

TO: Municipalities, Agencies, and Citizens Interested in the Interlocal
Service Boundary Agreement Process

FROM: Brian Smith, Pinellas County Planning Director

DATE: September 11, 2009

The next meeting of the Interlocal Service Boundary Agreement/Annexation Workgroup is scheduled for September 30, 2009 at 2:00 PM in the Largo Feed Store at 295 Central Park Drive, Largo. As requested by the Workgroup, attached are modifications proposed by County staff to the March 2009 municipal counterproposal on changes to the annexation process. In addition, we are also attaching draft considerations for amending the Interlocal Service Area Boundary Agreement once it is adopted. Also attached are draft meeting notes for the June 30, 2009 Workgroup meeting. (These draft notes were also distributed earlier in August.) If you have any questions about the attachments or the upcoming meeting, please contact either Brian Smith or Gordon Beardslee of the Pinellas County Planning Department at (727) 464-8200 or at bsmith@pinellascounty.org or gbeardsl@pinellascounty.org.

Early next week, County staff will begin scheduling follow-up meetings with the municipalities and fire districts to discuss County staff's responses to the suggested municipal service area boundary maps.

A draft agenda for the next Workgroup meeting will be provided by the Co-Chairmen prior to the meeting.

Attachments

Agenda and Meeting Notes

Interlocal Service Boundary Agreement/Annexation Workgroup Meeting

June 30, 2009 ♦ 2:00 p.m.

Oldsmar Library – 400 St. Petersburg Drive East, Oldsmar

- I. Call to Order – Bruce Haddock, Oldsmar City Manager and Co-Chair of the Workgroup, opened the meeting at 2:00 p.m. Introductions around the table followed.
- II. Approval of the Meeting Notes – There were no comments on the notes for the February 5, 2009 meeting and they were approved as drafted.
- III. Review Municipal Counterproposal on Annexation Process

Mike Staffopoulos, Assistant City Manager, Largo, explained, item by item, the Municipal Counterproposal to the annexation process changes that had been earlier recommended by Pinellas County. County staff presented their response to each item of the Counterproposal. (See the attached Municipal Counterproposal for the exact verbiage.)

Counterproposal Section 1 - County and Municipalities agree on this item – no further discussion.

Counterproposal Section 2 –
Subsection 2a - County and Municipalities agree

Subsection 2b – The County wants to add a paragraph 2b to this item, which would include a definition of “unincorporated service area”. County staff agreed with the comment that neither the County Proposal nor the Municipal Counterproposal use this term; however, it was noted that the map resulting from this process is expected to identify unincorporated as well as municipal service areas.

Subsection 2c - Pinellas County proposed adding an additional sentence at the end of this subsection to clarify under what conditions a land use amendment would be necessary after a property is annexed. There was some discussion among the Workgroup on this proposed addition. County staff stated that they are in the process of revising this additional language to clarify that if the municipal plan applies the same FLUM designation as the County’s Plan, then a plan amendment would not be needed unless the municipal designation permitted land uses that are not allowed in the comparable County designation. This revised language is still being developed and will be available before the next Workgroup meeting. County staff indicated that the comparison would focus on the range of uses and not on FARs and ISRs.

There was a question about whether Chapter 163 already exempts annexations from the requirement for a plan amendment. It was the understanding of the County that exemptions are only allowed if there is an interlocal agreement between the County and the annexing municipality.

Counterproposal Section 3 – This section discussed the conditions under which a municipality would be able to annex properties. While the County supports providing a more flexible process for annexation of enclaves, the scope of the Municipal Counterproposal encompasses all unincorporated areas within a municipal service area and is not supported by the County. The County may be willing to look at greater flexibility for annexing Type A and Type B enclaves. It was noted that Ordinance 00-63 permitted annexation of non-contiguous parcels within a Type A enclave. In response to the question of whether the County is still willing to consider this, it was noted that the County Administrator does not support the annexation of non-contiguous properties within enclaves. County staff identified four factors that the County would like to consider when developing a process for annexation within enclaves. (These were listed on the agenda materials that were made available before the meeting.)

It was agreed that County staff would develop a proposal in response to this Municipal Counterproposal before the next Workgroup meeting that the other Workgroup participants could respond to.

A member of the Workgroup asked if the County Administrator is familiar with two historical points concerning enclaves: 1- current state law declares enclaves should be remedied and that it is a state priority to reduce enclaves; 2- Chapter 171 currently gives the County the ability to reduce the enclave problem through annexation by interlocal agreement with a municipality. Perhaps the County Administrator would be more comfortable with the Municipal Counterproposal if he understood this history. The County representatives responded that the County Administrator is concerned that non-contiguous annexation would create even more service delivery issues and more confusion and fragmentation of jurisdictional responsibilities. The County Administrator is also interested in seeing whether agreements can be worked out where cities provide services in the enclave areas.

The question was raised about small cities that aren't interested in annexation but have fire districts in another jurisdiction's proposed planning area. How will that work if non-contiguous annexation is allowed? The jurisdiction providing fire service would protect some of the houses on a street but not those that have been annexed by another jurisdiction.

Counterproposal Section 4 – Schedule for elimination of enclaves

- County does not support this section as proposed. The provision regarding the annexation of enclaves will be addressed by the County when developing a proposal for Section 3 above. It was noted that the municipalities may be willing to consider an acreage threshold for mandatory annexation of enclaves.

Counterproposal Section 5 – Ability to Serve Report

- County and Municipalities agree – no further discussion.

Counterproposal Sections 6, 7 & 8 -

- County and Municipalities agree on these three sections.
Representatives of the East Lake Tarpon Fire District spoke in opposition to the 20-year time frame in Section 7. The Fire District feels that if an annexation proposal has already occurred and failed, the term of the Interlocal Service Boundary

Agreement should be restricted to seven years. Discussion followed. It was noted that the 2007 Settlement Agreement prevents another annexation attempt within the seven years following a failed referendum. It was also mentioned that the concern of the Fire District appeared to be more a matter of the proposed “service area” map than the proposed annexation procedures under discussion.

Counterproposal Section 9 – Challenge of Annexations

Mike Staffopoulos summarized this section by saying that if the participants are successful in negotiating annexation rules, and a municipality abides by those rules within its municipal service area, then Pinellas County will not challenge those annexations. Pinellas County staff stated that they do not support this section. The municipal representatives wanted an explanation as to why the County is opposed. If the parties come to agreement and the County can still contest annexations that comply with the agreement, why are we going through this process? County staff responded that there may be times when there is a difference of opinion on whether an annexation complied with all the conditions of the Agreement.

It was noted that under Chapter 171, the County has 30 days following an annexation to challenge that annexation. It was questioned whether the County can waive its right under Chapter 171 to challenge an annexation through this Interlocal Agreement process. Alan Zimmet responded that the County would not be waiving anything. The County could still challenge an annexation, but only on the basis that it does not comply with the Agreement. The cities would recommend that the challenge period would be limited to 30 days. From the County’s perspective, since the only basis the County would have to dispute an annexation is when a municipality has not complied with the Agreement, it is not clear how the proposed language in Section 9 benefits the municipalities. The cities feel that Section 9 is a clear statement of what we are doing in developing an agreement, and that there won’t be any other issues raised by the County if a city meets the requirements of the agreement, even if the annexation does not comply with other sections of Chapter 171 that would no longer apply to Pinellas County.

Co-Chair Bruce Haddock stated that it was apparent there are two distinct points of view on this section and that perhaps there was not enough time at this meeting to resolve so if there was no further discussion, we would move to Item 10. No further discussion.

Counterproposal Section 10 – New language was presented by the County restricting annexation to properties located within a city’s municipal service area.

- Since there was nothing in previous drafts regarding annexation outside a defined city municipal service area, it was clarified that the County’s perspective when entering into an Interlocal Agreement is that annexation would be limited to an identified municipal service area. This is more of an assumption that just needed to be stated.
- Another assumption that needs to be stated is that once a municipal service area is defined for a city, only that city could annex within its service area. One city could not annex into another city’s service area.
- The Interlocal Agreement should include a process for considering amendments to the service area boundaries within the 20-year term of the Agreement. It was not

clear whether you would have to amend the Agreement the same way as it is initially approved. Ordinance 00-63 had provision for 5-year review of boundaries, and perhaps a similar regular review could be included in the Agreement.

- There was a concern raised by one municipal representative that a city municipal service area should not prevent owners of unincorporated property located outside the “box” from annexing into a city, even if the city provides no services to that property.

IV. Pinellas County Response and Determine Direction of How to Proceed

Co-Chairman Bruce Haddock restated the conclusions on each section of the Counterproposal as follows:

- There is agreement on Section 1.
- County staff will revise and provide another response on Section 2 as well as Section 3 and 4 as they relate to enclaves – so they might be better linked regarding enclaves.
- There is agreement on Sections 5 and 6
- On Section 7, most agree with a term of 20 years; however, the East Lake Fire District is opposed and feels that the term of this agreement should only be seven years.
- There is agreement on Section 8
- The County and municipalities have opposite positions on Section 9.
- Section 10 - The Workgroup participants agreed that this subject should be looked at further.
 - o Discussion on this section has brought up other questions regarding periodic reviews and the process for amending the Agreement and the map. The Workgroup participants should think long and hard about the length of this agreement and/or provide an amendment process.
 - o There is a concern among municipal representatives that, after an agreement is approved, none of the unincorporated service area can be touched for 20 years. There are going to be changes in the next five years – much less 20 years – that can’t be anticipated at this time and there needs to be a mechanism to amend the Agreement in response to changed circumstances.
 - o One participant suggested three considerations or levels in identifying 20-year service area boundaries:
 - From a planning perspective, identify the area a municipality is comfortable serving and not be willing to go beyond that boundary line over the next 20 years irrespective of whether a property owner on the other side of the line wants to annex.
 - If there might be latent interest in annexation that a city has not identified, the city could go for a shorter time frame on the Agreement.
 - Or, establish a process to amend the service area boundaries after an agreement is reached.
 - o One municipal representative raised a concern about those areas that are served with private sewer and water and not included in any municipal service area. Seems that those people should have the right to come into a city of their choice.

- It needs to be decided who would determine the need for periodic reviews and/or amendments to the Agreement.
- Brian Smith stated that based on the direction of the Workgroup, the County will develop proposals in response to the discussion before the next meeting.

V. Report on County/City and County/Fire District Meetings since February 5th on the Municipal and Unincorporated Service Areas

General overview – Since the previous Workgroup meeting in early February, Pinellas County staff has met with representatives of the four participating fire districts and three of the cities and the results of those discussions are included on a map that was included in the materials made available before the meeting:

- Tarpon Springs - suggested moving their planning boundary over to East Lake Road on the northern end of East Lake Tarpon
- St. Petersburg – suggested expanding the service area boundary to include all of Tierra Verde, to include all of the Lealman Fire District except for the portions that are not included in either the Pinellas Park or Kenneth City service areas, and also requested that, if the County agrees to include the airport property in a municipal service area, it be included in St. Petersburg's service area, which is in conflict with the City of Largo's proposal for the airport area.
- Dunedin – The City is okay with the service area suggested by the County.
- Fire districts – Two of the fire districts have requested some modifications to the municipal service area boundaries suggested last summer by the BCC that are not yet shown on the maps.
 - The East Lake Fire District has requested that the Lockheed-Martin property be removed from the suggested Oldsmar service area.
 - The Lealman Fire District has requested that the suggested unincorporated service area in the mid-county Lealman area include all properties within the existing Lealman Fire District, except for those unincorporated properties located within the suggested Kenneth City service area.
- County staff recently met with the County Administrator to discuss these various boundary proposals, but a decision has not yet been made on all of the map proposals and he has asked for more information before a decision is made. After County staff has reached a position on the various proposals, County staff will need to meet with each of the entities involved to discuss the County's position before bringing them to the Workgroup.

VI. Draw Conclusions on Discussions to Date as to Direction of this Program

- This is not an easy subject and the Legislature has been back and forth on many of these issues. Believe we are making progress even though it often feels like two steps forward and one step back. The County is a willing party as we continue to make progress toward an agreement.

VII. Set Next Meeting Date, Location and Agenda Items.

- Date – the Workgroup agreed that the next meeting would be on Wednesday, September 30 at 2:00 p.m.
- Location - Largo offered to host the next Workgroup meeting at the Largo Library

- Agenda Items –
 - o County proposals
 - o Revised boundary map with text
 - o It was noted that some cities identified specific annexation issues in their responding resolutions that are not included in the municipal counterproposal, which dealt with common issues among the municipalities. These cities want an opportunity to work with the County on resolving these specific issues.

VIII. Public Comments

- W.C. Snipes – spoke about annexations being a reason – sometimes the only reason – why some companies have left Pinellas County. Companies can have an added 36% increase in costs of doing business when annexed into a municipality.
- Mary Ann Eicke-Shaw – Speaking on Section 2c) – the issue of property owners being included in discussions is very important.
- Terry Haas – Council of North County Neighborhoods – asked about who represents the unincorporated citizens at these negotiations? Brian Smith explained the public hearing process and that this portion of the Interlocal Agreement process is for the parties convened here. Mr. Haas is concerned that the map will be set and won't get changed even with public hearings.

IX. Adjournment – 3:10 p.m.

Attendees – June 30, 2009

PINELLAS COUNTY: Brian Smith
Gordon Beardslee
Jewel Cole

CLEARWATER: Catherine Porter
Leslie Dougall-Sides
Michael Delk

DUNEDIN: Greg Rice
John Hubbard – attorney

EAST LAKE
TARPON FIRE: Tom McKone

GULFPORT: Fred Metcalf

LARGO: Alan Zimmet - attorney
Mike Staffopoulos
Carol Stricklin
Teresa Brydon
Mary Hale
Mac Craig

LEALMAN FIRE: Jim Millican

OLDSMAR: Bruce Haddock

PALM HARBOR FIRE: Jim Angle

PINELLAS PARK: Jim Denhardt, attorney
Tom Shevlin

SAFETY HARBOR: Matt McLachlan
Alan Zimmet – attorney

SEMINOLE: Mark Ely

SO. PASADENA: Linda Hallas

ST. PETERSBURG: Dave Goodwin
Gary Jones
Jeanne Hoffman

TARPON SPRINGS: Renea Vincent
Joe DiPasqua

PPC: David Healey

GENERAL PUBLIC: W.C. Snipes
Terry Haas
Mary Ann Eicke-Shaw
Ray Ninta

**DRAFT CONSIDERATIONS WHEN AMENDING THE
INTERLOCAL SERVICE BOUNDARY AGREEMENT
(September 9, 2009 Draft)**

1. Process for amending service area boundaries:
 - a. A signatory of the Interlocal Agreement may initiate a proposed boundary amendment to an unincorporated service area and/or a municipal service area.
 - b. The proposed boundary amendment would be sent to all signatories of the Agreement.
 - c. Pinellas County would convene a meeting of staff from all the signatories to the Interlocal Agreement to discuss and attempt to reach consensus on the merits of the proposed boundary amendment. Based on the discussion at this meeting, the initiating jurisdiction may proceed with their original request, may modify their request, or may rescind their request.
 - d. A proposed boundary amendment must be approved by all of the signatories to the Interlocal Agreement.

2. The following criteria shall be used in evaluating a proposed boundary amendment:
 - a. Modified criteria from County Ord. 00-63:
 - The nature of the request and interest of the affected property owners;
 - The ability of the affected jurisdiction to provide urban services;
 - The uniform and consistent relationship of the proposed area to existing municipal boundaries, existing unincorporated neighborhoods and communities, and related areas eligible for annexation; and
 - The interest and relationship of adjoining unincorporated areas and service providers.
 - b. Additional criteria:
 - The relationship of the proposal with special acts of the Legislature affecting municipal annexation in Pinellas County;
 - The relationship of the proposal with community overlays adopted by the Board of County Commissioners as part of the Pinellas County Comprehensive Plan.

3. Alternative process for amending service area boundaries:

If a majority of the Board of County Commissioners gives its consent, a municipality may initiate, within a timeframe specified in the consent, the annexation procedures in sections 171.0413 – 171.043 or in section 171.044, as applicable, to propose annexation of a specifically delineated territory within an unincorporated service area. If the municipality intends to use the annexation procedures in sections 171.0413, the urban services report required in section 171.042 shall be provided prior to the Board giving its consent to initiate the annexation process. If the annexation is successful, the city's municipal service area identified in the Interlocal Agreement shall be modified to include the annexed territory.

Should there be a periodic review of service area boundaries?

- every 7 years?

4. Amending text of the Interlocal Agreement:

- a. A signatory of the Interlocal Agreement may initiate a proposed text amendment to Interlocal Agreement.
- b. The proposed text amendment would be sent to all signatories of the Agreement.
- c. Pinellas County would convene a meeting of staff from all the signatories to the Interlocal Agreement to discuss and attempt to reach consensus on the merits of the proposed text amendment. Based on the discussion at this meeting, the initiating jurisdiction may proceed with their original request, may modify their request, or may rescind their request.
- d. A proposed text amendment must be approved by all of the signatories to the Interlocal Agreement.

Should there be a periodic review of the Interlocal Agreement text?

- every 7 years?

PINELLAS COUNTY RESPONSE

TO THE

March 2009 MUNICIPAL COUNTERPROPOSAL CHANGES to Annexation Process Recommended by Pinellas County for Inclusion in an Interlocal Service Delivery Agreement (September 9, 2009)

The following represents a municipal counterproposal to language initially proposed by Pinellas County and discussed at the February 5, 2009 Interlocal Service Boundary Agreement/Annexation Meeting. Pinellas County's June 2009 responses to the municipal counterproposal are shown in *italics* and County modifications to the counterproposal are noted with strike-through and underline. Additional Pinellas County comments and modifications provided on September 9, 2009 to the municipal counterproposal are highlighted. The last page of this County response is a summary of the changes to Pinellas County's original proposal contained in the March municipal counterproposal.

COUNTERPROPOSAL

1. The annexation provisions in the May 2007 Settlement Agreement shall remain in effect and shall not be superseded by the provisions of this Interlocal Service Boundary Agreement.

Pinellas County supports this section as drafted.

2. Planning Authority for Municipal Service Areas

- a) Any reference to "municipal service area" contemplated in this agreement shall be limited to municipal service areas as defined in section §171.202(11)(a), Florida Statutes.

Pinellas County would add the following subsection:

- b) Any reference to "unincorporated service area" contemplated in this agreement shall be limited to unincorporated service area as defined in section 171.202(16)(a), Florida Statutes.

- ~~b)~~ c) A city, in preparing and adopting its comprehensive plan for the development of land within the city, and amendments thereto, may include its municipal service area within the city's plan in order to advise both the County and the owners of parcels of property therein of the long range planning objectives of the city. However, the city acknowledges that the inclusion in the city's plan of parcels of property within its municipal service area which lie outside the corporate limits of the city shall not be binding on the County or the property owners prior to annexation of such parcels by the city.

Subsection c) is acceptable to Pinellas County with the following clarification at the end of this subsection:

Upon annexation of such parcels, if the city's comprehensive plan provides for residential density that exceeds the maximum permitted by the County comprehensive plan or allows uses not permitted in the County comprehensive plan for the annexed parcels, the city must establish a land use designation for the newly annexed property pursuant to the applicable provisions of Chapter 163, Part II, of the Florida Statutes.

The city may apply a zoning designation only after the parcels have been annexed by the city.

3. Each municipality shall have the ability to annex any and all unincorporated areas contained within its service area pursuant to §171.204, Florida Statutes, regardless of whether the area to be annexed is contiguous as defined in §171.031(11), Florida Statutes, compact as defined in §171.031(12), Florida Statutes or is an enclave or creates an enclave as defined in §171.031(13) & §171.202(2), Florida Statutes. For the purposes of this agreement:
 - a) Any parcels of property located within a municipal service area shall be considered “urban in character”, as defined in §171.031(8), Florida Statutes; and
 - b) Annexation may be achieved by both referendum and non-referendum, or any other methodology approved by Florida Statutes.

Pinellas County supports providing a more flexible process for annexation of enclaves contained within a municipal service area. The municipal counterproposal in this section, however, encompasses all unincorporated areas within a municipal service area, and is not supported by the County. It would also result in further and more pronounced fragmentation of jurisdictional boundaries. Pinellas County would like to work with the other members of the Annexation Workgroup to develop a process for annexation of enclaves that:

- a. provides more procedural flexibility than current law,*
- b. does not exacerbate the problem of fragmented jurisdictional boundaries,*
- c. avoids creating residual unincorporated areas of lower taxable value, and*
- d. considers the rights of unincorporated residents and property owners.*

- ~~4. Each municipality shall identify existing enclaves and unincorporated areas within its service area where municipal services are provided by that municipality. The municipality and County shall set forth an annexation schedule for a mandatory, phased annexation of the identified enclaves and unincorporated areas. The annexations shall then occur by interlocal agreement in accordance with the schedule.~~

While Section 171.205, Florida Statutes, provides a flexible process for securing consent of persons in the area proposed for annexation, it does not permit the mandatory annexation of enclaves and other unincorporated areas as proposed above, except for what is already allowed in Part I of Chapter 171. Therefore, Pinellas County does not support this section.

5. Each municipality pursuing an annexation within its municipal service area, and requiring an Ability to Serve review and recommendation by the Pinellas Planning Council pursuant to Section 5 (13) of the Special Act, shall have the ability to develop one Master Ability to Serve report for its entire municipal service area. The development of one Master Ability to Serve report shall be deemed consistent with the requirements and intent of Section 5 (13) of the Special Act.

Pinellas County supports this section as drafted.

6. Only one legal notice shall be required for a voluntary annexation within a municipal service area rather than two as is currently required by Section 171.044(2) 466.044, Florida Statutes.

Pinellas County supports this section as modified to include the correct statutory reference. .

7. The Interlocal Service Delivery Agreement shall have a 20 year time frame.

Pinellas County supports this section as drafted.

8. A municipality shall send the required certified notice for voluntary annexations to the Pinellas County Planning Department, rather than the Pinellas County Clerk's Office.

Pinellas County supports this section as drafted.

- ~~9. If municipal annexation ordinances are adopted in accordance with the conditions set forth in the Agreement, the County will not challenge administratively, judicially, or otherwise, any annexations by a municipality within its planning area.~~

Pinellas County does not support this section, and would remove it in its entirety. Pinellas County would replace this section with the following:

An appeal of an annexation shall utilize the procedure provided for in section 171.081, Florida Statutes.

10. Annexation by a city shall be limited to unincorporated parcels of property located within the city's municipal service area. A city shall not be permitted to annex property located within the municipal service area of another city established by this agreement.

Pinellas County would add this section.

SUMMARY OF CHANGES

Pinellas County paragraph 1. replaced with the following language:

The annexation provisions in the May 2007 Settlement Agreement shall remain in effect and shall not be superseded by the provisions of this Interlocal Service Boundary Agreement.

Pinellas County paragraphs 2. and 3. replaced with the following language:

Each municipality shall have the ability to annex any and all unincorporated areas contained within its service area pursuant to §171.204, Florida Statutes, regardless of whether the area to be annexed is contiguous as defined in §171.031(11), Florida Statutes, compact as defined in §171.031(12), Florida Statutes or is an enclave or creates an enclave as defined in §171.031(13) & §171.202(2), Florida Statutes. For the purposes of this agreement:

- A) Any parcels of property located within a municipal service area shall be considered “urban in character”, as defined in §171.031(8), Florida Statutes; and B) Annexation may be achieved by both referendum and nonreferendum, or any other methodology approved by Florida Statutes.*

Pinellas County paragraph 4. replaced with the following language:

- A) Any reference to “municipal service area” contemplated in this agreement shall be limited to municipal service areas as defined in section §171.202(11)(a), Florida Statutes.*
- B) A city, in preparing and adopting its comprehensive plan for the development of land within the city, and amendments thereto, may include its municipal service area with the city's plan in order to advise both the County and the owners of parcels of property therein of the long range planning objectives of the city. However, the city acknowledges that the inclusion in the city's plan of parcels of property within its municipal service area which lie outside the corporate limits of the city shall not be binding on the County of the property owners prior to annexation of such parcels by the city.*

Pinellas County paragraph 5. replaced with the following language:

Each municipality pursuing an annexation within its municipal service area, and requiring an Ability to Serve review and recommendation by the Pinellas Planning Council pursuant to Section 5 (13) of the Special Act, shall have the ability to develop one Master Ability to Serve report for its entire municipal service area. The development of one Master Ability to Serve report shall be deemed consistent with the requirements and intent of Section 5 (13) of the Special Act.

Pinellas County paragraphs 6., 7., and 8. remain unchanged.

Pinellas County paragraphs 9., 10., and 11. removed in their entirety.

Municipalities propose new paragraphs 4. and 9.

Each municipality shall identify existing enclaves and unincorporated areas within its service area where municipal services are provided by that municipality. The municipality and County shall set forth an annexation schedule for a mandatory, phased annexation of the identified enclaves and unincorporated areas. The annexations shall then occur by interlocal agreement in accordance with the schedule.

If municipal annexation ordinances are adopted in accordance with the conditions set forth in the Agreement, the County will not challenge administratively, judicially, or otherwise, any annexations by a municipality within its planning area.