



ITEM SUMMARY

MEETING DATE: August 15, 2022

FROM: Kara Irwin-Ferris, AICP, Development & Neighborhood Services Director

SUBJECT: Ordinance 2022-01

Interlocal Service Boundary Agreement (ISBA) – SE Corner Lake Worth Road and South Jog Road

BACKGROUND

Chapter 171 of the Florida Statutes was amended to add a new process for coordinating and facilitating annexation and the planning of service delivery. Through this process, an Interlocal Service Boundary Agreement (ISBA) is created between the city and the county involving the input of the relevant providers of services. The statutes suggest that this list include police, fire, planning & zoning, water & wastewater, road ownership, conservation & parks, and stormwater.

On November 2, 2020 (through Resolution 2020-45) the City asked to initiate negotiations with Palm Beach County and on December 8, 2020 (through Resolution No. R-2020-1845) the County accepted our request. It was agreed that the topics would include all of the service delivery areas suggested by the statutes and would cover the area located at the southeast corner of the intersection of Lake Worth Road and South Jog Road.

A kick-off meeting was held on January 15, 2021, and was followed by meetings between the City staff, County Planning staff, County Legal staff, Palm Beach County Fire Rescue, and representatives of the Palm Beach County International Association of Fire Fighters (IAFF). City and County staff negotiated a separate agreement with fire rescue provided for in Florida Statutes Chapter 171.203(8)(a).

If approved by the City Council, the ISBA will be scheduled to be heard by the Board of County Commissioners on August 23, 2022 and September 13, 2022.

ANALYSIS

Through the ISBA, the City will have access to additional tools and statutory provisions for annexation such as annexation via a majority request of the registered voters or property owners of a particular area (without the need for a referendum election) and annexation that creates pockets or temporary new enclaves, and these are expected to facilitate the expansion of the City towards the ultimate annexation boundary. The ISBA will also enhance the ability of all service providers (including the city) to better plan for annexation of territory into the City, including criteria for transfer of services.

The proposed ISBA area as depicted on the enclosed map (Exhibit “A” within Exhibit “1”) was determined jointly by City and County staff as an area that is within the City’s Future Annexation Area, has a reasonable chance of success for annexation, is expected to have a manageable demand for services as balanced by expected tax income, and is, in most cases, where voluntary annexation has already taken place or is in process.

The adoption of the ISBA will not by itself change the jurisdiction of any property. Annexation will take place later through separate approval processes, including notice to the affected property owners, when a majority of the owners or residents wish to annex. The agreement has an overall term of 20 years, and it is anticipated that annexation will move forward in a steady incremental manner during that time.

Therefore, the creation of an Interlocal Service Boundary Agreement between the City of Greenacres and Palm Beach County will further the City’s goal of annexing all the territory within the Future Annexation Area and will enhance intergovernmental coordination and efficiency in the provision of services in the areas adjacent to the City.

FINANCIAL INFORMATION

Financial impacts were considered as part of the negotiation process to create the Interlocal Service Boundary Agreement. Impacts will also be considered when annexations are proposed.

The ISBA includes the approval of an Agreement with Palm Beach County for Fire Rescue Services for any annexed parcels within the ISBA area. By December 1st of each year, the City will be required by contract to pay to the County an annual fire rescue service price for the fire rescue services provided by the County in the areas within the ISBA that have been annexed by the city. The annual fire rescue service price to be paid by the city to the county shall be calculated and invoiced by the County each year by multiplying the total of the taxable property values of all the Annexed Areas times the millage rate for the Fire/Rescue MSTU that was adopted by the Board of County Commissioners for the upcoming fiscal year.

The annual fire rescue service price calculation shall not include an Annexed Area until after the fiscal year funded by the last tax year during which said Annexed Area was on the County Fire/Rescue MSTU’s tax roll. The term of the contract for services shall be four (4) years from the annexation date of the first Annexed Area or upon termination of the contract by the County.

LEGAL

Ordinance 2022-01 was prepared in accordance with all applicable State statutes and City Code requirements.

The Ordinance adopting the Interlocal Service Boundary Agreement was advertised in accordance with Florida Statutes Chapter 161.041(3)(a) and 171.0413(1). The individual property owners within the ISBA were also notified directly by mail.

STAFF RECOMMENDATION

Approval of Ordinance 2022-01 authorizing execution of the proposed Interlocal Service Boundary Agreement between the City of Greenacres and Palm Beach County.