

RESOLUTION 2024-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA INITIATING THE CONFLICT RESOLUTION PROCEDURE UNDER THE FLORIDA GOVERNMENTAL CONFLICT RESOLUTION ACT, CONCERNING A REQUEST FROM THE CITY OF LAKE WALES IN ITS CAPACITY AS THE LAKE WALES COMMUNITY REDEVELOPMENT AGENCY TO AMEND THE COMMUNITY REDEVELOPMENT PLAN BY EXPANDING THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA AND GIVING NOTICE OF COMPETING POLICY GOALS AND PLANS FOR PUBLIC FUNDS

WHEREAS, the Board of County Commissioners of Polk County (“Board”) is the governing body for Polk County (“County”); and

WHEREAS, the Lake Wales Community Redevelopment Agency (“CRA”) is a dependent special district created by the city of Lake Wales on December 3, 1985 to address conditions of slum and blight in downtown Lake Wales; and

WHEREAS, the City Commission of the City of Lake Wales (“City”) acts as the Lake Wales CRA; and

WHEREAS, on December 15, 2023, representatives and consultants of the Lake Wales CRA presented the Board with a proposed CRA Plan amendment that expands the CRA boundaries, among other items (“CRA Plan Amendment”); and

WHEREAS, the CRA’s intended expansion of the Community Redevelopment Area boundaries is approximately 2,465 acres of mostly undeveloped property at the intersection of U.S. 27 and Thompson Nursery Road (“Expansion Area”); and

WHEREAS, within the Expansion Area, 1,943.56 acres have zoning entitlements for approximately 6,100 dwelling units, 400,000 square feet of commercial space, 125,000 square feet of office space, and 200,000 square feet of assisted living and public facilities; and

WHEREAS, on January 17, 2023, the City approved Resolution 2023-01, which adopted a Finding of Necessity Study (“Study”) that evaluated the Expansion Area; and

WHEREAS, the Study fails to establish slum or blight per section 163.340(7), Florida Statutes, occurring in the 1,943.56 acres of land with zoning entitlements for thousands of dwelling units and commercial and office space; and

WHEREAS, on July 18, 2000, the Board adopted the Polk County Review Procedures for Establishing Community Redevelopment Areas and Redevelopment Plans and/or Amendments (“CRA Policy”); and

WHEREAS, Section 11 of the CRA policy requires the Lake Wales CRA to request

delegation of community redevelopment authority and power from the County prior to moving forward with the CRA Plan Amendment to expand the CRA boundaries; and

WHEREAS, the Board objects to the CRA Plan Amendment because the City has not complied with the CRA Policy, and the boundary expansion would result in millions of dollars of lost tax revenue that would otherwise fund government services necessary to serve the additional 6,100 dwelling units and commercial development in the Expansion Area, such as law enforcement, emergency medical services, and transportation improvements; and

WHEREAS, the Florida Governmental Conflict Resolution Act, Chapter 164, Florida Statutes (“Act”), requires governmental entities to use the statutory conflict resolution procedures before initiating court proceedings; and

WHEREAS, in accordance with Section 164.1052, Florida Statutes, the County intends to initiate the conflict resolution procedures provided in the Act regarding the CRA Plan Amendment to expand the CRA boundaries; and

WHEREAS, in accordance with Section 163.361(3)(b), Florida Statutes, the County intends to give notice that it has competing policy goals and plans for the public funds the County would be required to deposit to the Lake Wales Community Redevelopment Trust Fund under the proposed modification to the CRA Plan.

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

Section 1. The above recitals are true and correct and incorporated herein as if set forth in full herein.

Section 2. The Board hereby initiates the conflict resolution procedures provided in the Act as of the date of this Resolution and directs the County Attorney’s Office to proceed with the requirements of Section 164.1052, Florida Statutes.

Section 3. In accordance with Section 163.361(3)(b), Florida Statutes, the County hereby gives notice that it has competing policy goals and plans for the public funds the County would be required to deposit to the Lake Wales Community Redevelopment Trust Fund under the proposed CRA Plan Amendment.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this **9th day of January, 2024** by the Board of County Commissioners, Polk County, Florida.

ATTEST:
STACY M. BUTTERFIELD, Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
W.C. Braswell, Chairman