

MEMORANDUM

September 28, 2017

TO: City Commission
THRU: Greg Harrison, City Manager
FROM: Horacio Danovich, CIP Manager



Issue

Staff is seeking City Commission approval of a Resolution to designate the City's 11.76-Acre Park located at 3190 NW 4th Street (see Exhibit "A") as a Brownfield Area.

Recommendation

Staff recommends Approval of the Resolution.

Background

On May 10, 2016, the City advertised Request for Proposals (RFP) L-40-16 seeking a private investor(s) to develop the Park as a Sports Complex. The City received two (2) proposals and a panel of reviewers selected Floridians F. C. (a.k.a. Azul Equities, LLC.) as the number one ranked firm. The City Commission approved the rankings and authorized Staff to negotiate an agreement.

Prior to advertising the RFP, and based on knowledge of prior use(s) of the 11.76-acre site as a golf course, Staff suspected the site might need some form of environmental remediation. The RFP included verbiage whereas the City would be responsible to prepare a Remedial Action Plan (RAP) and conduct necessary remediation to the site prior to initiating development activities. The City partnered with the Treasure Coast Regional Planning Council/South Florida Regional Planning Council (TCRPC/SFRPC) whereas the agency gave the City a grant to carry out an exhaustive environmental analysis. The grant allowed the City to retain Cardno, a professional engineering and environmental consulting firm, to conduct the environmental study. The firm's report concluded the following:

"Based on site assessment results, arsenic impacts to soil above residential direct exposure (RDE) soil cleanup target levels (SCTLs), and (to a lesser degree) above the recreational land

use are widespread throughout the site. Dieldrin, a product used in the past as an insecticide, with impacts above SCTLs was also encountered; however, Dieldrin impacts were limited to former green locations.”

Based on the findings, it would be advisable to designate the site as a Brownfield Area. Designating this site as a Brownfield would pave the way to eliminate the City as a Potential Responsible Party (PRP) of any contamination. This designation can be obtained by processing a Brownfield Site Rehabilitation Agreement (BSRA) with Broward County.

To assist with processing a BSRA, the City retained The Goldstein Environmental Law Firm, P.A., a firm that's well versed in these matters and is very familiar with the site having assisted Palm Aire in the past for similar efforts. Upon receiving a Brownfield Designation, the City can proceed with remedial action. Staff anticipates said efforts will cost \$1.5 million. However, the BSRA will make it possible to recover up to 80-90% through tax credits that can be sold in the secondary market. Thus, the costs to the City would be approximately \$300,000.00. To proceed with the Brownfield Designation, and in accordance with statutory requirements, the City advertised two Public Hearings to take place on October 10 and October 24, 2017 (see Notice of Public Hearing).

Staff anticipates retaining a contractor to conduct remediation work in the near future and hopes to start activities as soon as possible to allow the City to submit a (partial) claim for recovery before the end of the calendar year.