

RESOLUTION NO. 2022-60

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF GREENACRES AND PALM BEACH COUNTY, PURSUANT TO CHAPTER 171.046, FLORIDA STATUTES, PROVIDING FOR THE ANNEXATION OF A PORTION OF AN ENCLAVE TOTALING APPROXIMATELY 7.9636 ACRES LOCATED AT 4148 S JOG ROAD, 4080 S JOG ROAD, 4020 S JOG ROAD, 6492 LAKE WORTH ROAD, 6350 LAKE WORTH ROAD, AND 6323 LAKE WORTH ROAD; PROVIDING FOR TRANSMITTAL TO THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS FOR SUBSEQUENT ACTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 171.046, Florida Statutes, provides for annexation of certain enclaves into a municipality by entering into an Interlocal Agreement between the Municipality and the County having jurisdiction over such enclaves; and

WHEREAS, Chapter 171.046, Florida Statutes, limits annexation by Interlocal Agreement to enclaves of one hundred and ten (110) acres or less in size; and

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

WHEREAS, it has been determined that the parcels to be annexed via this Interlocal Agreement meet the requirements set out in Sections 171.031(13)(a) and (b) and 171.046, Florida Statutes, as such enclave is developed or is improved, is one hundred and ten (110) acres or less in size, and is completely surrounded by the City or is surrounded by the City and a natural or manmade obstacle that allows passage of vehicular traffic to the enclave only through the City; and

Resolution No. 2022-60 | Enclave Interlocal 2022

Page No. 2

WHEREAS, the City has determined that it is appropriate and will promote efficient provision of governmental services for the City to annex certain enclaves; and

WHEREAS, the City entered into an Interlocal Service Boundary Agreement (ISBA) adopted by the City of Greenacres on August 15, 2022 by City Ordinance 2022-01, and by the County on September 13, 2022, by Ordinance 2022-025; and

WHEREAS, it has been determined by the City and by the County that the parcels to be annexed via this interlocal Agreement meet the requirements set out in Section 171.031 (a) and (b) and 171.046, Florida Statutes (2022), as such enclaves are developed or are improved, are 110 acres or less in size, and are completely surrounded by the City or are surrounded by the City and a natural or manmade obstacle that allows passage of vehicular traffic to the enclaves only through the City; and

WHEREAS, the enclave identified herein is within the future annexation area of the City of Greenacres as set forth in the Annexation Element of the Comprehensive Plan; and

WHEREAS, the City Council of the City of Greenacres further finds that, in accordance with the Land Development Staff Report and Recommendation dated October 27, 2022, attached hereto as Exhibit “2” and by this reference made a part hereof, the proposed annexation of the subject property is in the best interest of the citizens of the City of Greenacres, and is in accordance with State and local law.

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

SECTION 1. The City Council of the City of Greenacres hereby approves the Interlocal Agreement (incorporated and attached herein as Exhibit “1”) with Palm Beach County for the annexation of six (6) parcels within an enclave totaling approximately 7.9636 acres located at

Resolution No. 2022-60 | Enclave Interlocal 2022

Page No. 3

4148 S Jog Road, 4080 S Jog Road, 4020 S Jog Road, 6492 Lake Worth Road, 6350 Lake Worth Road, and 6323 Lake Worth Road.

SECTION 2. The City Council of the City of Greenacres hereby authorizes the appropriate City officials to execute the Agreement on behalf of the City of Greenacres and to do all things necessary to effectuate the terms of the Agreement. The City Manager and City Attorney are hereby authorized to make any non-substantive changes to the Interlocal Agreement necessary to effectuate the terms authorized herein.

SECTION 3. Upon execution of the Interlocal Agreement, the City Clerk is hereby directed and authorized to transmit sufficient copies of same to the appropriate officials of Palm Beach County for the County's consideration and execution.

SECTION 4. This resolution shall be effective upon its adoption.

RESOLVED AND ADOPTED this 7th of day of November, 2022.

Joel Flores, Mayor

Attest:

Quintella Moorer, City Clerk

John Tharp, Deputy Mayor

Voted:

Peter Noble, Council Member, *District II*

Voted:

Judith Dugo, Council Member, *District III*

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Voted:

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney