



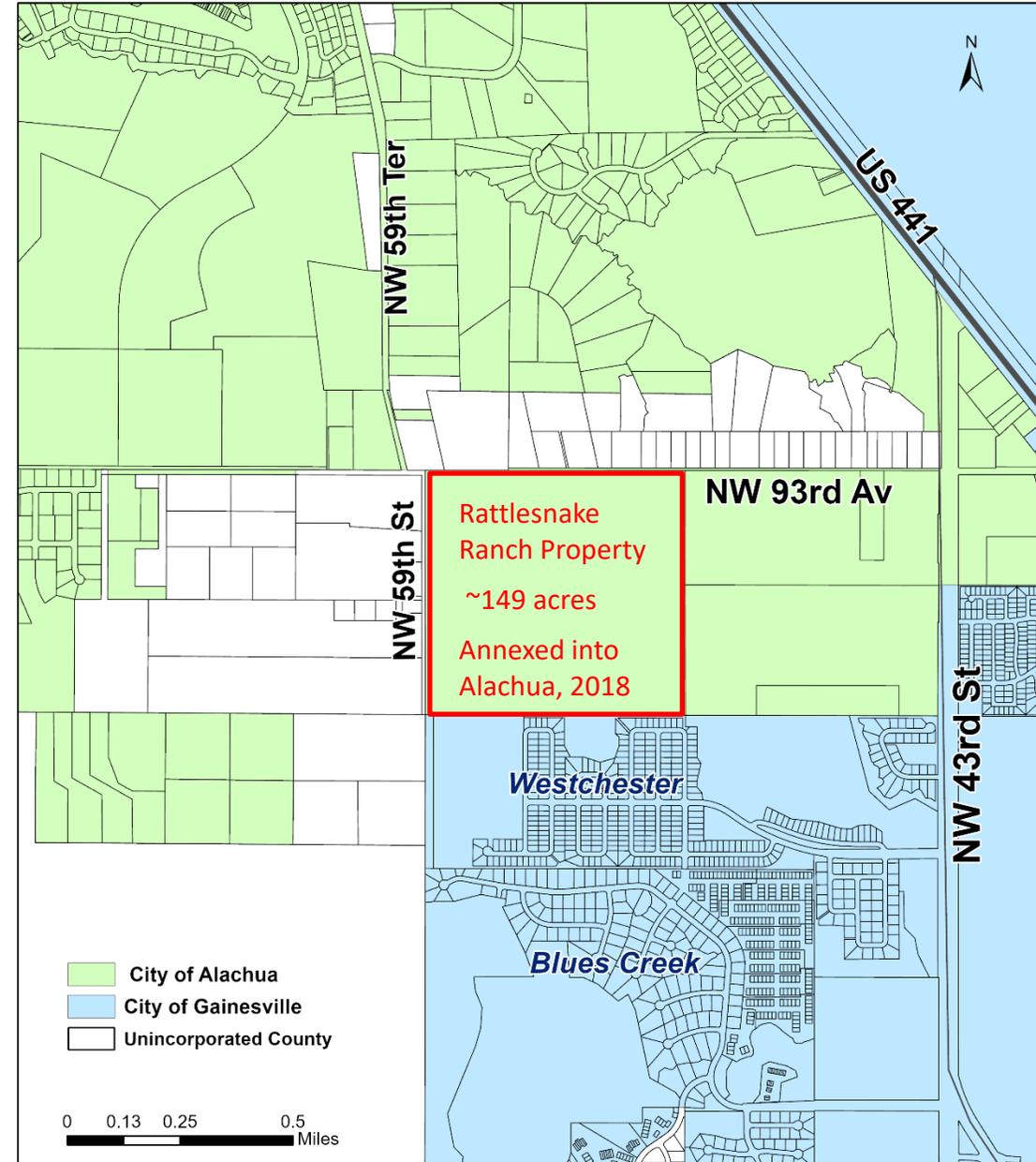
Interlocal Agreement with City of Alachua Relating to 2018 Annexation Conflict Resolution Process

Board of County Commissioners Meeting

August 9, 2022

Background

- August 14, 2018: County Commission initiated governmental conflict resolution per Ch. 164, F.S. relating to City of Alachua's annexation of "Rattlesnake Ranch" property.
- August 16, 2018: Chair Letter and BoCC resolution initiating conflict resolution process was sent to City of Alachua and copied to City of Gainesville.



Background

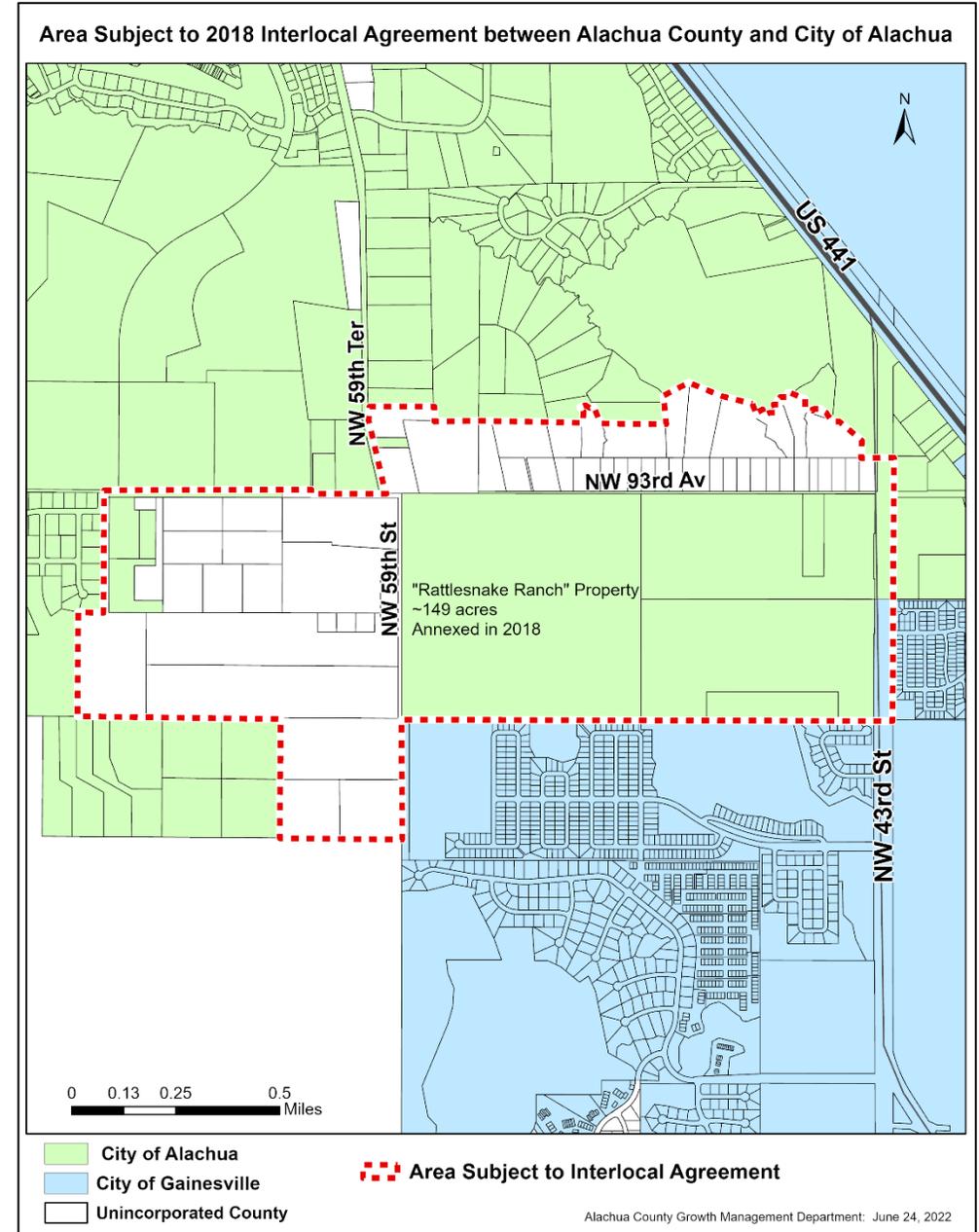
- Conflict assessment meetings:
 - Per Sec. 164.1053, F.S., meetings must be scheduled to allow for attendance by the appropriate personnel from each conflicting government entity.
 - Purpose is for representatives of the conflicting governments to discuss the issues of conflict from the perspective of both sides
 - County and City Managers, Attorneys, and other staff participated
 - Initial meeting advertised and held on 9/12/2018
 - Additional meetings were scheduled for date and time-certain and held on 9/26/2018, 10/30/2018, and 11/7/2018.
 - Staff was not delegated authority to bind the County to any resolution, therefore any potential resolution needed to be presented to and approved by the BoCC.

Background

- At the conclusion of the 4 conflict assessment meetings, staffs of both parties reached a potential resolution in the form of a draft Interlocal Agreement to be presented to the respective governing boards.
- 12/10/18: Settlement agreement presented to and approved by Alachua City Commission at a regular public meeting,
- 12/11/18: Settlement agreement presented to and approved by Board of County Commissioners at a regular public meeting.

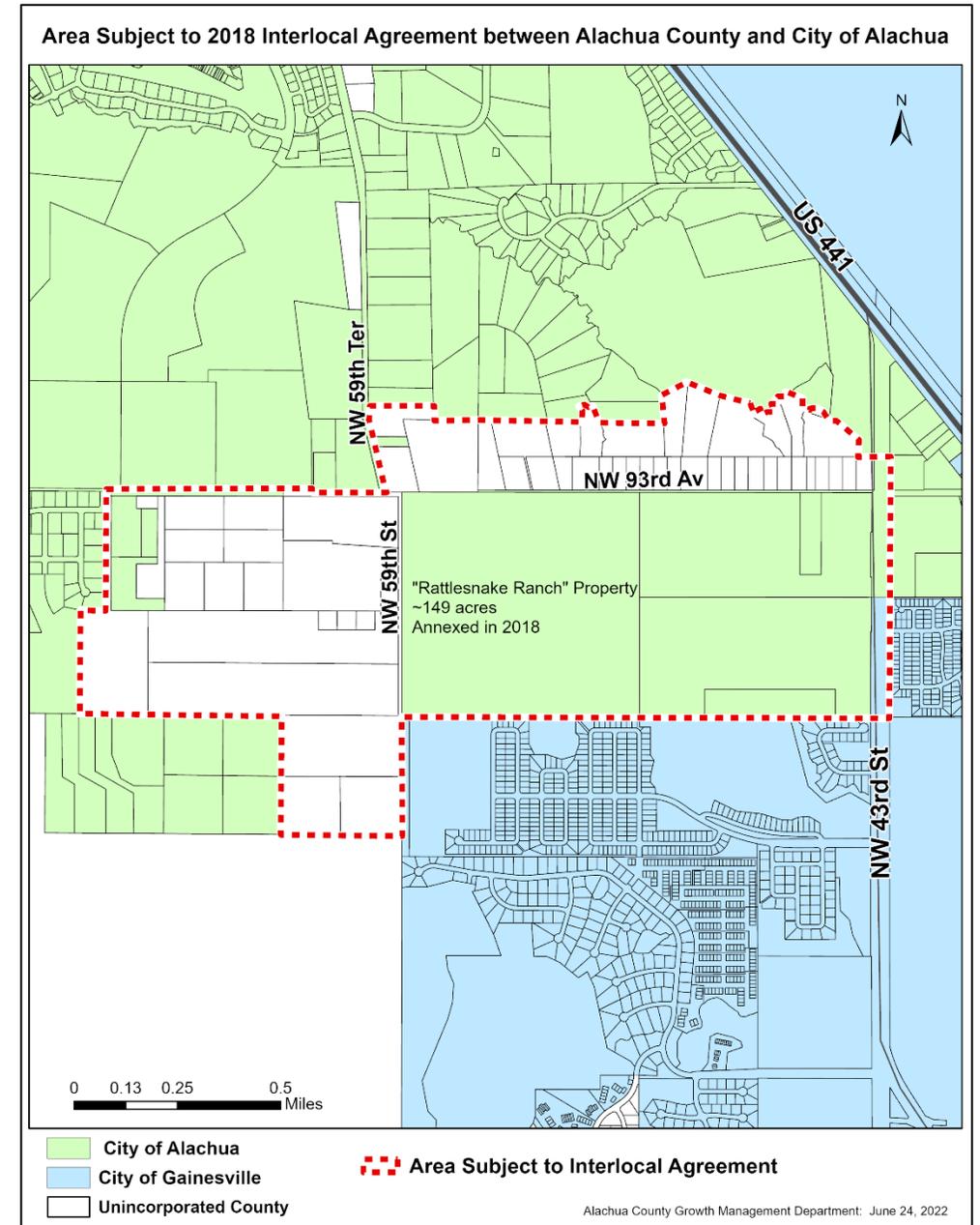
Key Provisions of Interlocal Agreement

- Transferred ownership and maintenance responsibility for NW 93rd Avenue and NW 59th Street from County to City.
- County will not object to future City annexations within the subject area based on lack of contiguity or compactness or the creation enclaves.
- Procedures to ensure that transportation system impacts associated with any new development are mitigated regardless of which jurisdiction it is located.



Key Provisions of Interlocal Agreement

- Each jurisdiction must notify the other of proposed comprehensive plan amendments, zoning changes, or development applications with adequate time built in for comment.
- Contemplates future coordination on public services delivery within the subject area, including on solid waste collection, fire services, and law enforcement.
- Future consideration of Interlocal Service Boundary Agreement under Part II, Ch. 171, F.S.



Annexation Process

Chapter 171, Part I, Florida Statutes

- Interlocal Agreement does not require or force annexation of any parcel into the City of Alachua.
- Three methods for annexation under Florida Statutes:
 - Voluntary: Landowner may file a petition with the municipality, and municipality may consider petition at public hearing and approve by ordinance.
 - Referendum: Municipality may initiate annexation of an area through adoption of an ordinance at a public hearing; annexation is then put to a vote of registered electors in the area.
 - Enclaves \leq 110 acres may be annexed by a municipality through interlocal agreement with County (does not apply to undeveloped property).

Conflict Resolution vs Joint Planning Agreement

- Sec. 163.3171, F.S. - Local governments may jointly exercise land use planning authority within an area, or a local government may transfer its land use planning authority to another local government. This requires adoption of a formal Joint Planning Agreement at a public hearing.
- The 2018 Interlocal Agreement with Alachua resulting from the conflict resolution process does not involve the joint exercise of land use planning authority or a transfer of that authority.
- The County's Comprehensive Plan and land development regulations continue to govern the unincorporated portions of this area.

Board Discussion and Questions