

Annexation Transition Policies

These policies will apply only to those annexations considered "major".

A proposed annexation will be considered "major" if it meets the following criteria:

The population in the area to be annexed is greater than 5% of the unincorporated area population (as identified by the most recent US Census) or the taxable property value within the area to be annexed is greater than 5% of the taxable property value of the entire unincorporated area.

Policy 1 – Budget & Financial Considerations

Thirty (30) days prior to the City Commission's adoption of the Urban Services Report proposed for a major annexation as defined herein, the City will endeavor to provide a map and demographic characteristics of the proposed annexation area to the County's Office of Management and Budget (OMB) for review.

Policy 2 – Effective Dates

A major annexation shall become effective no sooner than 60 days and no later than September 1 following the formal adoption by ordinance or referendum approval.

Policy 3 - Employment of Affected County Employees

For those positions not covered by a City collective bargaining agreement, if a major annexation has 1) a documented impact on County service provision that results in a reduction in force as outlined in the County's human resource policies and/or union agreements in effect on December 31, 2005; (2) the County identifies which positions will be reduced; and 3) the City is hiring equivalent positions, the City shall employ those affected county employees.

For those positions that fall under City collective bargaining agreements, the City agrees to negotiate in good faith with those bargaining units the transfer of County employees affected by a major annexation if: 1) there is a documented impact on County service provision that results in a reduction in force as outlined in the County's human resource policies and/or union agreements in effect December 31, 2005; (2) the County identifies which positions will be reduced; and 3) the City is hiring equivalent positions, the City shall offer employment to laid off employees, subject to any necessary agreement with collective bargaining representatives.

Policy 4 - Fire Rescue Services

1. Response Districts and Dispatch Protocol. The City will continue to honor the "closest response" dispatch protocol. Response districts and dispatch protocol for any station that has been annexed into the City, which the County continues to operate, will remain consistent with that in effect during the six months prior to the annexation for a period of 12 months from the effective date of the annexation.

2. Ownership and Location or Transfer of Fire Rescue Stations and Employment of Fire Rescue Personnel:

a) In the event that a County fire rescue station is annexed by the City, the County may, at its discretion, continue to own and operate the station. The County may also elect to retain ownership, in whole or in part, of the station for emergency medical services or any other County purposes

b) Capital items assigned to the affected fire rescue station will remain County property

c) If the City desires to own and/or operate the station, the City may, negotiate an agreement with the County for the appropriate timing, terms and conditions of the transfer and/or purchase of the station

Policy 5 - Public Safety/Police Protection:

In coordination with the Alachua County Sheriff's Office (ASO) and upon the effective date of any annexation, the City's Police Department will determine the necessary personnel, staff and/or police zones to serve the annexed areas.

Policy 6 – Building Permits

The City will process any building and development permit applications in an annexation area after the effective date of the annexation.

The City agrees that the County may continue to process permit applications filed before referendum approval date of an annexation. Beginning on the effective date of an approved annexation referendum, as the agent of the City, the County shall continue to process any building permits for which it received a fully complete permit application and accompanying fee prior to the referendum approval date of the annexation. These permits will be processed under County codes and building permit requirements to completion.

Except as provided below for permit renewals, in the case of building permits issued on or before the date of referendum approval of an annexation, the applications and permits shall be processed through final inspection and/or issuance of a certificate of occupancy by the County unless, at the request of the City, the County elects to transfer those inspections and permits to the City.

Beginning the day after an approved annexation referendum, the City is willing to act as the County's agent for the issuance of building permits in the annexed area. The County may refer applicants to the City for processing any new building and development permit applications in an annexation area.

In the event a building permit is issued in an area that is subsequently annexed prior to final inspection and/or issuance of certificate of occupancy, the permit holder will remain obligated to pay to the County all applicable impact fees. The City is under no obligation to collect impact fees.

Development Permits. Beginning on the effective date of an approved annexation the City will request that the County promptly transfer files together with prorated fee to the City to continue the process to completion.

Permit renewal. After the effective date of annexation, a request for renewal of a permit, which was issued by the County prior to the effective date of an annexation, will be considered for renewal by the City for a minimal fee as long as there has never been any action on that permit.

Policy 7 – Code Enforcement

Pending local ordinance violation cases, which have not received a Code Enforcement Hearing or adjudication, will be turned over to the City on the effective date of an annexation. The City will request the County make its employees available as witnesses in such code enforcement actions (civil or criminal) at no cost.

Policy 8 – Enforcement of Conditions imposed by the County on Land Use and Development Permits

The City agrees to enforce any lawful conditions imposed by the County in conjunction with the issuance of land use and development permits within an annexation area unless such conditions are modified, changed and/or deleted through the City's Comprehensive Plan and Land Development Regulations. The City will request the County make its employees available to provide assistance in enforcement action on cases originally prepared by County personnel. The City will request the opportunity to review and comment on all development permit applications within the City's urban reserve area, which are subject to a public notice provision. The City will respond to County development permit review requests in a timely manner.

Policy 9 – Public Works - Roads: Maintenance and Ownership Responsibilities

The City will annex the entire right-of-way of appropriate County roads and drainage rights-of-way and easements within an annexation boundary. The decision regarding road ownership and maintenance responsibilities for County Roads located within annexed areas shall be based upon definitions contained within Chapter 334.03 (3) and (8) F.S., or by Interlocal Agreement. Maintenance responsibilities shall be assumed by the City for those roads so defined as being part of the City Street System upon the effective date of the annexation. The City will expect the County to prepare the necessary legal documents to effect the transfer of ownership of these roads within twelve months of the effective date of the annexation.

Traffic Signals: The City/County Traffic Signal Agreement shall be amended to reflect the annexation of traffic signals at the beginning of the next fiscal year immediately following the effective date of the annexation. The County/Florida Department of Transportation (FDOT) Signal Maintenance Agreement and the City/FDOT Signal Maintenance Agreement shall be amended to reflect any change in signal jurisdiction at the beginning of the next fiscal year immediately following the effective date of the annexation. The City shall notify Gainesville Regional Utilities (GRU) of the change in the ownership and operation responsibilities of the affected traffic signals for billing purposes concurrent with the effective date of the amended Traffic Signal Agreement.

Street Lighting: The City shall notify GRU of the change in the ownership and operation responsibilities of the affected street lights upon the effective date of the annexation.

Policy 10 - Surface Water Management/National Pollutant Discharge Elimination System

A. Maintenance and Ownership Responsibilities: If an annexed area includes drainage improvements or facilities the County currently owns or maintains, the City and the County shall agree to the deposition of maintenance and ownership responsibilities within twelve (12) months of the effective date of the annexation. If the County's current Capital Improvements Program includes major drainage improvements in the area to be annexed, the City and the County shall discuss and agree as to how the funding, construction, and subsequent operational responsibilities will be assigned for these improvements.

B. National Pollutant Discharge Elimination System (NPDES): Any Interlocal agreements between the City and the County for NPDES activities within an annexation area at any time after the conclusion of the calendar year in which the annexation becomes effective shall be adjusted to reflect the changed percentages of the City's territory within the NPDES City, County, FDOT Partnership upon the effective date of the annexation.

C. Watershed Planning: The City recognizes that watershed management planning is ongoing and that all needed surface water improvements and solutions have not yet been identified. Therefore, the City will request the County agree to work towards one or more separate Interlocal agreements for joint watershed management planning, construction and other related services as needed.

Policy 11 - Parks, Open Space and Recreation Facilities

Maintenance and Ownership Responsibilities: If an annexed area includes park, open space, or recreation facilities, the City and the County shall agree to the maintenance, operation and ownership responsibilities of any affected park properties and/or facilities within twenty-four (24) months of the effective date of annexation. The City and the County will jointly determine if the property and/or facilities should be transferred, leased, and/or operated by the City. Both parties may also determine that no change in management or ownership is desired. The City and the County shall determine and agree to how best to handle the exchange of ownership of the annexed park property if desired, and the resulting responsibilities from such discussions shall be included in a separate interlocal agreement. Alachua County and the City of Gainesville agree that the above language is not applicable to Alachua County Forever Trust properties.

Policy 12 - Public Works – Inspections

Construction inspection responsibilities for active development projects located within the annexed areas shall be determined based upon the effective date of the annexation. The City will request the County continue to perform inspections for those commercial and residential projects and access connections that are being inspected by the County Codes Enforcement Office per any established interlocal agreement. For developments that include new roads to be dedicated to the public at the completion of the project, the City requests the County include the City in any final inspection notices.

Policy 13 - Solid Waste

The City will allow the County to continue the residential solid waste collection program through the end of the fiscal year upon the effective date of the annexation. The City shall assume the responsibilities at the beginning of the next fiscal year following the effective date of the annexation.