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To: Kurt Easton [IBI], Carol Westmoreland [Florida Cities]

You ask if Lake City's CRA has the right to extend the time frame **and/or** expand the CRA boundaries without Columbia County's approval, since Lake City's CRA was created prior to 2002 when the County Charter was passed. This question is essentially two questions with two slightly different answers.

Can Lake City extend the time frame for completing redevelopment financed by increment revenues without County approval? Yes. However, the Lake City CRA and the Lake City governing body must give timely written notices of the City's intention to modify its plan by extending the time frame to Columbia County and any other taxing authorities which levy ad valorem taxes on real property located in the redevelopment area.

Although the City and CRA must give the County notices of the intention to extend its time frame, it is not required to obtain County's delegation of home rule powers. Columbia County does not have home rule authority with regard to Lake City's CRA since the CRA was created prior to 2002 when the County's charter was passed. Sec. 163.410, Fla. Stat, specifically says: *"This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter."*

Can Lake City modify its redevelopment plan by expanding its boundaries without seeking County approval?

Yes, Lake City does have the right to modify its redevelopment plan by expanding its boundaries without obtaining home rule delegation of powers from the County, as stated above. However, under F.S. 163.361(3)(b), within 30 days of receiving a report of the proposed modification to expand the boundaries, the County can provide notice to the City's governing body and to the CRA that the County has competing policy goals and plans for the public funds which it would be required to deposit to the trust fund under the proposed modification. If the County timely gives notice, a joint hearing of the County and the City Council/Commission must be held, and the City cannot proceed with adoption of the modified plan until 30 days after the joint hearing. The County may propose an alternative modified redevelopment plan for the expanded area. 163.361(3)(b) sets out procedures which are to be followed and provides for voluntary dispute resolution to resolve any competing policy goals between the City and the County.

When modifying its plan to expand its boundaries, the City must pass a resolution, supported by data and analysis, and finding that the statutorily established criteria for slum or blight are met, just as it did so when it first created the CRA.

Summary: Since the County passed its home rule charter after the creation of Lake City's CRA, the County's home rule powers and delegation therefore do not extend to the CRA and any modifications of the CAR. The City and the CRA must, though, give the County timely notices of its intent to modify. If the City plans to modify by expanding its boundaries, the Community Redevelopment Act sets out a process which allows the County to have input into the expansion of boundaries if it has competing policy goals and plans for the public funds which would be deposited in the trust fund from the tax increment revenues of the expanded territory.

Please let me know if you have any other questions.

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