

**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

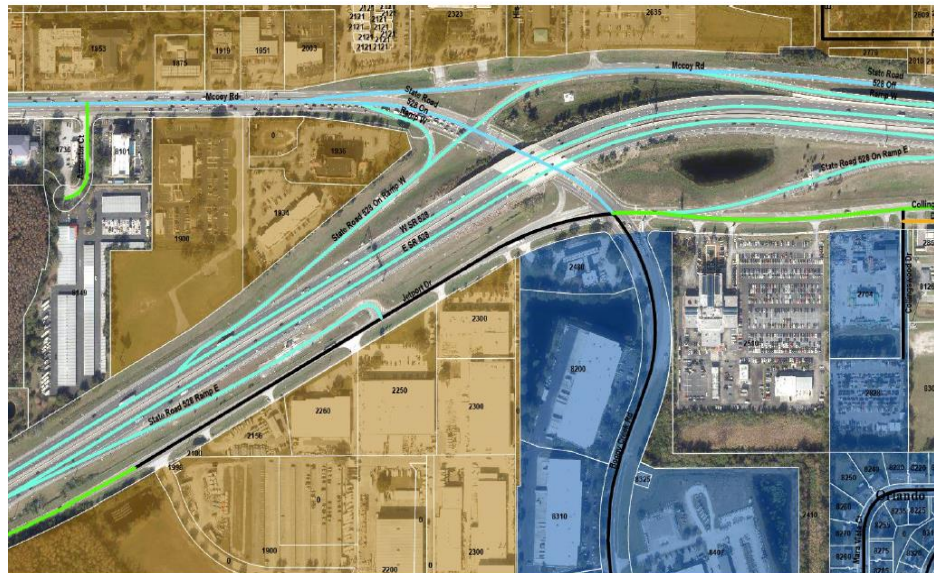
Meeting Date: January 20, 2025

To: Honorable Mayor and City Council

From: Rick J. Rudometkin, City Manager
Daniel W. Langley, City Attorney

Subject: Consideration of Resolution 26-01 Initiating Governmental Conflict Resolution Procedures Pursuant to Chapter 164, Florida Statutes, with Orange County regarding Jetport Drive

Background: A dispute has arisen between the City of Belle Isle and Orange County regarding jurisdictional authority and maintenance responsibilities for the roadway and sidewalk surfaces of Jetport Drive adjacent to properties annexed by the City. Orange County has asserted that the City's annexation of properties adjacent to Jetport Drive resulted in the automatic transfer of jurisdiction and maintenance responsibility for a portion of Jetport Drive to the City pursuant to long-standing practice and its interpretation of the statute defining a city street system. The Jetport Drive right-of-way was not annexed into the City limits, and is still located within unincorporated Orange County.



The City disputes the County's statutory interpretation and legal position. Section 335.0415, Fla. Stat., governing road operation and maintenance jurisdiction requires an agreement between the City and County for a road transfer to occur. There is no agreement between the City and County transfer any portion of Jetport Drive to

the City, nor is there a standing interlocal agreement between the City and County addressing annexations or the effect of annexations on the transfer of roads. Further, there is no deed conveying the Jetport Drive right-of-way to the City. There is no provision in the annexation statute (Chapter 171, F.S.) or in Section 335.0415, Fla. Stat., that provides an annexation of private property adjacent to a County road automatically causes a road transfer to the City, as the County asserts.

Chapter 164, Florida Statutes, known as the Florida Governmental Conflict Resolution Act, allows governmental entities to engage in prescribed conflict assessment and resolution procedures prior to initiating litigation against another governmental entity. The attached resolution initiates these statutory procedures and authorizes the City Manager to take the actions necessary to comply with the Act and attempt to resolve the dispute.

Staff Recommendation:

Approve the Resolution initiating governmental conflict resolution procedures pursuant to Chapter 164, Florida Statutes, with Orange County concerning the determination and allocation of jurisdiction and maintenance responsibilities for Jetport Drive adjacent to the Belle Isle city limits.

Suggested Motion:

Move to approve Resolution 26-01 to initiate governmental conflict resolution procedures pursuant to Chapter 164, Florida Statutes, with Orange County, regarding jurisdiction and maintenance responsibilities for Jetport Drive.

Fiscal Impact:

The fiscal impact associated with the adoption of a resolution approving and initiating governmental conflict resolution procedures will be primarily attorneys' fees and staff time involved in the process.

Attachments:

Resolution 26-01
Chapter 164, Florida Statutes