



Alachua County Board of County Commissioners Newberry City Commission

Chapter 164 Conflict Resolution Process Joint Meeting on City of Newberry Annexations

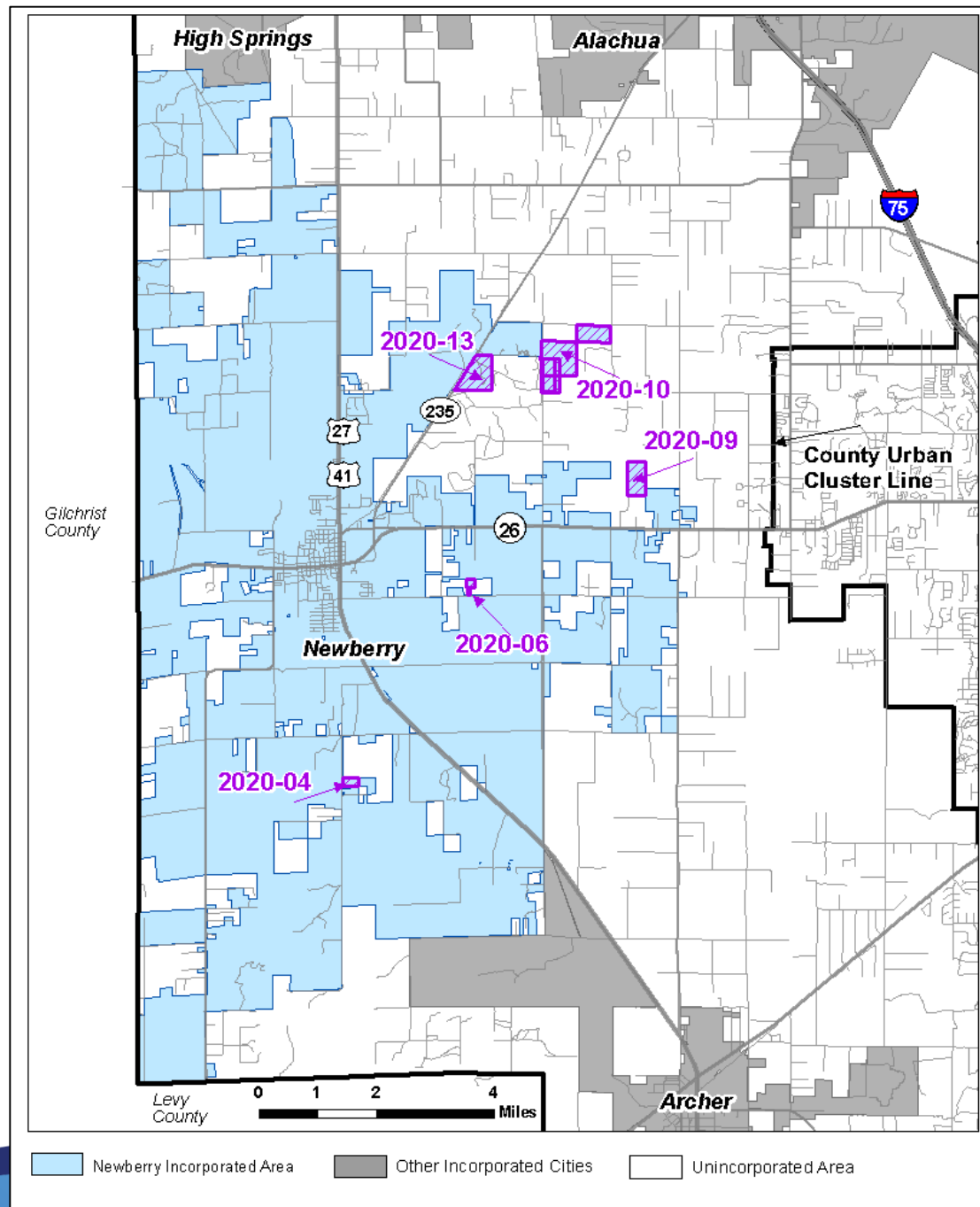
February 22, 2021

Background

- City of Newberry adopted 11 annexations on April 27, 2020 and 2 additional annexations on June 8, 2020.
- County Commission initiated Chapter 164, F.S. conflict resolution process on 5 of the City's annexations on May 12th and June 23rd 2020 for failure to meet statutory requirements for contiguity, compactness, and/or creation of enclaves.
- County and City staffs held 9 conflict assessment meetings between June and November 2020 to identify and attempt to resolve issues of conflict.
- County and City staffs have been unable to reach a draft resolution to the conflict through the conflict assessment process.
- Per Statute, the City and County governing Boards must hold a joint meeting to discuss the issues and seek to resolve the conflict.

City Annexations Subject to Conflict Resolution Process

- **Ord. 2020-04 - 19 acres**
 - Creation of new enclave within existing enclave
- **Ord. 2020-06 - 13 acres**
 - Creation of new enclave within existing enclave
- **Ord. 2020-09 - 80 acres**
 - Lack of compactness and contiguity
- **Ord. 2020-10 - 284 acres**
 - Lack of compactness and contiguity
- **Ord. 2020-13 - 120 acres**
 - Lack of compactness in combination with 2020-10



Key Concepts Discussed in Conflict Assessment

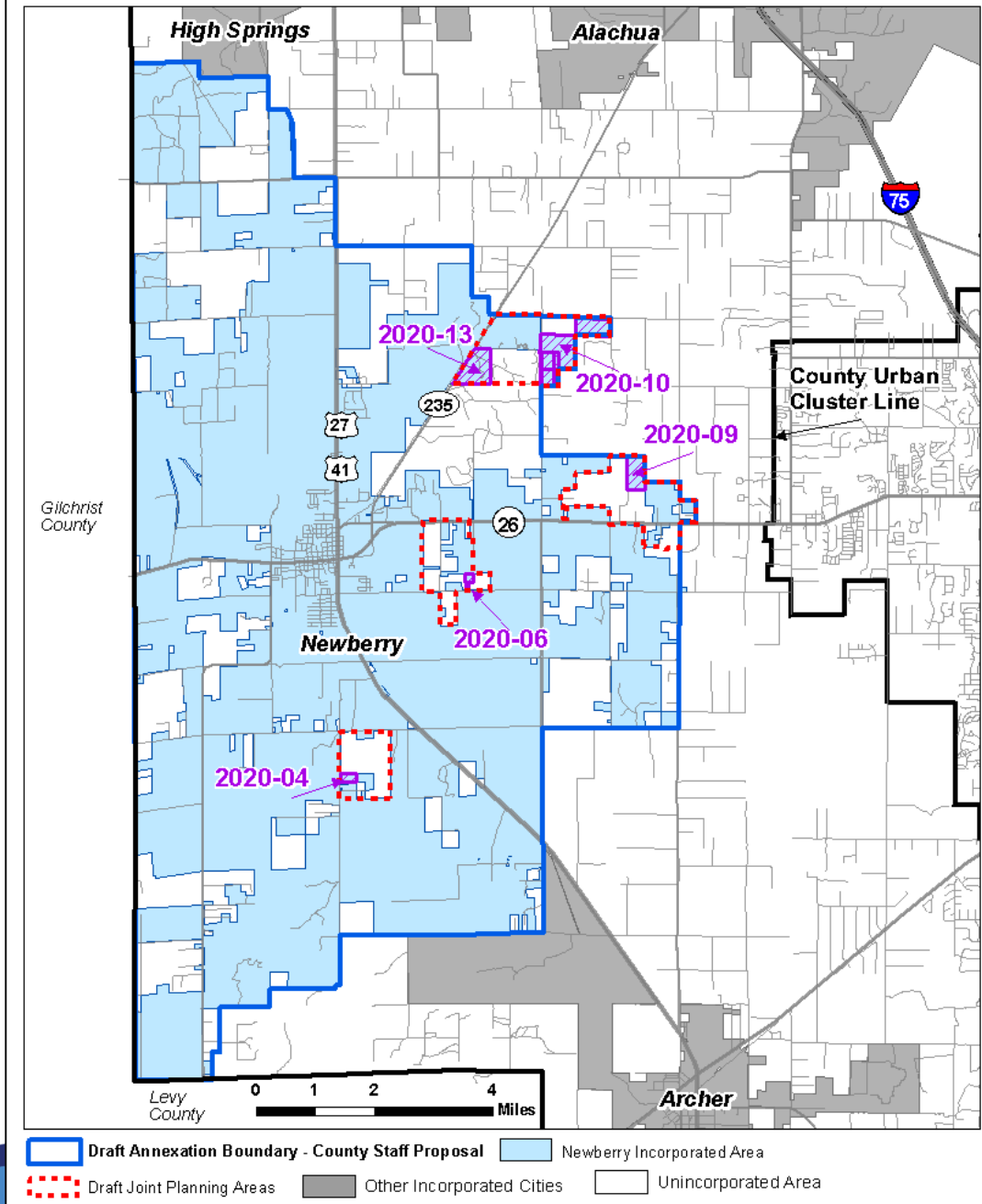
Chapter 164, Florida Statutes

1. Need for City Annexation Plan/Outer Boundary for Annexation
2. No County objection to future annexation within four “Joint Planning Areas” (areas surrounding the five disputed annexations).
3. Road Maintenance Responsibility - Framework for transfer of maintenance responsibility from County to City for local-type roadways as annexation occurs.
4. Solid Waste Collection Efficiency within “Joint Planning Areas”
5. Fire Services

Outer Boundary for Future City Annexation
Draft As Proposed by Alachua County Staff

Outer Boundary for Annexation *County Staff Draft Proposal*

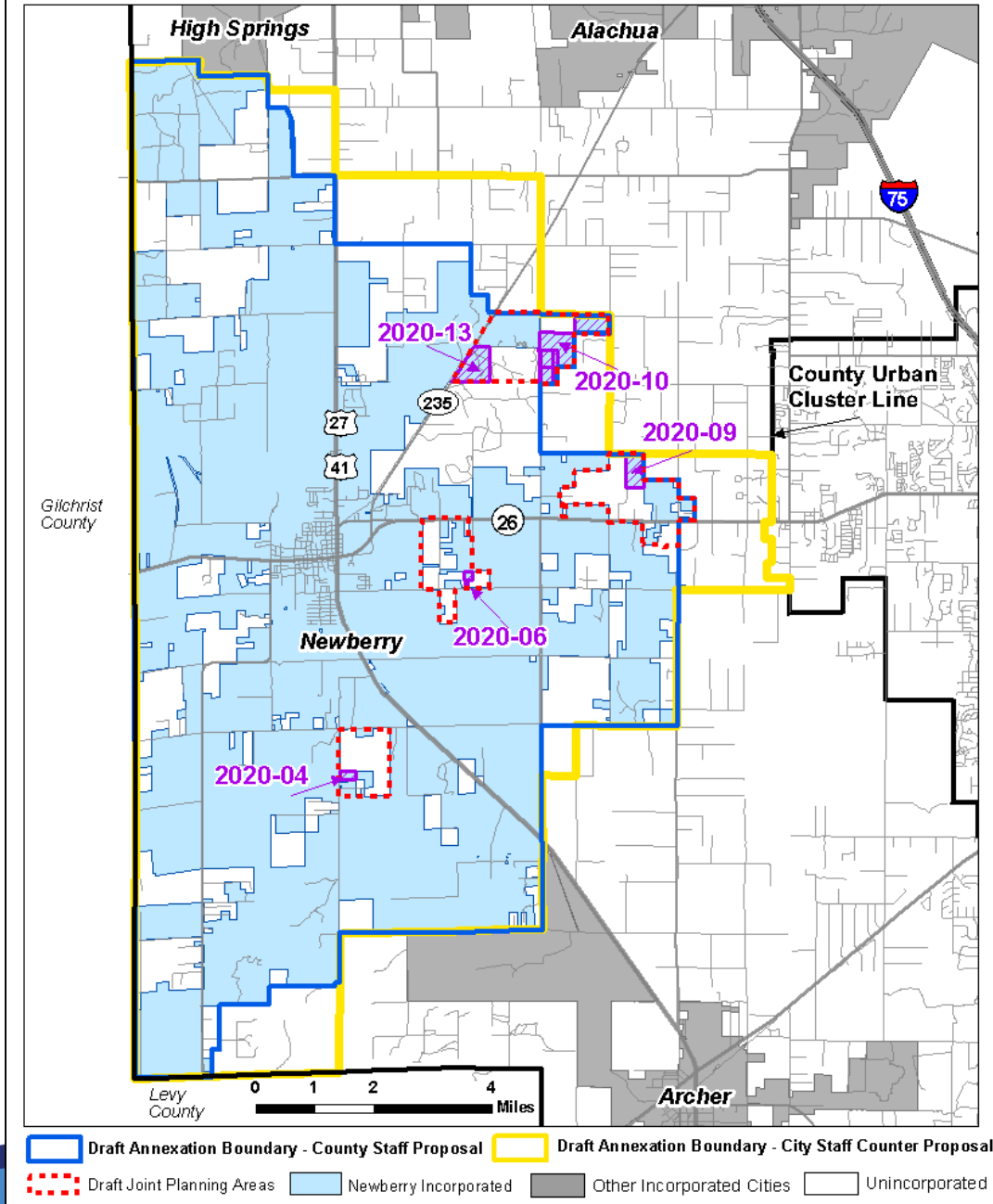
- **Annexation Boundary (Blue Line)** City would not annex outside boundary during term of agreement. Process for periodic review and adjustment of line.
- **Joint Planning Areas (Red Dashed Lines)** County would not object to annexations on basis of contiguity, compactness, or enclaves within these four areas.
- **Infill Areas** – Flexibility on annexation standards within existing unincorporated islands/pockets that are internal to City.



Outer Boundary for Future City Annexation
County Staff Proposal and City Staff Counter Proposal

Outer Boundary for Annexation *City Staff Counter-Proposal*

- Yellow line - Larger than County staff proposal by several thousand acres.
- Substantial outward extension of City's existing boundary in some areas.
- Would extend to western edge of unincorporated Urban Cluster boundary.
- County staff indicated it would not accept this counter proposal.



Other Concepts Discussed in Conflict Assessment

Chapter 164, Florida Statutes

1. Automatic annexation upon change in property ownership within the four “joint planning areas”.
 - No basis in Florida Statutes.
2. Prohibition on annexation of individual lots within platted subdivisions (i.e., effort should be made to annex full subdivision)
 - City staff does not agree.
3. Additional lead time for City notice to County on proposed annexations beyond minimum statutory requirements.
 - City staff were agreeable in concept; specific detail not resolved.

Annexation Appeal Process for Local Government

Sec. 171.081 and Chapter 164 Florida Statutes

1. Initiate and proceed through the conflict resolution process of Chapter 164, F.S. ("Florida Governmental Conflict Resolution Act").
- 2. If no tentative resolution can be reached through the initial phase of the conflict resolution process, then a joint public meeting of the conflicting governing bodies is held.**
3. If no agreement is reached through the joint public meeting, then the conflicting parties shall participate in mediation.
4. Upon conclusion of Ch. 164 process without a mutually-acceptable resolution, the challenging government entity may file a petition in circuit court for certiorari review.

Staff Recommendation and Options

Consider the issues of conflict associated with the City's five annexations and provide direction to staff. Possible options include:

- (1) Direct staff to schedule additional joint meetings of the two governing Boards for purpose of seeking resolution of the conflict.
- (2) Direct County and City staffs to continue to seek resolution of the conflict through additional conflict assessment meetings.
- (3) Proceed to mediation phase as required by Chapter 164.

