

RESOLUTION #15-30

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES (THE "COMMUNITY REDEVELOPMENT ACT"); SAID RESOLUTION BEING SUPPORTED BY DATA AND ANALYSIS DEFINING THE PROPOSED TOWN OF LAKE CLARKE SHORES COMMUNITY REDEVELOPMENT AREA; FINDING THE EXISTENCE OF CONDITIONS IN THE PROPOSED COMMUNITY REDEVELOPMENT AREA THAT WARRANT THE CREATION OF A COMMUNITY REDEVELOPMENT AGENCY; MAKING A LEGISLATIVE FINDING THAT CONDITIONS IN THE PROPOSED TOWN OF LAKE CLARKE SHORES COMMUNITY REDEVELOPMENT AREA MEET THE CRITERIA DESCRIBED IN SECTION 163.340(7) OR (8), FLORIDA STATUTES ("FINDING OF NECESSITY"); REQUESTING THE DELEGATION OF COMMUNITY REDEVELOPMENT POWERS AND RESPONSIBILITIES FROM THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The Town Council of the Town of Lake Clarke Shores makes the following findings and determinations:

WHEREAS, the Florida Legislature duly enacted Chapter 163, Part III, *Florida Statutes*, (hereinafter the "Community Redevelopment Act") establishing the conditions and procedures for the establishment of community redevelopment areas and community redevelopment agencies and finding that coastal and resort tourist areas, or portions thereof, which are deteriorated or have outdated building density patterns could be revitalized and redeveloped in a manner that will vastly improve the economic and social conditions of the community; and

WHEREAS, the Town of Lake Clarke Shores has commissioned the Treasure Coast Regional Planning Council (hereinafter referred to as "Consultant") to prepare an independent finding of necessity analysis of the proposed Town of Lake Clarke Shores Community Redevelopment Area (hereinafter referred to as "CRA"); and

WHEREAS, the Town of Lake Clarke Shores has reviewed Consultant's Finding of Necessity Report dated November 2015 (hereinafter "Report"), a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Said Report meets the finding of necessity requirements of the Community Redevelopment Act for the establishment of a community redevelopment area and formation of a community redevelopment agency; and

WHEREAS, the Town Council of the Town of Lake Clarke Shores has considered public input, the recommendations of staff, and the standards and guidelines of the Community Redevelopment Act; and

WHEREAS, pursuant to Section 163.346, *Florida Statutes*, the Town has provided public notice of its intent to consider the adoption of a resolution declaring a finding of necessity for creation of a community redevelopment agency at least fifteen (15) days before such proposed action by registered mailed notice to each taxing authority which levies ad valorem taxes or real property contained within the geographic boundaries of the proposed redevelopment area and in compliance with the notice requirements set forth in said Statute; and

WHEREAS, conditions are present within the CRA which are detrimental to sound growth and which substantially impair or arrest appropriate growth and present conditions and uses which are detrimental to the public health, safety, morals and public welfare; and

WHEREAS, the Report confirmed that conditions in the proposed redevelopment area meet the criteria set forth in Section 163.340(7) or (8), *Florida Statutes*, in that blighted areas exist within the CRA, and the rehabilitation, conservation, or redevelopment of the CRA is necessary in the interest of public health, safety, morals or welfare of the residents of the Town of Lake Clarke Shores; and

WHEREAS, one or more slum or blighted areas, or one or more areas in which there is a shortage of housing affordable to residents of low or moderate income, including the elderly, exist in the Town of Lake Clarke Shores; and

WHEREAS, the rehabilitation, conservation or redevelopment, or a combination thereof, of such redevelopment area or areas, including, if appropriate, the development of housing which residents of low or moderate income, including the elderly, can afford, is necessary in the interest of the public health, safety, morals or welfare of the residents of the Town of Lake Clarke Shores; and

WHEREAS, within the CRA there is a predominance of defective or inadequate street layout, parking facilities, roadways, bridges or public transportation facilities; and

WHEREAS, within the CRA aggregate assessed values of real property for ad valorem tax purposes have failed to show any appreciable increase over the past five (5) years; and

WHEREAS, within the CRA there exists faulty lot layout in relation to size, adequacy, accessibility, or usefulness; and

WHEREAS, within the CRA there exists inadequate or outdated building density patterns; and

WHEREAS, lands within the CRA exhibit a diversity of ownership and unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; and

WHEREAS, lands within the CRA can be revitalized or redeveloped in a manner that will vastly improve the economic and social conditions of the community; and

WHEREAS, after considering the recommendations contained within the Report and after providing proper notice to all taxing authorities which levy ad valorem taxes on real property in the proposed redevelopment areas, and providing the public an opportunity to present testimony and evidence, the Town Council, finds as a matter of fact that conditions exists which warrant the creation of a community redevelopment agency within the Town in order to carry out the purposes of the Community Redevelopment Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKE CLARKE SHORES, FLORIDA:

SECTION 1: Recitals. The above recitals are true and correct, are hereby accepted as legislative findings of fact, and incorporated into this Resolution by reference.

SECTION 2: Approval. This Resolution is supported by data and analysis and the Town Council hereby makes a legislative finding of fact that conditions in the proposed Town of Lake Clarke Shores CRA meet the criteria described in Section 163.340(7) or (8), *Florida Statutes*. The Town Council hereby adopts the Town of Lake Clarke Shores Finding of Necessity Report dated November 2015 (Exhibit A) as the Finding of Necessity Report. In accordance with Section 163.356, *Florida Statutes*, the Town Council further finds that there is a need for a community redevelopment agency to function within the Town of Lake Clarke Shores in order to carry out the community redevelopment purposes of the Community Redevelopment Act. The geographic area of the proposed Town of Lake Clarke Shores Community Redevelopment Area is designated as depicted on the map set forth in the Report.

SECTION 3: County delegation. The Board of County Commissioners of Palm Beach County, Florida is hereby requested to, by Resolution, delegate to the Town Council of the Town of Lake Clarke Shores the exercise of all powers and responsibilities conferred on Palm Beach County by the Community Redevelopment Act for the purpose of establishing and operating the Town of Lake Clarke Shores Community Redevelopment Agency.

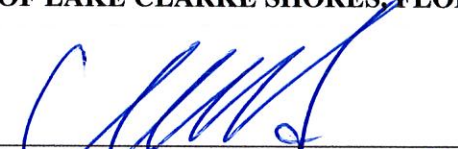
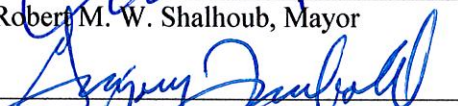
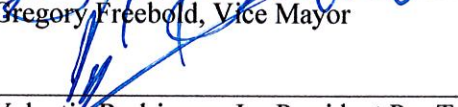
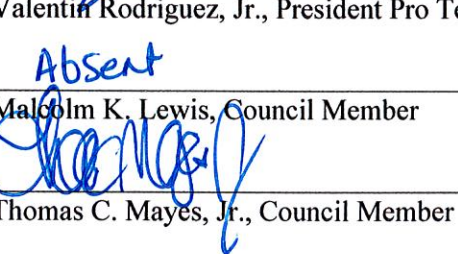
SECTION 4: Conflicts. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5: Severability. If any section or portion of a section of this Resolution proves to be invalid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION 6: Effective Date. This Resolution shall be effective upon adoption of a delegation of authority Resolution by the Board of County Commissioners of Palm Beach County, Florida.

PASSED AND ADOPTED this 8th day of December, 2015.

TOWN OF LAKE CLARKE SHORES, FLORIDA

| | FOR | AGAINST |
|--|-------------------------------------|--------------------------|
| BY:  Robert M. W. Shalhoub, Mayor | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|  Gregory Freebold, Vice Mayor | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|  Valentin Rodriguez, Jr., President Pro Tem | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Absent Malcolm K. Lewis, Council Member | <input type="checkbox"/> | <input type="checkbox"/> |
|  Thomas C. Mayes, Jr., Council Member | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

ATTEST:

By: 
Mary Pinkerman, Town Clerk

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Sponsored by the Town Council