

**RESOLUTION NO. 2017-\_\_\_\_\_**

**CITY OF POMPANO BEACH  
Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED IN THE NORTHEAST QUADRANT OF WEST ATLANTIC BOULEVARD AND THE FLORIDA TURNPIKE, IDENTIFIED BY FOLIO NO. 484232190020, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to § 97-277, Laws of Florida, codified at § 376.77 – 376.86, Florida Statutes, the State of Florida has provided for designation of a “brownfield area” by resolution at the request of the person who owns or controls one or more real estate parcels, to provide for their environmental remediation and redevelopment and promote economic development and revitalization generally; and

**WHEREAS**, Home Dynamics Vantage LLC owns the property located in the northeast quadrant of West Atlantic Boulevard and the Florida Turnpike in Pompano Beach, Broward County, Florida identified by Folio No. 484232190020 (hereinafter the “Property”) depicted and more particularly described in Exhibit “A” and is developing it for residential use; and

**WHEREAS**, Home Dynamics Vantage LLC has requested that the City Commission of Pompano Beach designate the Property as a “brownfield area” pursuant to §376.80(2)(c), Florida Statutes; and

**WHEREAS**, the City Commission has reviewed the criteria set forth in § 376.80(2)(c), Florida Statutes, and has determined that the Property qualifies for designation as a “brownfield area” because the following requirements have been satisfied:

1. Home Dynamics Vantage LLC owns the Property which is proposed for designation and has agreed to rehabilitate and redevelop it;
2. The rehabilitation and redevelopment of the Property will result in economic productivity in the area;
3. The redevelopment of the Property is consistent with the City’s Comprehensive Plan and is a permissible use under the City’s Zoning and Land Development Code;
4. Proper notice of the proposed rehabilitation of the Property has been provided to neighbors and nearby residents, and Home Dynamics Vantage LLC has provided those receiving notice the opportunity to provide comments and suggestions regarding the rehabilitation; and
5. Home Dynamics Vantage LLC has provided reasonable assurance that it has sufficient financial resources to implement and complete a rehabilitation agreement and redevelopment plan.

**WHEREAS**, the City Commission desires to notify the Florida Department of Environmental Protection of its resolution designating the Property as a “brownfield area” to further its rehabilitation and redevelopment for purposes of § 376.77 – 376.86, Florida Statutes; and

**WHEREAS**, the applicable procedures set forth in § 376.80 and § 166.041, Florida Statutes, have been followed and proper notice has been provided in accordance with § 376.80(1) and 166.041(3)(c)2, Florida Statutes; and

**WHEREAS**, such designation shall not render the City of Pompano Beach liable for costs or site remediation, rehabilitation and economic development or source removal, as those terms are defined in Section 376.79 (17) and (18), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution; 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.** That the City Commission finds that Home Dynamics Vantage LLC has satisfied the criteria set forth in § 376.80(2)(c), Florida Statutes.

**SECTION 3.** That the City Commission designates the Property depicted on Exhibit "A" attached hereto and incorporated herein by reference, as a “brownfield area” for purposes of §376.77 – 376.86, Florida Statutes.

**SECTION 4.** That the City Manager, or his designee, is hereby authorized to notify the Florida Department of Environmental Protection of the City Commission’s resolution designating the Property a “brownfield area” for purposes of § 376.77 – 376.86, Florida Statutes.

**SECTION 5.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

10/13/2016  
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