

RESOLUTION NO. R-2015-1343

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 DELRAY BEACH, 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.), (2014), 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 August 11, 2015, the City of Delray Beach adopted an Initiating Resolution No. 43-15, 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 Delray Beach 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. (2014), states that the Responding Resolution be presented to the Board of County Commissioners within sixty (60) days of receipt 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 Delray Beach 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 Delray Beach, in accordance with Chapter 171.203, F.S., to prepare an Interlocal Service Boundary Agreement to establish a process to address a wider range of effects of annexation, and identify 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
- g. Sidewalks, pedestrian systems

Section 3. Negotiations regarding an Interlocal Service Boundary Agreement will address land use designations within the area outlined in Exhibit A, and the future vision for this area.

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 August 10, 2020, 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 Taylor who moved its adoption. The motion was seconded by Commissioner Abrams and upon being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Mayor	-	Aye
Commissioner Mary Lou Berger, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Absent
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Melissa McKinlay	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 22nd day of September, 2015.

ATTEST:
SHARON R. BOCK, Clerk & Controller

By: Sharon R. Bock
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
Chief Land Use County Attorney