

**ORDINANCE NO. 11-029**

**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 FORT MEADE COMMUNITY REDEVELOPMENT AREA (CRA), AS SET FORTH IN THE FORT MEADE COMMUNITY REDEVELOPMENT PLAN (PLAN); DESIGNATING THE PLAN AS THE OFFICIAL COMMUNITY REDEVELOPMENT PLAN FOR REDEVELOPMENT AND IMPROVEMENT OF THE FORT MEADE 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 Fort Meade in the creation of the City of Fort Meade Community Redevelopment Plan for the Community Development Area (CRA) since 2004; and

**WHEREAS**, the Board on October 20, 2004 adopted Resolution No. 04-154 delegating a portion of their community redevelopment powers and authorities under Part III, Chapter 163, Section 163.410, Florida Statutes (2011) to the City of Fort Meade for the Fort Meade Community Redevelopment Area, including the delegation of the creation of the Fort Meade CRA and the operation of the community development trust fund; and

**WHEREAS**, the City of Fort Meade in furtherance of the creation of the Fort Meade Community Redevelopment Area has adopted City of Fort Meade Resolutions R-04-03, R-04-04

and R-04-15 which confirm the findings of slum and blighted areas within the boundary of the Fort Meade Community Redevelopment Area and determine that the rehabilitation, conservation or redevelopment, or a combination thereof, of the area by the Fort Meade Community Redevelopment Agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of Fort Meade and Polk County; and

**WHEREAS**, the City of Fort Meade has developed a community development plan in accordance with the procedural requirements set forth within Part III, Chapter 163, Section 163.360, Florida Statutes (2011); and

**WHEREAS**, on January 28, 2008, the City of Fort Meade pursuant to the authority delegated by the Board in Resolution 04-154 has adopted Fort Meade Ordinance No. 07-18 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 Fort Meade Community Redevelopment Agency; and

**WHEREAS**, on October 11, 2011, the City of Fort Meade had adopted Fort Meade Ordinance 11-04 approving a community redevelopment plan for the Fort Meade 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 Fort Meade 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 Fort Meade and Polk County; and

**WHEREAS**, implementation of the City of Fort Meade 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 Fort Meade and the Fort Meade 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 Fort Meade 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 Fort Meade and the County as a whole; and

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

**WHEREAS**, the City of Fort Meade 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 Fort Meade.

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

**SECTION 1. Approval of Official City of Fort Meade Community Redevelopment Plan:**

The City of Fort Meade Community Redevelopment Plan for redevelopment within the established boundaries of the City of Fort Meade 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 Fort Meade Ordinance 11-04 approving the City of Fort Meade Community Redevelopment Plan is adopted as attached hereto as Exhibit "A " and is made a part of this Ordinance by reference. The City of Fort Meade Community Redevelopment Plan is hereby designated as the official Community Redevelopment Plan for the City of Fort Meade 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 Fort Meade 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 Fort Meade Community Redevelopment Plan satisfies the requirements of Part III, Chapter 163, Florida Statutes, because:

1. The Board in adopting Resolution No. 04-154, 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 Fort

Meade. The City of Fort Meade adopted Ordinance 11-04 and Resolution Nos. R-04-03, R-04-04 and 04-15 and determined the existence of certain slum and blighted areas within the boundary of the City of Fort Meade Community Redevelopment Area and together with the City of Fort Meade, 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 Fort Meade 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 Fort Meade, 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 (2011).

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

1. The Board finds that pursuant to Resolution No. 04-154, Section 163.631, Florida Statutes (2011) 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. 04-154, Section 163.387, Florida Statutes (2011) and the County's adopted policies for CRAs, the establishment of the redevelopment trust fund and tax increment percentage utilized for the Fort Meade CRA and any further modification of the tax increment percentage, shall be approved by the Board.
3. The Board finds that pursuant to Section 163.356, Florida Statutes (2011), the Fort Meade 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 Fort Meade:** The Board finds that pursuant to Resolution No. 04-154, Section 163.358, Florida Statutes (2011) 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 Fort Meade.

**SECTION 5. Board Approval and Adoption:** The Board hereby adopts the City of Fort Meade 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 Fort Meade 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.

ORDINANCE 11-04

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA, PURSUANT TO FLORIDA STATUTE 193.306, APPROVING A COMMUNITY REDEVELOPMENT PLAN FOR THE FORT MEADE COMMUNITY REDEVELOPMENT AREA AS SET FORTH IN RESOLUTION NO. 04-15 OF THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Meade, Florida has adopted Resolution No. 04-15 finding the existence of certain slum and blighted areas within the boundary of the City of Fort Meade Community Redevelopment Area (the Area), and determining that the rehabilitation, conservation or redevelopment, or a combination thereof, of the Area by the City of Fort Meade Community Redevelopment Agency is necessary in the best interests of the public health, safety, morals, or welfare of the residents and citizens of the City of Fort Meade; and

WHEREAS, the City Commission of the City of Fort Meade, Florida, has adopted Ordinance No. 07-18 creating a Community Redevelopment Agency to carry out and effectuate the purposes of community redevelopment within the boundaries of the Area; and

WHEREAS, implementation of the 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 City as a whole; and

WHEREAS, the City desires to proceed 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 and public hearings as required by the law, the City of Fort Meade Community Redevelopment Agency has reviewed and approved a Community Redevelopment Plan for the Area; and

WHEREAS, after due consideration and public hearing as required by law, the City of Fort Meade Planning and Zoning Board has reviewed the Community Redevelopment Plan for the Area and found it to be in conformity with the City's Comprehensive Plan for the development of the City as a whole; and

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





WHEREAS, after due consideration and public hearing as required by law, the City Commission of the City of Fort Meade, Florida, deems it appropriate to approve the Community Redevelopment Plan for the Area.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FORT MEADE, FLORIDA:

1. **Approval of Official City of Fort Meade Community Redevelopment Plan:** The Community Redevelopment Plan for the Fort Meade Community Redevelopment Area, having been duly reviewed and considered as provided by law, is hereby approved and adopted as attached hereto as Exhibit "A", more specifically referred to as the Fort Meade Redevelopment Plan ("the Plan"), and made a part of the Ordinance by reference. The Plan is hereby designated as the official Community Redevelopment Plan for the Fort Meade Community Redevelopment Area, the boundaries of which are described in the Plan. It is the purpose and intent of the City Commission that the Community Redevelopment Plan be implemented in the Area.

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

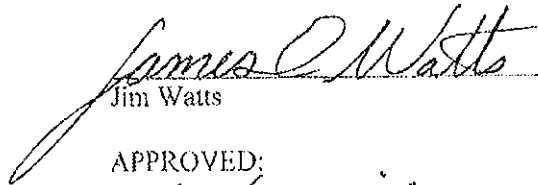
3. **Effective Date:** This ordinance shall become effective upon filing a certified copy with the Florida Secretary of State.

4. **Copy on File:** A certified copy of this enacting ordinance and certified copy of the Fort Meade Comprehensive Plan shall be located in the Office of the City Clerk of Fort Meade. The City Clerk shall also make copies available to the public for a reasonable publication charge.

PASSED ON FIRST READING this 13<sup>th</sup> day of September, 2011.

PASSED ON SECOND READING this 14<sup>th</sup> day of October, 2011.

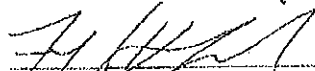
CITY OF FORT MEADE, FLORIDA

  
Jim Watts


ATTEST:

  
Phyllis Kirk, Deputy City Clerk

APPROVED:

  
Fred Hilliard, City Manager

APPROVED AS TO FORM AND  
LEGALITY:



Thomas A. Cloud, Esquire  
City Attorney

**Ordinance 11-01**

**Exhibit A**

**FORT MEADE COMMUNITY REDEVELOPMENT PLAN**

STATE OF FLORIDA)

COUNTY OF POLK )

I Richard M. Weiss, Clerk of the Board of County Commissioners of Polk County, Florida hereby certify that the foregoing is a true and correct copy of Ordinance No. 11-029 adopted by the Board on November 22, 2011.

WITNESS my hand and official seal of said Board this 1<sup>st</sup> day of December 2011.

Richard M. Weiss  
Clerk to the Board

By Kathryn Courtney  
Kathryn Courtney  
Deputy Clerk





**FLORIDA DEPARTMENT OF STATE**

**RICK SCOTT**  
Governor

**DIVISION OF LIBRARY AND INFORMATION SERVICES**

**KURT S. BROWNING**  
Secretary of State

December 7, 2011

Ms. Kathryn Courtney  
Deputy Clerk  
Polk County  
Post Office Box 988  
Bartow, Florida 33831-0988

Dear Ms. Courtney:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated December 1, 2011 and certified copies of Polk County Ordinance Nos. 11-029 through 11-031, which were filed in this office on December 6, 2011.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/srd

**RECEIVED**  
12-12-11 KC  
Clerk Of The Board



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