



071077 **The Countywide
Visioning and Planning Committee**

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Rodney J. Long, Chair ▪ Jean Calderwood, Vice Chair

MEETING MINUTES

The Countywide Visioning and Planning Committee Boundary Adjustment Act Task Force Meeting April 3, 2008 – 5:00 PM

Task Force Members Present: Jean Calderwood, City of Alachua; Craig Lowe, City of Gainesville; John Glanzer, City of Newberry; Kit Randall, City of Hawthorne;

Staff Present: Laura Kane, Alachua County Manager's Office;

Others: Clovis Watson, Jr., City Manager/City of Alachua; Karen Billings, City of Gainesville; Paul Folkers, Assistant City Manager/City of Gainesville; Charles Kelley, Town Manager/ Town of Micanopy; Chris Cooper, City of Gainesville; Doug Drymon, City Manager/City of Archer; James Drumm, City Manager/City of High Springs; Shane Laakso, City of Hawthorne;

1. **Call to order by Chair Jean Calderwood, City of Alachua**

The April 3, 2008 meeting of the Countywide Visioning and Planning Committee, Boundary Adjustment Act Task Force Committee was called to order at 5:15 PM.

2. **Adoption of the Agenda**

Chair Jean Calderwood, City of Alachua welcomed city representatives and reviewed the assignment and appointments made by Chairman Rodney J. Long at the last Countywide Visioning and Planning Meeting (March 6, 2008). The agenda was formally adopted.

3. **Review of the Boundary Adjustment Act (BAA)**

Chair Jean Calderwood, City of Alachua gave an overview of how the task force was formulated. She stated that she would like input and comments from all municipalities to be made in order for the task force to return to the Countywide Visioning and Planning Committee with recommendations. Chair Calderwood requested that the BAA's areas of

City of Alachua

Jean Calderwood
Gib Coerper

City of Archer

Roberta Hodges

City of Gainesville

Craig Lowe
Scherwin Henry

City of Hawthorne

Eleanor "Kit" Randall

City of High Springs

Jim Gabriel

Town of LaCrosse

Dianne Dubberly

Town of Micanopy

Michael Berkowitz

City of Newberry

John Glanzer

City of Waldo

Rodney Estes

Alachua County

Rodney J. Long
Cynthia Moore Chestnut

concern (i.e. Annexation Procedures, Enclaves, Urban Reserve v. Service Agreements, and Who Serves as Arbitrator) be addressed first.

i. Annexation Procedures. Commissioner Craig Lowe, City of Gainesville stated that staff has made extensive review of the BAA. He recommended that the timeline for voluntary annexation as well as the urban services report requirement be removed. Karen Billings, City of Gainesville, stated that the BAA does delay the annexation process and expressed her uncertainty as to the benefit of the urban services report. Mayor John Glanzer, City of Newberry, agreed with Commissioner Lowe that the urban services report in annexation procedures should be done away with. Chair Jean Calderwood, City of Alachua, stated that the urban services report is cumbersome to work with, that it delays the annexation process, and that it leaves property owners wondering. Mayor Glanzer responded that it would be nice if the county worked quicker on voluntary annexations, as the procedure of sending the county information on parcels and waiting for the county to respond is time consuming. James Drumm, City Manager, City of High Springs, remarked that the oversight does impede annexation. Karen Billings, City of Gainesville, stated that if the urban services report is continued, it should include crime issues and other elements. She continued to state that the annexation team is "policing" the municipalities. Clovis Watson, Jr., City Manager, City of Alachua, commented that the county's annexation team is more of an oversight team as opposed to a review team. Charles Kelley, City Manager, Town of Micanopy, stated that the urban services report does take a lot of time and effort, as it is required. Chair Calderwood summarized the discussion by stating that the urban services report needs to be streamlined, reviewed, and redeveloped. She continued to state that the goal should be how to improve the report, as the county does not want to be in the position of mediating.

ii. Enclaves. Chair Calderwood stated that the problem of enclaves rests in their definition, as the definition of enclave in the BAA is different from general law. Commissioner Lowe stated that there needs to be a provision for larger enclaves and that they should be treated similar to smaller enclaves. Manager Watson commented that municipalities should have the opportunity to bring in property, which would ease the burden from existing enclaves. Commissioner Lowe remarked that enclaves are defined by city limits of two or more community boundaries. Chair Calderwood suggested that the language in the BAA concerning enclaves should be compared to general law. Karen Billings, City of Gainesville, expressed her shock that the county would not support the adoption of enclaves. Mayor Glanzer stated that Newberry is actively trying to enclose enclaves. He continued to state that people in enclaves do not want to be in the city and discussed the

annexation of enclaves by interlocal agreement. Manager Drumm, City of High Springs, recalled the county's consideration of the removal of all enclaves in 20-30 years and suggested that the countywide initiative to remove enclaves be revisited.

iii. Urban Reserve v. Service Agreements. Commissioner Lowe stated that the urban reserve areas are the main benefit of the BAA. He stated that the service agreements are a contractual agreement of services provided beyond the urban reserve area. Mayor Glanzer stated that the urban reserve areas should not be removed and replaced by service agreements. He continued to comment that a fund mechanism should be developed for fair payment of services being taken over. Chair Calderwood asked the task force if the urban reserve area process in the BAA is ok. Mayor Glanzer responded that if there is a dispute in an area, then it is a messy process and that perhaps the arbitration process is ok. Shane Laakso, City of Hawthorne, stated that Hawthorne does not need urban reserve areas and does not feel that they need to be kept in the BAA. Doug Drymon, City Manager, City of Archer, stated that all cities (except Gainesville) have extraterritorial areas. He continued to comment that extraterritorial areas do not exist in the BAA and that Archer was looking at the BAA from an extraterritorial area perspective. Chair Calderwood stated that in the City of Alachua, their attorney reviewed Part II of Chapter 171, Florida Statutes, and stated that some of the language in Part II can guide the process. She continued to comment that the 5 year time frame for each municipality in the county to review its reserve areas wasn't preferable, as it does not fall in line with other processes. Manager Kelly, City of Micanopy, stated that the BAA limits the decisions concerning urban reserve areas to the county and would like to see the decision made by peers. He suggested the creation of a board to deal with the urban reserve area procedure. Chair Calderwood reminded everyone that according to Section 225.05 of the BAA, the municipality having the highest population is eligible to perform the duties required in the establishment of reserve areas. If the county is not the entity to perform the duties set forth in Section 225.05 of the BAA, then the City of Gainesville would be the entity. Chair Calderwood suggested that the language in this specific section of the BAA be revisited. Commissioner Lowe concluded the discussion concerning urban reserve areas by suggesting that the time frame be changed in order to coordinate better with other processes (i.e. Comprehensive Plan, the EAR process, etc).

IV. Arbitrator. Commissioner Lowe stated that the county commission would be the best arbitrator, as there are concerns regarding how a board would be fairly constituted consisting of representatives from all municipalities. He suggested that if the county commission was unable to serve as arbitrator, then a board appointed by the county commission

should act as arbitrator. Manager Watson, City of Alachua, stated that if any municipality meets the requirements, the county should not have the authority to say that the municipality cannot move forward with annexation. He stressed that the county should be held to following the BAA. Karen Billings, City of Gainesville, suggested that another alternative for "who serves as arbitrator" could be the Regional Planning Council. She stated that if an oversight board is established, a seat must be designated for the unincorporated areas. Manager Drumm, City of High Springs, stated that the county was originally thought to be a neutral body. As there is a battle over revenue sometimes in annexation, he suggested that the Regional Planning Council would be better. Mayor Glanzer stated that an appointed county board would still be under the influence of the county and political pressure. He suggested that a board be created that consists of members of the community such as citizens. Commissioner Kit Randall, City of Hawthorne stated that she did not want the county to be arbitrator and that she agrees with Manager Watson concerning the meeting of the criteria of the BAA. She suggested that a board should be established and that elected officials should play an active role in the process. Chair Calderwood remarked that there is a need for a process that is clearly defined. She stated that you should not have to arbitrate something that should not be there in the first place. She commented that the focus should be placed on how to get away from arbitration and litigation that is taking up the time of the cities. Manager Watson, City of Alachua, reiterated that if the criterion in the BAA is clearly defined and if it is met, the county should have no choice but to move forward with the annexation.

4. Development of BAA Pros/Cons List

Chair Calderwood asked if there were any other areas of the BAA that needed to be addressed. She asked that members at the table brainstorm some pros and cons of the BAA. Commissioner Randall, City of Hawthorne, summarized Hawthorne's position of abolishing the act. Manager Kelley, Town of Micanopy, stated the consensus in Micanopy is to have the BAA repealed. Manager Watson, City of Alachua, suggested that an arbitrator be hired that is paid equally by both parties involved. Manager Drumm, High Springs, stated that the only positive of the BAA are the boundaries themselves, as they serve to reduce the competition between cities. He suggested that the cities should work with the county to provide planning for the urban reserve areas. Karen Billings, City of Gainesville, stated that the county does have a vested interest in the efficient provision in services. She gave an explanation of how the urban reserve areas and the extraterritorial areas were developed. She commented that according to Part II of Chapter 171, the adoption of an interlocal agreement for each area is required and is an

intensive process that she does not think anyone else is using in the state. She continued to comment that county staff has gotten better as far as being adversarial, but that we should work towards the county playing a different role in the process. Manager Kelley, Town of Micanopy, questioned the county position concerning municipalities opting out of the BAA. Chair Calderwood summarized the discussion by stating that the consensus is that it is the BAA process and role of the county in the BAA process that needs tweaking. Karen Billings presented the City of Gainesville's documents that exhibit an extensive comparison between the BAA and General Law. She suggested that new language be developed concerning the development of enclaves. It was requested by Manager Kelley, Town of Micanopy, that the City of Gainesville's documents be e-mailed out to the committee. Chair Calderwood concluded the task force meeting by stating that the comments heard will be used to develop the recommendation as to whether to continue to utilize the BAA or go with general law. She also stated that if the recommendation is to keep the BAA, then the task force will need to agree on what should be included in the BAA and what should not be included in the BAA. Recommendations should also be made concerning county involvement in the process.

5. Public Comment

None.

6. Adjourn

There being no further business, the April 3, 2008 meeting of the Countywide Visioning and Planning Committee, Boundary Adjustment Act Task Force, was adjourned at 6:35 P.M.