

RESOLUTION NO. 04-10

A RESOLUTION OF THE POLK COUNTY, BOARD OF COUNTY COMMISSIONERS; FINDING THE EXISTENCE OF A BLIGHTED AREA, AS DEFINED IN SECTIONS 163.355 AND 163.340(8), FLORIDA STATUTES, WITHIN THE HARDEN/PARKWAY AREA AS DEFINED HEREIN BASED UPON THE SOUTH LAKE LAND TRANSPORTATION BLIGHT ANALYSIS PROVIDED TO THE COUNTY; FINDING THE NECESSITY FOR COMMUNITY REDEVELOPMENT FOR THE HARDEN/PARKWAY AREA; FINDING THE NECESSITY FOR A COMMUNITY REDEVELOPMENT AGENCY TO CARRY OUT THE COMMUNITY REDEVELOPMENT PURPOSES FOR THE HARDEN/PARKWAY AREA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Oakbridge development of regional impact ("DRI") has been developed as a mixed-use planned development since its initial approval in 1985 in south Lakeland in the vicinity of the intersection of Harden Boulevard and the Polk Parkway; and

WHEREAS, the Oakbridge DRI development order allowed for the development of 1,000,000 square feet for a regional mall, approximately 130,400 additional square feet of commercial uses, 223,150 square feet of office uses, and 54 hotel rooms on the area of the Oakbridge DRI located at the northwest quadrant of the intersection of Harden Boulevard and the Polk Parkway (the "Harden/Parkway Area"); and

WHEREAS, Drummond Company, the owner and developer of the Oakbridge DRI, has proposed, in a joint venture effort under the name of Casto-Oakbridge Ventures, Ltd., to develop the Harden/Parkway Area as a mixed-use development including a 655,000 square foot lifestyle commercial retail center and a hotel consisting of significantly less square footage than presently approved for the Harden/Parkway Area; and

WHEREAS, the Drummond Company has submitted a South Lakeland

Transportation Blight Analysis ("Blight Analysis"), a copy of which is attached hereto as Exhibit "A," to the County and the City of Lakeland that describes existing transportation blight in the area in and around the Harden/Parkway Area as described in the Blight Analysis (the "Harden/Parkway CRA Area"), and the attached Exhibit "B;" and

WHEREAS, the County finds and resolves that the data and analysis submitted as a part of the Blight Analysis for the Harden/Parkway CRA Area demonstrates that said area has and will have deficient and inadequate public transportation facilities incapable of sufficiently handling the volume of existing traffic flow into and through the area (the "Existing Blight") which meets the criteria of Section 163.340(8), Florida Statutes; and

WHEREAS, in order to address the Existing Blight and the need for adequate public transportation facilities within the Harden/Parkway CRA Area, the data and analysis indicate that certain improvements to the existing deficient transportation facilities are necessary, as are described on the attached Exhibit "C" (the "Necessary Improvements");

WHEREAS, to relieve the Blight and in compliance with the Community Redevelopment Act of 1969 (the "Redevelopment Act"), the County has agreed to create the Harden/Parkway Community Redevelopment Agency ("Harden/Parkway CRA"), make available tax increment financing through the designation of the Harden/Parkway CRA Area as a community redevelopment area, the purpose of which will be to fund, design and construct the Necessary Improvements; and

WHEREAS, in order to fulfill its desire to support the effort to create the Harden/Parkway CRA and to assist with tax increment financing, the County agrees to exercise the appropriate powers incidental to the establishment and operation of an

Harden/Parkway CRA.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR POLK COUNTY, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING THAT:

SECTION 1. DECLARATION OF BLIGHT. The County Commission does hereby find, based upon information presented to the County Commission including the data and analysis from the Blight Analysis that a blighted area, as defined Section 163.340(8), Florida Statutes, exists within the Harden/Parkway CRA Area.

SECTION 2. FINDING OF NECESSITY FOR COMMUNITY REDEVELOPMENT AND FOR COMMUNITY REDEVELOPMENT AGENCY. Pursuant to Section 163.355, Florida Statutes, the Board of County Commissioners finds and determines that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Harden/Parkway CRA Area is necessary in the interest of public health, safety, morals or welfare of the residents of the County and the City of Lakeland; and, pursuant to Section 163.356, Florida Statutes, that there is a need for a community redevelopment agency to carry out the community redevelopment purposes.

SECTION 3. INTENT TO EXERCISE AUTHORITY. To the extent necessary or appropriate as a matter of Florida law, the County hereby agrees to exercise all of its necessary power and authority to create the Harden/Parkway CRA for purposes of community redevelopment within the Harden/Parkway CRA Area, and, incidental thereto, to utilize all powers authorized under Part III, Chapter 163, Florida Statutes, including, without limitation, the powers of final approval for the community redevelopment plan and

the authority to establish the redevelopment trust fund in accordance with and as restricted by the provisions of the interlocal agreement by and between the County and the City of Lakeland that is being adopted in conjunction with this Resolution.

SECTION 4. CREATION OF COMMUNITY REDEVELOPMENT AGENCY. There is hereby created a community redevelopment agency known as the Harden/Parkway Community Redevelopment Agency ("Harden/Parkway CRA") to function within the Harden/Parkway CRA Area.

SECTION 5. APPOINTMENT OF BOARD OF COMMISSIONERS. In accordance with the provisions of Section 163.357, Florida Statutes, the five member Board of County Commissioners of Polk County hereby declares itself to be the Community Redevelopment Agency for the Harden/Parkway CRA and appoints each of the five members of the Board of County Commissioners as members of the board of commissioners for the Harden/Parkway CRA. Further, in accordance with the provisions of Section 163.357(1)(c), Florida Statutes, the County Commission further appoints the City Manager and the Community Development Department Manager for the City of Lakeland, or their designees, to serve as two additional members of the board of commissioners for the Harden/Parkway CRA.

SECTION 6. INDEPENDENT ENTITY. Pursuant to Section 163.357(1)(b), Florida Statutes, the governing body for the Harden/Parkway CRA constitutes the board of a legal entity, separate, distinct and independent from the Board of County Commissioners.

SECTION 7. NOTICE TO TAXING AUTHORITIES. The Board of County Commissioners has provided notice to all taxing authorities as prescribed in Section

163.346, Florida Statutes.

SECTION 8. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

PASSED AND CERTIFIED AS TO PASSAGE this 21 day of January, A.D., 2004.

**BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA**

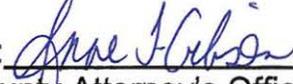
By: 
Neil Combee, Chairman

Date: 1/21/04

ATTEST: Richard Weiss, Clerk

Approved as to form and legal sufficiency:

By: 
Deputy Clerk

By:  1/15/04
County Attorney's Office

