

CITY OF POMPANO BEACH
Broward County, Florida

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE A BROWNFIELD SITE REHABILITATION AGREEMENT AND AN ACCESS AGREEMENT WITH BROWARD COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT FOR THE POMPANO BEACH SPORTS PARK REUSE AREA LOCATED AT 3190 NW 4th STREET, POMPANO BEACH, FLORIDA 33069, FOLIO NUMBER 4842-32-19-0030, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with § 97-277, Laws of Florida, codified at § 376.77 – 376.85, Florida Statutes, the State of Florida has provided for the designation by resolution of certain contiguous areas that consist of one or more brownfield sites as “brownfields areas,” and for the corresponding provision of environmental remediation and economic development of such areas; and

WHEREAS, pursuant to § 376.80(2)(a), Florida Statutes, the City of Pompano Beach has designated by resolution the real property located at 3190 NW 4th Street, Pompano Beach, Florida, 33069, Folio Number 4842-32-19-0030, as the Pompano Beach Sports Park Reuse Area for purposes of § 376.77-376.85 Florida Statutes; and

WHEREAS, pursuant to § 376.80(2)(d), Florida Statutes, the designation of a brownfield area and the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a Brownfield Site Rehabilitation Agreement (“BSRA”) with the Florida Department of Environmental Protection (“FDEP”) or approved local pollution control program such as the Broward County Environmental Protection and Growth Management Department (“EPGMD”); and

WHEREAS, pursuant to § 376.80(5), Florida Statutes, the person responsible for brownfield site rehabilitation must enter into a BSRA with the FDEP or an approved local pollution control program such as the EPGMD if documented contamination exists at the brownfield site; and

WHEREAS, documented contamination exists at the property designated as the Pompano Beach Sports Park Reuse Area; and

WHEREAS, the City of Pompano Beach desires to be identified as the person responsible for brownfield site rehabilitation at Pompano Beach Sports Park Reuse Area for purposes of obtaining economic incentives, liability protection and other benefits associated with Florida's Brownfields Redevelopment Act; and

WHEREAS, pursuant to § 376.80(5)(f), Florida Statutes, the BSRA must include, among other things, a commitment to secure site access for activities associated with site rehabilitation to the FDEP or an approved local pollution control program such as EPGMD;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the recitals and findings set forth in the Preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

SECTION 2 This Resolution shall become effective immediately upon passage.

PASSED FIRST READING this _____ day of _____, 2017.

PASSED SECOND READING this _____ day of _____, 2017.

LAMAR FISHER, MAYOR

ATTEST

ASCELETA HAMMOND, CITY CLERK

FP:jmz
10/27/17
L:reso/2018-37f