



Interlocal Service Boundary Agreements

Per Chapter 171, Part II, Florida Statutes

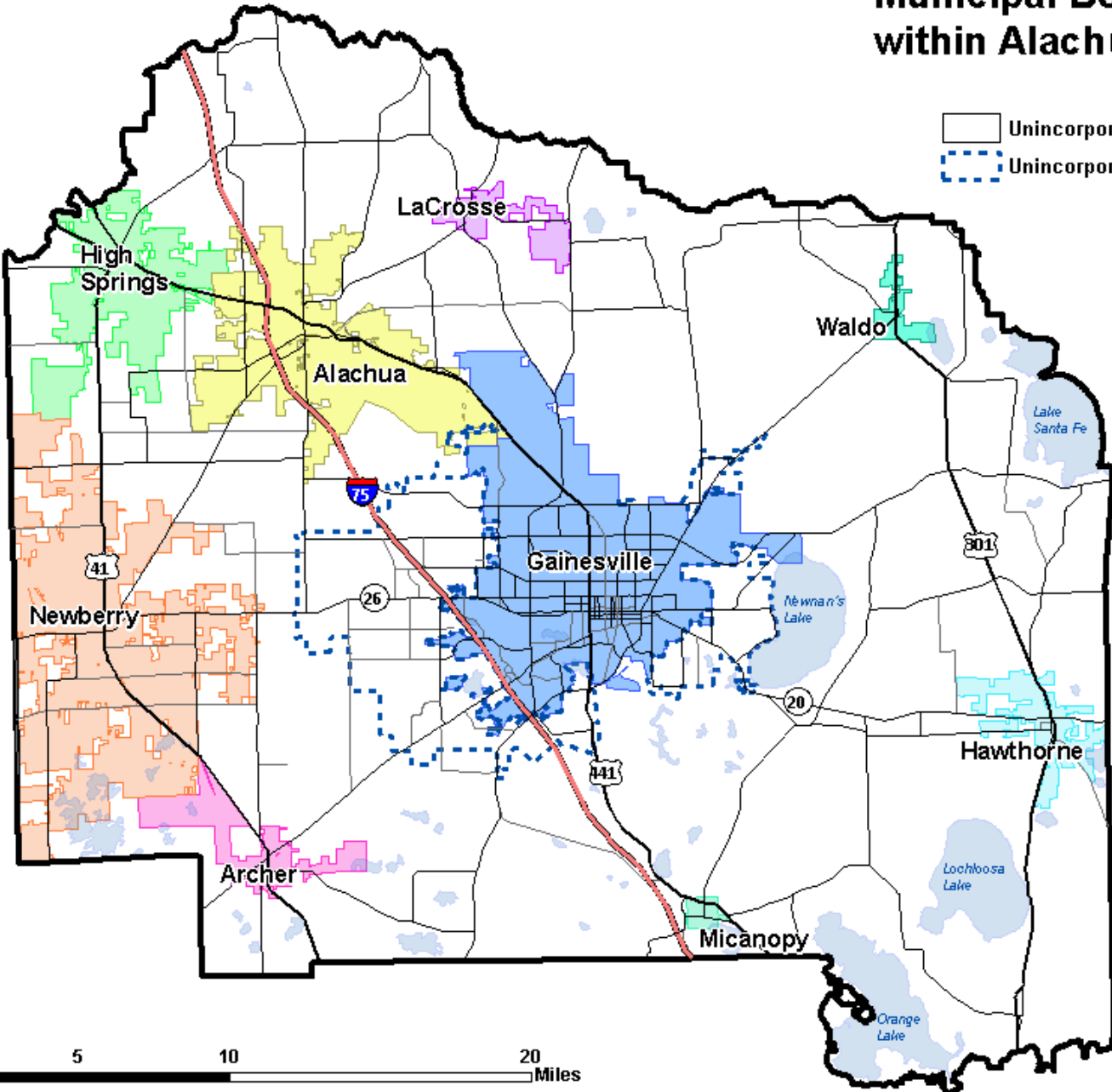
Overview

- Annexation form problems (e.g. creation of enclaves and unincorporated pockets) can result in service delivery inefficiencies and potential land use conflicts between the County and Cities.
- “Interlocal Service Boundary Agreement Act” (Ch. 171, Part II, Florida Statutes) provides a mechanism for counties and cities to cooperatively address a range of issues relating to annexation & service delivery.

Municipal Boundaries within Alachua County



Unincorporated Area
Unincorporated Urban Cluster



0 5 10 20 Miles

Potential Benefits of ISBAs Under Part II Ch. 171

- Annexation linked to service delivery more than form requirements under Part I
- Promotes efficiency and potential cost saving in service delivery among local governments
- More predictable annexation process
- May include strategies for reduction of enclaves and pockets
- Potential reduction in legal conflicts over individual annexations.

Interlocal Service Boundary Agreement Act

Legislative Intent

Chapter 171, Part II, Florida Statutes

- Alternative to general annexation statute in Part I of Ch. 171, F.S.
- Encourage local governments to jointly determine how to provide services in the most efficient and effective manner while balancing community needs.
- Provide a more flexible process that addresses a wider range of the effects of annexation.
- Encourage intergovernmental coordination in planning, service delivery, and annexation.
- Reduce intergovernmental conflicts and litigation.
- Promote sensible boundaries that reduce costs to local government and avoid duplication of services.
- Prevent inefficient service delivery and insufficient tax base to support delivery of services.

Issues that May be Addressed in an ISBA

Section 171.203(6), Florida Statutes

ISBAs “may include, but need not be limited to, provisions that”:

- Identify a “municipal service area” and an “unincorporated service area”.
- Establish process and schedule for annexation within designated municipal service area, which may include procedures for annexation of areas not meeting requirements for annexation under Part I, and alternative processes for annexation.
- Identify local government responsible for delivery or funding of the following services: public safety; fire, emergency rescue, and medical; water & wastewater; road ownership, construction, and maintenance; conservation, parks, and recreation; and stormwater management.

Issues that May be Addressed in an ISBA (continued)

Section 171.203(6), Florida Statutes

ISBAs “may include, but need not be limited to, provisions that”:

- Address other service delivery issues, including transfer of services and infrastructure and fiscal compensation to one local government from another, joint use of facilities and colocation of services.
- Establish procedures for modification of Water Management District or Department of Environmental Protection permits relating to provision of water and wastewater services.
- A requirement that the municipality prepare and send the county an urban services report setting forth the plans to provide urban services to any area to be annexed.
- Process for land-use planning decisions consistent with Part II of Ch. 163, F.S.

Process for ISBAs

Sec. 171.203, F.S.

- 1. Initiating Resolution: County or City may adopt resolution to formally start process**
 - Identifies area to be discussed and issues to be negotiated
 - Must designate one or more invited municipalities, and be sent to all other municipalities in County.

- 2. Responding Resolution – Within 60 days after receipt of adopted Initiating Resolution**
 - May identify additional areas for discussion and additional issues to be negotiated
 - May invite additional municipalities to the negotiation process
 - A municipality which is not an “invited municipality” may request to participate in negotiation by adopting a “requesting resolution” (county and invited municipalities shall consider , and if they agree, then adopt a “participating resolution” allowing the requesting municipality to participate).
 - “An invited municipality that fails to adopt a responding resolution shall...waive its right to participate in the negotiation process and shall be bound by an ... agreement resulting from such negotiation process...”

Process for ISBAs (continued)

Sec. 171.203, F.S.

3. Negotiation of Agreement:

- Must begin within 60 days after receipt of responding resolution or participating resolution, whichever occurs later.
- After 6 months, the initiating local government or any invited municipality may declare impasse and seek resolution of issues through conflict assessment process.

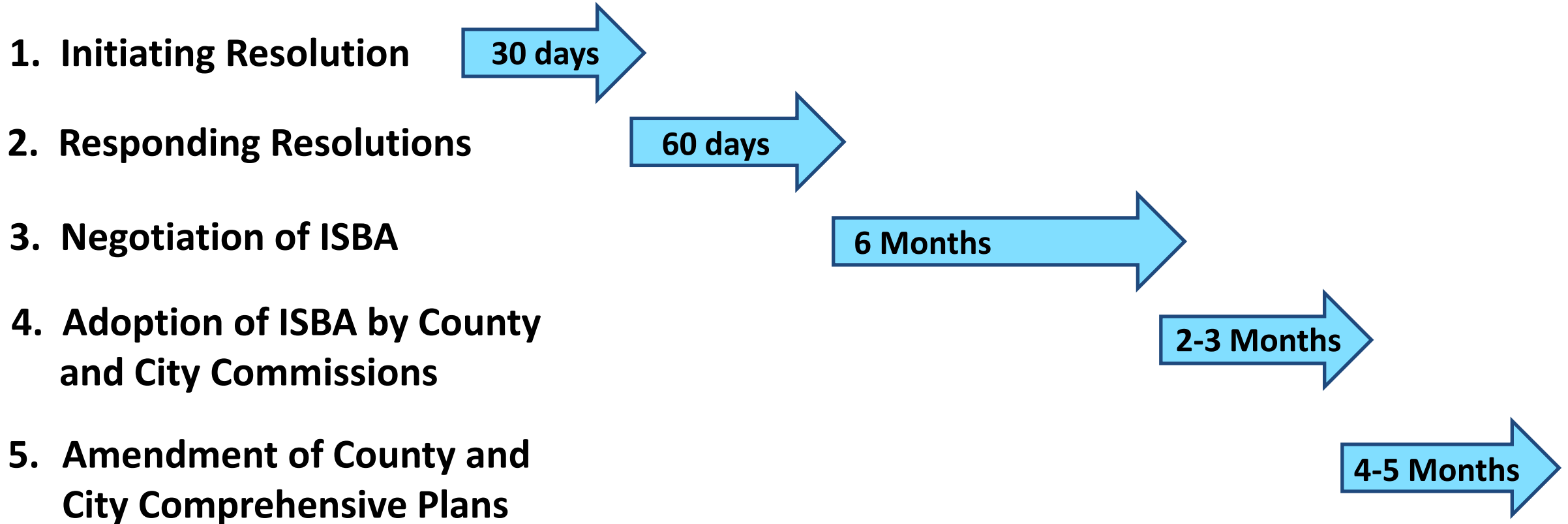
4. County and City Governing Boards Adopt Agreement by Ordinance

5. Amendment of County and City Comprehensive Plans

- Required within 6 months following agreement.

Process Timeline for ISBAs

Estimate based on Timelines in Chapter 171, Part II, Florida Statutes



ESTIMATED TIME FOR COMPLETION: 15 to 17 MONTHS

Discussion