

RESOLUTION NO. 21-08

A RESOLUTION OF THE WINTER GARDEN COMMUNITY REDEVELOPMENT AGENCY; RECOMMENDING EXTENSION AND MODIFICATION OF THE COMMUNITY REDEVELOPMENT PLAN BY THE CITY COMMISSION OF WINTER GARDEN TO EXTEND THE PLAN FOR A PERIOD OF TEN (10) YEARS; APPROVING COMMUNITY REDEVELOPMENT PLAN AMENDMENT; MAKING FINDINGS, RECOMMENDATIONS, AND REQUESTS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on or about June 25, 1992, the City of Winter Garden, Florida (the “City”) adopted Ordinance 92-48, 92-49, and 92-50, creating the Winter Garden Community Redevelopment Agency (the “CRA”), adopting a Community Redevelopment Plan, and creating the Community Redevelopment Trust Fund, respectively; and

WHEREAS, the City’s creation of the CRA and operations related thereto were duly authorized by Orange County via County Resolutions 92-M-28 and 94-M-45, as required by Fla. Stat. 163.410; and

WHEREAS, on or about August 16, 1994, the City, CRA, and County executed that certain Interlocal Development Agreement between Orange County, Florida, the City of Winter Garden, Florida and the Winter Garden Community Redevelopment Agency (the “Interlocal Agreement”) providing for certain matters with respect to the operations of the CRA; and

WHEREAS, in accordance with the Community Redevelopment Plan and enacting resolutions, the initial term of the Plan is for a period of thirty (30) years ending in 2023; and

WHEREAS, the City recently conducted a detailed and comprehensive study of the East Winter Garden area of the Community Redevelopment Plan with extensive community involvement; and

WHEREAS, the extensive process, community involvement, principal ideas, key planning principals, work effort, primary issues and obstacles, and short-term, mid-term, and long-term implementation matrix from the study were incorporated into a plan titled East Winter Garden Plan dated March 27, 2018, which is attached hereto as **Exhibit “A”** (the “EWGP”); and

WHEREAS, the CRA finds that conditions of slum and/or blighted areas continue to exist within the CRA area, adopts the findings of the City Commission in City Ordinance No. 92-49 and the findings set forth in the EWGP, and finds that the purposes of the CRA and the public health, safety, and welfare will be served by extending the Community Redevelopment Plan for an additional ten (10) years; and

WHEREAS, in accordance with Fla. Stat. 163.346(1), the City Commission is authorized to modify the Community Redevelopment Plan upon the recommendation of the CRA and as otherwise provided in Chapter 163, Florida Statutes and the Interlocal Agreement.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE WINTER GARDEN COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:

1. **Recitals.** The foregoing recitals are hereby verified as true and correct and are adopted as a material part of this Resolution.

2. **Recommendations and Requests.** The Winter Garden Community Redevelopment Agency hereby recommends and requests the following:

(a) That the First Amendment to Winter Garden Community Redevelopment Plan attached hereto as **Exhibit "B"** (the "CRA Plan Amendment") be adopted and approved by the Winter Garden City Commission in order to extend the Community Redevelopment Plan for a period of ten (10) years beyond expiration of the initial term;

(b) That the First Amendment to the Winter Garden Community Redevelopment Plan, attached hereto as **Exhibit "B"** also provide for 75% of the CRA revenues raised during the aforementioned ten (10) year extension beyond the expiration of the initial term to be allocated toward and used within the eastern portion of the CRA, defined as that property located within the CRA, which is located east of 9th Street, south of Plant Street, and north of Story Road.

(c) That the Board of County Commissioners of Orange County adopt such resolution(s) as are necessary to authorize the CRA Plan Amendment and extension of the CRA for a period of ten (10) years beyond expiration of the initial term;

(d) That the City, CRA, and County execute an amendment to the Interlocal Agreement providing for and authorizing the CRA extension provided in the CRA Plan Amendment and other matters related thereto; and

(e) That the City, CRA, and County each take such additional actions as are necessary to authorize and effect the CRA Plan Amendment.

3. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, determined invalid, void, voidable, unenforceable, or unconstitutional by a court of competent jurisdiction, such portion will be deemed a separate, distinct, and independent provision, and such holding will not affect the validity of the remaining Resolution unless the purpose of this Resolution is frustrated thereby.

4. **Conflicts.** In the event of a conflict or conflicts between this Resolution and any other Resolution of the Winter Garden Community Redevelopment Agency, this Resolution controls to the extent of any such conflict.

5. **Effective Date.** This Resolution shall take effect immediately upon adoption.

ADOPTED this 15TH day of SEPTEMBER, 2021, by the Winter Garden Community Redevelopment Agency.

APPROVED:
WINTER GARDEN COMMUNITY
REDEVELOPMENT AGENCY

By: 
John Rees, Board Member

ATTESTED:


Angela Grimage, City Clerk

S:\AKA\CLIENTS\Winter Garden\General W500-20501\CRA Documents\CRA Resolution Rev 9-1-21 - jgc rev.docx