

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

RESOLUTION 11-80

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, DESIGNATING AN UPDATED RESERVE AREA BOUNDARY FOR THE CITY OF GAINESVILLE AND ADOPTING AN UPDATED STATEMENT OF COUNTY SERVICES FOR THE GAINESVILLE RESERVE AREA; PROVIDING FOR REVIEW EVERY FIVE YEARS; PROVIDING FOR FURNISHING OF COPIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Alachua County Boundary Adjustment Act, Chapter 90-496, Special Act, Laws of Florida, as amended by Chapters 91-382 and 93-347, codified in Chapter 225, Alachua County Code (“the Act”), is a special act governing municipal annexations in Alachua County; and

WHEREAS, the Act provides for the designation of Reserve Areas, which are areas reserved for annexation pursuant to the procedures in the Act by the municipality for which the area is designated; and

WHEREAS, each of the nine municipalities in the County participated in the implementation of the Act and the last update of Reserve Areas and associated Statements of Services, adopted by resolutions of the Board of County Commissioners on January 10, 2006, which became effective on March 13, 2006; and

WHEREAS, the Act requires that Alachua County (“the County”) and municipalities review Reserve Area designations and associated Statements of Services every five years; and

WHEREAS, in January of 2011, the County initiated the five year review called for by the Act; and

WHEREAS, in response to the five year review initiated by the County, the Cities of Alachua, Archer, Hawthorne, High Springs, LaCrosse, Micanopy, Newberry, and Waldo indicated they do not desire changes to their Reserve Areas as adopted in 2006, and the County does not desire to change the Reserve Areas and associated Statements of Services as adopted for those municipalities in 2006 which shall remain in effect and be reviewed in five years in accordance with the Act; and

WHEREAS, the City of Gainesville has indicated to the County a desire to make a change to its Reserve Area as adopted in 2006, and, following a public hearing by the City Commission, submitted the proposed revision to its Reserve Area and an updated Statement of Services to the County by letter dated April 28, 2011; and

WHEREAS, the County has prepared an updated Statement of County Services for the Gainesville Reserve Area; and

WHEREAS, the County gave public notice as required by the Act, and conducted a public hearing on the proposed revision to the City of Gainesville Reserve Area and the updated Statement of County Services for the Gainesville Reserve Area on June 14, 2011, following which public hearing, the County voted to deny the proposed revision to the City of Gainesville Reserve Area; and

WHEREAS, on June 28, 2011 the County approved a request by the City of Gainesville to reconsider and conduct another public hearing on a revision to the City of Gainesville Reserve Area; and

WHEREAS, on July 7, 2011, the City of Gainesville Commission approved an amended map of a proposed revision to its Reserve Area; and

WHEREAS, the County gave public notice as required by the Act, and conducted a public hearing on the proposed revision to the City of Gainesville Reserve Area and the updated Statement of County Services for the Gainesville Reserve Area on August 9, 2011; and

WHEREAS, the Board finds that the updated Reserve Area for the City of Gainesville identified in Exhibit A of this Resolution complies with the criteria for designating reserve areas under the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

1. Updated Gainesville Reserve Area Boundary and Statement. The Reserve Area designated for the City of Gainesville shall be as shown on the map marked as Exhibit "A" attached hereto and incorporated herein. The Statement of Services and position statements for the Reserve Area of Gainesville shall be as set forth in the updated "Statement of County Services for the Gainesville Reserve Area" attached hereto as Exhibit "B" and incorporated herein. Pursuant to Section 225.05(7) of the Act, the Reserve Area designated herein shall be the Reserve Area for the City of Gainesville unless the designation is challenged within 60 days in accordance with Section 225.05(8).

2. Review Every Five Years. The Reserve Area designation and Statement of Services as set forth herein shall be reviewed by the County and the City every five (5) years in accordance with Section 225.07 of the Act, and based on that review, any change shall be initiated in accordance with the Act.

3. Furnishing of Copies of Designation and Statement. The County Manager or his designee is authorized and directed to submit a copy of the final Updated Gainesville Reserve Area designation and Statement of County Services for the Gainesville Reserve Area to each of the Cities within the County.

4. Effective Date. This resolution shall take effect immediately upon the 61st day following its adoption, provided no challenge has been timely filed in accordance with Section 225.05(8) of the Act. In the event that a challenge is properly filed, the Reserve Area designation and Statement of Services shall become effective upon the date the

Division of Administrative Hearings issues a final order, provided the final order is not appealed pursuant to Section 225.05(11) and general law.

DULY ADOPTED in regular session, this 9th day of August, A.D., 2011.

BOARD OF COUNTY COMMISSIONERS
OF ALACHUA COUNTY, FLORIDA

By: 
Lee Pinkoson, Chair
Board of County Commissioners

ATTEST:


J. K. Irby, Clerk
(SEAL)

APPROVED AS TO FORM:


Alachua County Attorney

DEPARTMENT APPROVAL AS TO CORRECTNESS:



Department of Growth Management
or Authorized Designee

EXHIBIT A UPDATED GAINESVILLE RESERVE AREA MAP

