

**COMMUNITY REDEVELOPMENT AGENCY (CRA)
OFFICIAL AGENDA
January 18, 2021
7:00 p.m. (or after the Commission Meeting at 6:00 p.m.)**

**Municipal Administration Building
Commission Chambers
201 W. Central Avenue
Lake Wales, FL 33853**

1. CALL TO ORDER & ROLL CALL
2. COMMENTS AND PETITIONS

Public participation from residents, taxpayers, business owners, and utility customers is encouraged. The CRA Board welcomes information that would assist them in considering agenda items, CRA business, and otherwise fulfilling the City's mission to make Lake Wales "a bit better or more beautiful" for its citizens.

Anyone wishing to speak should give their name, state if they are a resident, taxpayer, business owner, or utility customer and they will have 5 minutes. Courtesy and respect is the hallmark.

Speakers are expected to address the Board and not audience members, and not engage in back and forth discussions that can deteriorate into argument, debate and accusations.

Questions about subject matter are best directed to city staff during normal business hours

3. Legal Action Against Dixie-Walesbilt, LLC
The CRA Board of Directors will determine a course of legal action against Dixie-Walesbillt, LLC.

Documents:

[MEMO-DWLLC-CRA-011822.PDF](#)
[CITY AND HOTEL PARTNERSHIP POINTS.PDF](#)

4. EXECUTIVE DIRECTOR'S REPORT
5. ADJOURN

Note: The full staff memo will be incorporated into the official record

Minutes of the CRA meeting can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of the requesting party.

Persons who wish to appeal any decision made by the CRA Board with respect to any matter considered during this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the office of the City Clerk no later than 5:00 p.m. on the day prior to the meeting.

MEMORANDUM

DATE: January 14, 2022

TO: Honorable Chairman and Members of the Lake Wales Community Redevelopment Agency

FROM: James Slaton, Executive Director

SUBJECT: Legal action against Dixie-Walesbilt, LLC

SYNOPSIS: *The CRA Board of Directors will determine a course of legal action against Dixie-Walesbilt, LLC.*

RECOMMENDATION

Staff recommends the CRA Board take one of the following actions:

1. Direct the CRA's legal counsel to file suit and to end negotiations with Dixie-Walesbilt, LLC.
2. A. Direct Staff to continue negotiations with Dixie-Walesbilt, LLC and establish a new deadline for an agreement to be in place on or before January 28, 2022.

B. Authorize the CRA's legal counsel to begin drafting a complaint against Dixie-Walesbilt, LLC.

C. Authorize the CRA's legal counsel to file suit if an agreement with Dixie-Walesbilt, LLC is not entered into by 12:00 pm on January 28, 2022.

BACKGROUND

During the December 21, 2021 CRA meeting, the CRA Board directed staff to negotiate a new agreement (novation) with Dixie-Walesbilt, LLC prior to filing a legal complaint. The CRA Board also established a deadline of January 15, 2022 to reach the new agreement.

Staff negotiated with Dixie-Walesbilt, LLC as directed and was unsuccessful in reaching an agreement prior to the established deadline.

On March 16, 2021, the City Commission voted in favor of noticing Dixie-Walesbilt, LLC of its event of default on the terms and conditions set forth in the original Redevelopment Agreement and provided an opportunity to cure. Dixie-Walesbilt has made no progress in curing the outstanding default(s) to date.

Staff is requesting the CRA Board consider each of the provided options presented and take action.

Included with this memorandum is the term sheet submitted by Dixie-Walesbilt, LLC containing the requests made of the City and CRA. This document served as the foundation for the recent negotiations.

OTHER OPTIONS

While another available option would be to "Do Nothing", allowing the statute of repose deadline of February 1, 2022 to pass and thereby be waived, Staff does not recommend that course of action.

FISCAL IMPACT

None at this time. Costs will be incurred if the CRA Board elects to file suit.

ATTACHMENTS

Term Sheet – Dixie-Walesbilt, LLC

Main Points for City/Hotel Partnership

- 3 sides of street/alley redone surrounding hotel which will equate to X? amount of parking spots credited to Walesbilt Hotel
- Parking help through obtaining Care Center/Care Center Parking Lot (Care center bldg. sold to us at reduced/favorable price) - Joint Venture on that purchase. City and State pay for majority of purchase
- Lot South of the Walesbilt that was originally part of the Hotel property be given back to Walesbilt to help alleviate parking problem to use a private lot.
- Parking Garage built by the city on a long/mid-term goal on the Care Center Location- with shared revenue model with hotel/committed number of spots for hotel use specifically.
- 20 years tiff
- \$1 million cash – Whether through CRA or Other City funds to help City/Hotel Partnership Development
- TDT Tax Rebate of 80%- (Heads in beds tourism tax)
- Institute plan to remove/redevelop trouble businesses to the North of Walesbilt (drug/homelessness problem in the streets)
- Eliminated or Credit for Water/Sewer Impact fees
- Expedited Permit processing/Issuance and Waiving of Permit Fees