

RESOLUTION NO. 14-113

A RESOLUTION OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS DELEGATING A PORTION OF THEIR COMMUNITY REDEVELOPMENT POWERS AND AUTHORITY UNDER FLORIDA STATUTE CHAPTER 163 TO THE CITY OF MULBERRY, FLORIDA, FOR THE MULBERRY COMMUNITY REDEVELOPMENT AREA, INCLUDING DELEGATION OF THE CREATION OF THE MULBERRY COMMUNITY REDEVELOPMENT AGENCY ("CRA") AND OPERATION OF THE COMMUNITY REDEVELOPMENT TRUST FUND.

WHEREAS, the Polk County Board of County Commissioners (hereinafter "the Board") is a home rule charter county; and

WHEREAS, Florida Statutes Chapter 163 grants the Board certain powers and authority pertaining to the creation and implementation of community redevelopment agencies (hereinafter "CRAs"); and

WHEREAS, the Board has adopted 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; and

WHEREAS, the Board may delegate its CRA powers and authority for the Mulberry CRA to the City of Mulberry (hereinafter "the City"), pursuant to Florida Statutes §163.410; and

WHEREAS, the City of Mulberry has adopted Resolution No.14-4, finding one or more blighted areas exist within the City and that the rehabilitation, conservation or redevelopment, or a combination thereof, of such blighted areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and further that a CRA is necessary to create and manage a community redevelopment plan; and

WHEREAS, the City has requested that the Board delegate its CRA powers and authority to the City; and

WHEREAS, the Board believes that such delegation of a portion of its CRA powers and authority would be in the best interest of the citizens of Polk County and would avoid the duplication of reviews and services.

NOW, THEREFORE, BE IT RESOLVED THAT: The Board delegates a portion of its CRA powers and authority under Florida Statutes Chapter 163 (2014), and the Board's written policies pertaining to CRAs, to the City of Mulberry for the Mulberry CRA, the legal description of which is outlined in the City's Resolution No. 14-4, as modified by the attached map. This delegation is conditioned upon all five (5) members

of the Board of City Commissioners serving on the Mulberry CRA Board. The City may appoint additional members as authorized under Florida Statutes Chapter 163. This delegation includes, but is not limited to: the creation of the Mulberry CRA and the operation of the community redevelopment trust fund for the Mulberry CRA, after the County establishes said trust fund. This delegation is also conditioned upon the City complying with all provisions of Florida Statutes, Chapter 163 and any amendments thereto, in the creation and implementation of the Mulberry CRA.

The Board does not delegate herein its power and authority to: approve the community redevelopment plan pursuant to §163.360, Florida Statutes (2014) and the County's adopted policies for CRAs; approve any modifications or amendments to the community redevelopment plan pursuant to §163.361, Florida Statutes (2014) and the County's adopted policies for CRAs; the establishment of the redevelopment trust fund and tax increment percentage to be utilized for the Mulberry CRA, pursuant to §163.387, Florida Statutes (2014) and the County's adopted policies for CRAs. Additionally, the County does not delegate its power and authority to modify the tax increment percentage utilized for the Mulberry CRA. This resolution shall be effective this 4th day of November, 2014.

DATED this 4th day of November 2014.

ATTEST:

STACY M. BUTTERFIELD,
Clerk and Auditor to the Board

POLK COUNTY
BOARD OF COUNTY COMMISSIONERS

Kim Hancock

Deputy Clerk

R. Todd Dantzler

R. Todd Dantzler, Chairman

