

ORDINANCE NO. 2014-068

AN ORDINANCE OF POLK COUNTY, FLORIDA, PURSUANT TO SECTION 163.360, 163.362 AND 163.410, FLORIDA STATUTES, APPROVING A COMMUNITY REDEVELOPMENT PLAN FOR THE CITY OF LAKE ALFRED COMMUNITY REDEVELOPMENT AREA (CRA), AS SET FORTH IN THE LAKE ALFRED COMMUNITY REDEVELOPMENT PLAN (PLAN); DESIGNATING THE PLAN AS THE OFFICIAL COMMUNITY REDEVELOPMENT PLAN FOR REDEVELOPMENT AND IMPROVEMENT OF THE LAKE ALFRED COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR ANNUAL REPORTS OF THE PLAN IMPLEMENTATION; DELEGATING THE POWERS PER SECTION 163.358 TO CARRY OUT REDEVELOPMENT AND RELATED ACTIVITIES; PROVIDING FOR BOARD APPROVAL AND ADOPTION OF THE PLAN; PROVIDING FOR BOARD APPROVAL OF MODIFICATION OF PLAN; PROVIDING FOR ESTABLISHMENT, ADOPTION, AND APPROVAL OF REDEVELOPMENT TRUST FUND AND TAX INCREMENT PERCENTAGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Polk County Board of County Commissioners (hereinafter “the Board”) has worked closely with the City of Lake Alfred in the creation of the City of Lake Alfred Community Redevelopment Plan for the Community Development Area (CRA) since 2004; and

WHEREAS, the Board on June 07, 2014 adopted Resolution No. 14-052, as amended by Resolution 14-080, delegating a portion of their community redevelopment powers and authorities under Part III, Chapter 163, Section 163.410, Florida Statutes (2014) to the City of Lake Alfred for the Lake Alfred Community Redevelopment Area, including the delegation of the creation of the Lake Alfred CRA and the operation of the community development trust fund; and

WHEREAS, the City of Lake Alfred in furtherance of the creation of the Lake Alfred Community Redevelopment Area has adopted City of Lake Alfred Resolutions 03-14 and 04-14 which confirm the findings of slum and blighted areas within the boundary of the Lake Alfred Community Redevelopment Area and determine that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area by the Lake Alfred Community Redevelopment Agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of Lake Alfred and Polk County; and

WHEREAS, the City of Lake Alfred has developed a community development plan in accordance with the procedural requirements set forth within Part III, Chapter 163, Section 163.360, Florida Statutes (2014); and

WHEREAS, on August 18, 2014, the City of Lake Alfred pursuant to the authority delegated by the Board in Resolution 14-052 as amended has adopted Lake Alfred Ordinance No. 1336-14 establishing the boundaries of the community development area, creating a community redevelopment agency, providing for agency board members, providing for the creation of a community redevelopment plan, providing for the approval of the community redevelopment plan by the Board, providing the CRA with duties and powers, and providing for the administration of the redevelopment trust fund by the Lake Alfred Community Redevelopment Agency; and

WHEREAS, on August 04, 2014, the City of Lake Alfred had adopted Lake Alfred Ordinance 1335-14 approving a community redevelopment plan for the Lake Alfred Community Redevelopment Area; and

WHEREAS, the Board of County Commissioners of Polk County, Florida, has determined that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area by the Lake Alfred Redevelopment Agency is necessary and in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Lake Alfred and Polk County; and

WHEREAS, implementation of the City of Lake Alfred Redevelopment Plan will result in redevelopment and related infrastructure improvements to support the designated land uses in the area in conformity with the comprehensive plan for the development of the Area and for the County as a whole; and

WHEREAS, the County desires to proceed together with the City of Lake Alfred and the Lake Alfred Community Redevelopment Agency under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished in the Area; and

WHEREAS, after due consideration as required by law, the Polk County Planning Commission has reviewed the City of Lake Alfred Community Redevelopment Plan for the Area, and found it to be in conformity with the County's Comprehensive Plan for the development of the City of Lake Alfred and the County as a whole; and

WHEREAS, after due consideration as required by the law, the City of Lake Alfred has reviewed and approved the City of Lake Alfred Community Redevelopment Plan for the Area; and

WHEREAS, the City of Lake Alfred has submitted said Community Redevelopment Plan to the Board of County Commissioners of Polk County, Florida; and

WHEREAS, after due consideration and public hearing as required by law, the Board of County Commissioners of Polk County, Florida, deem it appropriate to approve the Community Redevelopment Plan for the City of Lake Alfred.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

SECTION 1. Approval of Official City of Lake Alfred Community Redevelopment Plan.

The City of Lake Alfred Community Redevelopment Plan for redevelopment within the established boundaries of the City of Lake Alfred Community Redevelopment Area, as defined in the Plan, having been duly reviewed and considered in a public hearing as required by law, is hereby approved by this Board of County Commissioners. The City of Lake Alfred Ordinance 14-1335 approving the City of Lake Alfred Community Redevelopment Plan is adopted as attached hereto as Exhibit "A " and is made a part of this Ordinance by reference. The City of Lake Alfred Community Redevelopment Plan is hereby designated as the official Community Redevelopment Plan for the City of Lake Alfred Community Redevelopment Area, the boundaries of which and legal description thereof are described in the Plan. It is the purpose and intent of the Board of County Commissioners of Polk County, Florida that the City of Lake Alfred Community Redevelopment Plan be implemented in this Area and that redevelopment in the Area be carried out pursuant to the Plan.

SECTION 2. Findings of the Board of County Commissioners. The Board of County Commissioners of Polk County, Florida expressly finds that the City of Lake Alfred Community Redevelopment Plan satisfies the requirements of Part III, Chapter 163, Florida Statutes, because:

1. The Board in adopting Resolution No. 14-052 as amended, followed their established written policies concerning the creation and implementation of CRAs which allow for the delegation by the Board of its CRA powers and authority to municipalities such as the City of Lake Alfred. The City of Lake Alfred adopted Ordinance 14-1336 and Resolution Nos. 04-14 and 03-14 and determined the existence of certain slum and blighted areas within the boundary of the City of Lake Alfred Community Redevelopment Area and together with the City of Lake Alfred, the Board determined that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Lake Alfred and the citizens of Polk County;
2. The Board finds that the Plan conforms to the general plan of the county as a whole;
3. The Board finds that the Plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plans;
4. The Board finds that the Plan will afford maximum opportunity, consistent with the sound needs of the county as a whole and the City of Lake Alfred, for the rehabilitation or redevelopment of the community redevelopment area by private enterprise.
5. The Board finds that the Plan conforms to the Polk County Comprehensive Plan;
6. The Board finds that the Plan is sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation

as may be proposed to be carried out in the Community Redevelopment Area, zoning and planning changes, land use, maximum density; and building requirements; and

7. The Board finds that the Plan sufficiently addresses affordable housing issues.
8. The Board finds that the Plan is inclusive of the mandatory contents of a community redevelopment plan as stated in Part III, Chapter 163, Section 163.362, Florida Statutes (2014).

SECTION 3. Board Approvals of Plan Modifications; Establishment and Modification of Trust Fund, Tax Percentage, Administrative Costs and Plan Annual Report.

1. The Board finds that pursuant to Resolution No. 14-052 as amended, Section 163.631, Florida Statutes (2014) and the County's adopted policies for CRAs, any modification or amendment of the Plan must be approved by the Board prior to implementation.
2. The Board finds that pursuant to Resolution No. 14-052 as amended, Section 163.387, Florida Statutes (2014) and the County's adopted policies for CRAs, the establishment of the redevelopment trust fund and tax increment percentage utilized for the Lake Alfred CRA and any further modification of the tax increment percentage, shall be approved by the Board.
3. The Board finds that the Lake Alfred Community Redevelopment Agency shall expend 15% or less for administrative costs in the implementation of the Plan.
4. The Board finds that pursuant to Section 163.356, Florida Statutes (2014), the Lake Alfred Community Redevelopment Agency shall submit an annual report to the Board denoting the progress of its various activities.

SECTION 4. Board Delegation of Powers to City of Lake Alfred. The Board finds that pursuant to Resolution No. 14-052 as amended, Section 163.358, Florida Statutes (2014) and the County's adopted policies for CRAs, the power to create and operate the CRA, and to operate

the community development trust fund is given to the City of Lake Alfred.

SECTION 5. Board Approval and Adoption. The Board hereby adopts the City of Lake Alfred Community Redevelopment Plan. Upon the effective date of this Ordinance such Plan is deemed in full force and effect for the Area and the County then authorizes the City of Lake Alfred Community Redevelopment Agency to carry out the Plan.

SECTION 6. Severability. If any provision of this ordinance is for any reason held unconstitutional or invalid, the remainder of this ordinance shall not be affected.

SECTION 7. Effective Date. This ordinance shall become effective upon filing a certified copy with the Secretary of State.

STATE OF FLORIDA)
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COUNTY OF POLK)

I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No.14-068 adopted by the Board on November 18th, 2014.

WITNESS my hand and official seal on this 19th day of November, 2014.

STACY M. BUTTERFIELD, CLERK

By: Alison Prevatt
Alison Prevatt
Deputy Clerk





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 21, 2014

Ms. Alison Prevatt
Deputy Clerk
Finance and Accounting
Post Office Box 988
Bartow, Florida 33831-0988

Dear Ms. Prevatt:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 14-068, which was filed in this office on November 21, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

