

1 RESOLUTION NO.: 2022-127

2 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
3 HERNANDO COUNTY, FLORIDA INITIATING THE PROCESS PURSUANT TO
4 FLA. STAT. § 171.203 FOR NEGOTIATING AN INTERLOCAL SERVICE
5 BOUNDARY AGREEMENT WITH THE CITY OF BROOKSVILLE; PROVIDING
6 FOR THE INCORPORATION OF RECITALS; PROVIDING INVITATION TO
7 NEGOTIATE; DESIGNATING AREA TO BE DISCUSSED; IDENTIFYING
8 ISSUES TO BE NEGOTIATED; PROVIDING FOR REQUIRED MAILING;
9 PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF
10 CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

11 WHEREAS, the Legislature enacted Fla. Stat. Chapter 171, Part II, the Interlocal Service
12 Boundary Agreement Act (the “Act”), “to encourage local governments to jointly determine how to
13 provide services to residents and property in the most efficient and effective manner while balancing
14 the needs and desires of the community”; and,

15 WHEREAS, the Act is intended “to establish a more flexible process for adjusting municipal
16 boundaries and to address a wider range of the effects of annexation”; and,

17 WHEREAS, the Act is intended “to encourage intergovernmental coordination in planning,
18 service delivery, and boundary adjustments and to reduce intergovernmental conflicts and litigation
19 between local governments”; and,

1 WHEREAS, the Act is intended “to promote sensible boundaries that reduce the costs of
2 local governments, avoid duplicating local services, and increase political transparency and
3 accountability”; and,

4 WHEREAS, the Act is intended “to prevent inefficient service delivery and an insufficient
5 tax base to support the delivery of those services”; and,

6 WHEREAS, the Act provides for a county to commence the negotiation process for an
7 Interlocal Service Boundary Agreement (“ISBA”) by adopting an “initiating resolution” which
8 identifies the areas to be discussed and the issues to be negotiated; and,

9 WHEREAS, Hernando County (the “County”) wishes to initiate ISBA negotiations with the
10 City of Brooksville (the “City”) for the general area depicted on the map attached hereto as Exhibit
11 “A” and the issues described in the body of this Resolution.

12 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

14 **Section 1. Incorporation of Recitals.** The above-stated recitals are incorporated herein by
15 reference and made a part hereof.

16 **Section 2. Invitation to Negotiate.** The County hereby invites the City to negotiate an
17 Interlocal Service Boundary Agreement (“ISBA”).

18 **Section 3. Geographic Areas to be Discussed.** The County proposes that the general area
19 to be discussed as part of the ISBA negotiation process is that area shown on the map attached hereto
20 as Exhibit “A.”

1 **Section 4. Issues for Negotiation.** The County suggests that the issues to be discussed as
2 part of the negotiation process shall include, but are not limited to the following:

3 A. The identification of a “municipal service area” as that term is defined in Fla. Stat.
4 § 171.202(11); and,

5 B. The identification of an “unincorporated service area” as that term is defined in Fla.
6 Stat. § 171.202(16); and,

7 C. The adoption of processes, definitions, schedules, and criteria for annexations, both
8 voluntary and involuntary, in the municipal service area in replacement or modification of the
9 requirements of Fla. Stat. Ch. 171, Part I, including, but not limited to, the designation of one or
10 more annexation reserve areas within the municipal service area; and,

11 D. The identification of existing enclaves and unincorporated pockets, and strategies for
12 their elimination or reduction, including, but not limited to the incorporation of existing, developed
13 enclaves within the City of 110 acres or less in size by mutual agreement pursuant to Fla. Stat. §
14 171.046(2)(a); and,

15 E. The resolution of mutual land use planning considerations, with particular focus on
16 areas where the City and unincorporated area interface; and,

17 F. The delineation of road maintenance responsibilities, including criteria and
18 procedures for transfer of road segments from the County to the City upon annexation; and,

19 G. The adoption of joint procedures and standards for mitigation of transportation system
20 impacts associated with new development; and,

1 H. The designation of future service areas for the City’s central water and sewer systems;

2 and,

3 I. The adoption of strategies to address inefficiencies in the provision of public safety
4 and solid waste collection services that are associated with enclaves and unincorporated pockets;

5 and,

6 J. Other issues listed under Fla. Stat. § 171.203(6) to be identified by the parties as part
7 of the ISBA negotiation process.

8 **Section 5. Required Mailings.** In accordance with Fla. Stat. § 171.203(1)(b), the County
9 Administrator is directed to transmit this Initiating Resolution to the chief administrative officer of
10 the City of Brooksville by U.S. certified mail, return receipt requested.

11 **Section 6. Commencement of Negotiations.** In accordance with Fla. Stat. § 171.203(4), the
12 County Administrator is authorized and directed to commence negotiations within 60 days after
13 receipt of a responding resolution from the City.

14 **Section 7. Severability.** It is declared to be the intent of the Board of County
15 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
16 resolution is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
17 validity of the remaining portions of this resolution.

18 **Section 8. Conflicting Provisions Repealed.** All resolutions or parts of resolutions in
19 conflict with the provisions of this resolution are hereby repealed.

20 **Section 9. Effective Date.** This resolution shall take effect immediately.

1 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
2 HERNANDO COUNTY in Regular Session this 28th day of June 2022.

3 BOARD OF COUNTY COMMISSIONERS
4 HERNANDO COUNTY, FLORIDA

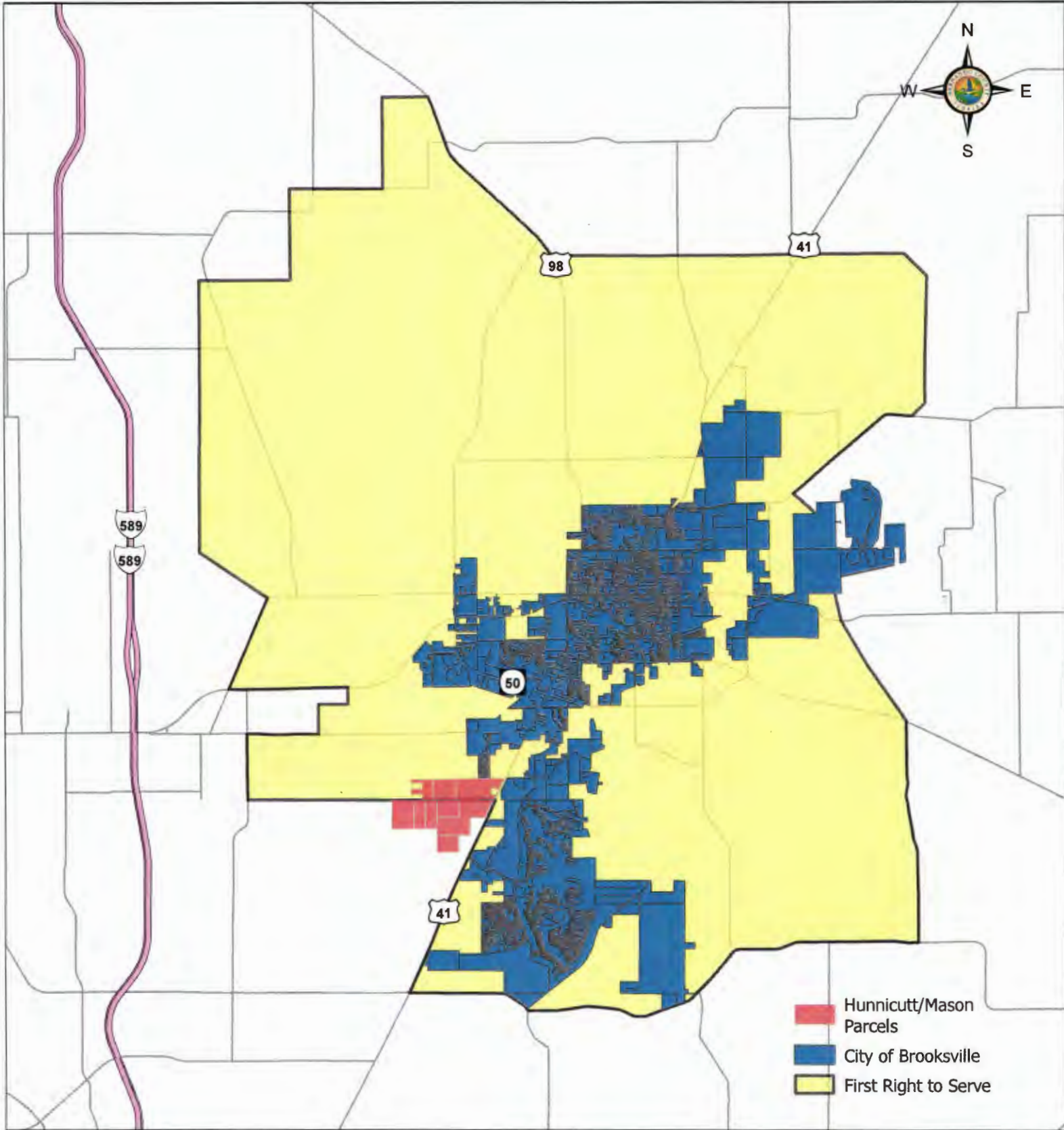
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7
8 Attest: Heidi Kueppe, D.C.
9 for DOUGLAS CHORVAT, JR.
10 Clerk

By: [Signature]
STEVE CHAMPION
Chairman

11 Approved for Form and Legal Sufficiency
12
13 [Signature]
14 County Attorney
15



EXHIBIT "A"



0 0.42 0.85 1.7 Miles
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Date of Mapping: 05/04/2022