provide for a streamlined annexation and land use amendment process, and 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 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 and zoning designations within the area outlined in Exhibit "A".

**Section 4.** The provisions of this Resolution shall become effective upon adoption by the Board of County Commissioners.

**Section 5.** This Resolution shall expire on December 31, 2024, but may be terminated prior to this date or extended by a written instrument approved 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:

- District 1 Commissioner Maria Marino —
- District 2 Commissioner Gregg K. Weiss —
- District 3 Commissioner Dave Kerner, Mayor —
- District 4 Commissioner Robert S. Weinroth, Vice Mayor —
- District 5 Commissioner Maria Sachs —
- District 6 Commissioner Melissa McKinlay —
- District 7 Commissioner Mack Bernard —

**APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach County, on the \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:  
SHARON R. BOCK, Clerk & Comptroller

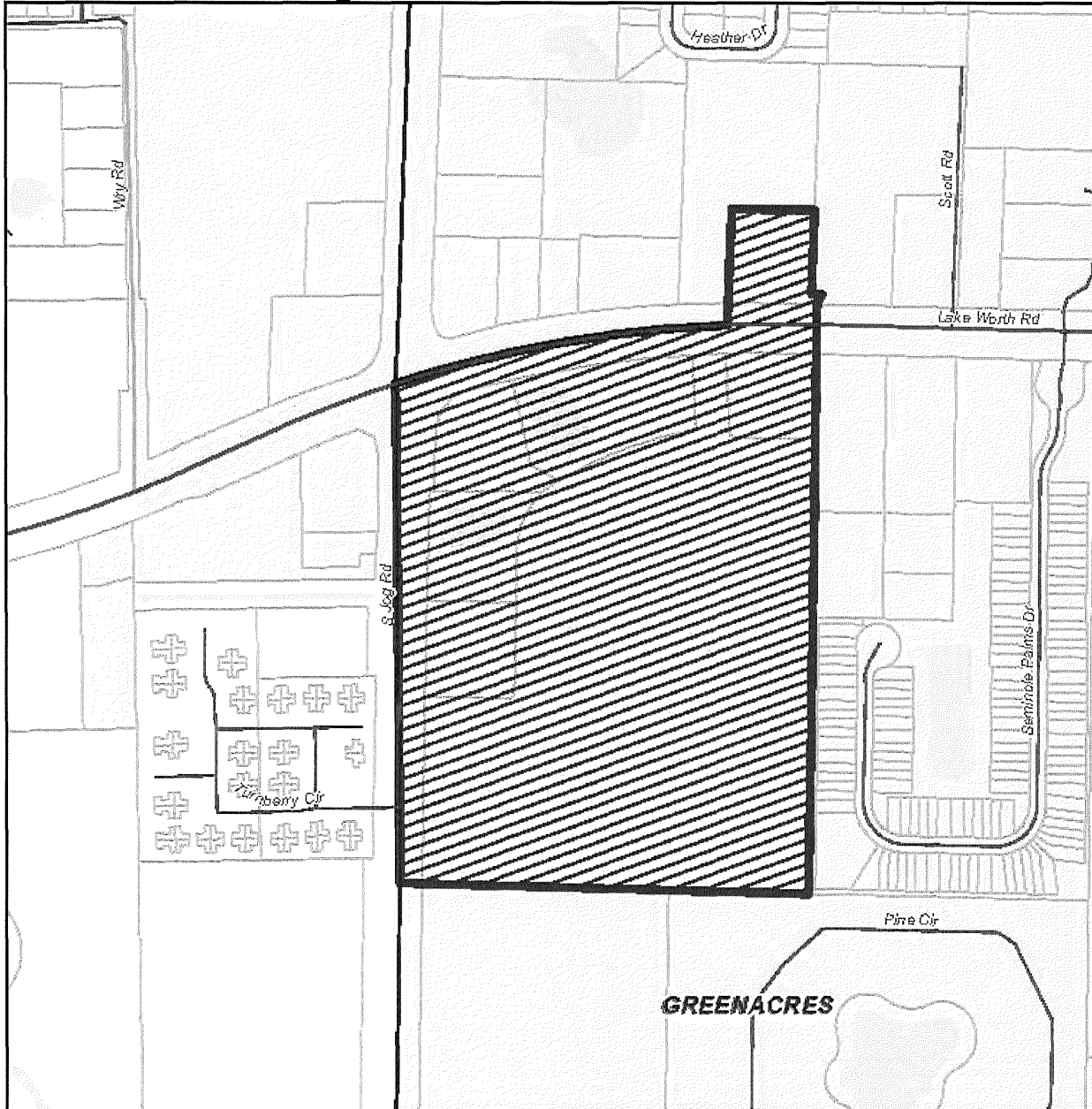
By: \_\_\_\_\_  
Deputy Clerk









APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
\_\_\_\_\_  
Robert P. Banks, Chief Land Use County Attorney

EXHIBIT A

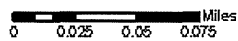
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 Municipality	 PBC Owned	<b>County ROW Maintenance</b>	<b>Other ROW Maintenance</b>
		 County Maintained	 State Maintained
		 Courtesy Maintained	 Other

Updated 10/29/2020  
Contact: Nicole DeLeon  
Filename: N IDWProj/AnnexA-FY 2021

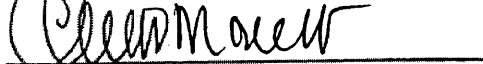
Note: Map analytical for informational purposes only  
Source: ROW Maintenance Data PBC Engineering  
Dept 2015 GISPROD SDE GEO DATA CENTERLINE\_LN



Planning, Zoning  
& Building  
200 N. US Hwy.  
West Palm Beach, FL 33411  
Phone: 561.231-6266



I HEREBY CERTIFY THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY FROM THE RECORDS OF THE CITY CLERK'S OFFICE, CITY OF GREENACRES, FLORIDA



QUINTELLA L. MOORER, CMC  
CITY CLERK

**RESOLUTION NO. 2020-45**



**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 SECTION 171.203, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the purpose of this resolution is to initiate a process, to jointly study the area described in order to ensure efficient provision of services and ultimately annex property to adjust the municipal boundary and ensure sound urban development; and

**WHEREAS**, the City Council of the City of Greenacres, Florida 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, Florida 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 as identified on Map #4 ANX of the Annexation Element, as set forth in 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.



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

**Section 1.** The foregoing "WHEREAS" clauses are true and correct and are hereby ratified and confirmed by the City Council.

**Section 2.** 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 Sections 3 and 4 herein.

**Section 3.** The City of Greenacres, Florida 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. Storm water Management and Drainage
7. Sidewalks, pedestrian systems

**Section 4.** Negotiations regarding an Interlocal Service Boundary Agreement will also address land use designations and zoning within the area outlined in Exhibit "A" and the City's vision for the area.


**Section 5.** This Resolution shall be effective upon its adoption.

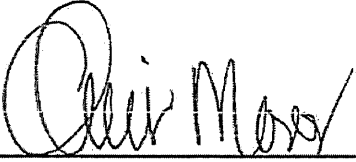
**[The remainder of the page intentionally left blank.]**

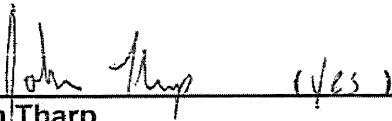
RESOLVED AND ADOPTED this 2<sup>nd</sup> day of November, 2020.

Voted

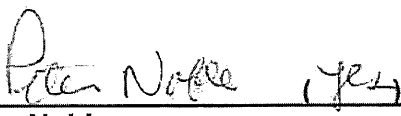
  
\_\_\_\_\_  
Joel Flores  
Mayor

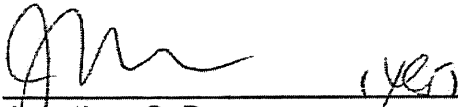
  
\_\_\_\_\_  
Judith Dugo  
Deputy Mayor


Attest:   
\_\_\_\_\_  
Quintella Moorer  
City Clerk

  
\_\_\_\_\_  
John Tharp (yes)  
Council Member, District I



  
\_\_\_\_\_  
Peter Noble (yes)  
Council Member, District II

  
\_\_\_\_\_  
Jonathan G. Pearce (yes)  
Council Member, District IV

  
\_\_\_\_\_  
Paula Bousquet (yes)  
Council Member, District V

Approved as to Form and Legal Sufficiency:


  
\_\_\_\_\_  
Glen J. Torcivia  
City Attorney

EXHIBIT "A"

