

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: September 22, 2015 ☐ Consent ☒ Regular
 ☐ Ordinance ☐ Public Hearing

Department: Department of Economic Sustainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: (A) Conceptually approve a \$300,000 Brownfield Loan and a \$50,000 Brownfield Grant with the West Palm Beach Community Redevelopment Agency (WPBCRA) for the cleanup of 2401 Broadway in West Palm Beach; and (B) Authorize the County Administrator or her designee to execute a new loan agreement, mortgage, promissory note, and all other documents necessary for the transaction.

Summary: On January 14, 2014, the Board of County Commissioners (BCC) received and filed a Cooperative Agreement (R2014-0058) with U.S. Environmental Protection Agency (EPA) for the receipt of \$1 Million for the Brownfield Revolving Loan Fund (BRLF) Program. The Cooperative Agreement allows for 70% of the \$1 Million to be in the form of loans and 30% to be in the form of grants. The \$350,000 from the BRLF will provide environmental cleanup assistance for the City-owned Brownfield redevelopment site located at 2401 Broadway in West Palm Beach in the Northwood/Pleasant City Community Redevelopment Area. The cleanup site is part of an assemblage of land on the western boundary of Northwood Village generally referred to as the Anchor Site comprising approximately three (3) acres. At a WPBCRA meeting on May 26, 2015, Resolution No. 15-26 was approved authorizing the cleanup of the Anchor Site and the application to Palm Beach County for funding for this purpose from the County's BRLF Program. Total cleanup costs are estimated at \$350,000. The WPBCRA is actively working to promote the redevelopment and sale of the site. Conceptually, the development of the Northwood Anchor Site will be a mixed-use project consisting of three (3) midrise buildings, including ground-level retail, residences, public plaza and a Florida East Coast railway train station. The WPBCRA estimates that the redevelopment project will create 75 to 100 new jobs and provide an estimated annual payroll of \$3.5 Million. Under the terms of the loan agreement, the WPBCRA will utilize the funds to undertake the remediation work within 12 months of the date of the loan agreement and will abide by all prescribed EPA terms and conditions. On August 27, 2015, the County's Loan Review Committee recommended approval of the loan. The WPBCRA will provide in-kind services valued up to \$70,000 as the required local match. These are federal EPA funds which require a 20% local match which will be provided by the West Palm Beach Community Redevelopment Agency. No County local match is required. (DES Administration) District 7 (JB)

Background and Justification: The Brownfield Loan Criteria were approved by the BCC on April 15, 2014. The Northwood Anchor site parcels were well documented to have supported a series of uses recognized to be the sources of potential contamination, such as automotive repair shops and gasoline stations. The Florida Department of Environmental Protection approved a Remedial Action Plan Approval for the site in September 2014.

Attachments:

1. Location Map
2. WPBCRA Resolution No. 15-26

Recommended By:  9/11/2015
 Department Director Date

Approved By:  9/21/15
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Grant Expenditures	\$350,000				
Operating Costs					
External Revenues	(\$350,000)				
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT	-0-				

# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				
---	-----	--	--	--	--



Is Item Included In Proposed Budget? Yes X No
Budget Account No.:

Fund 1544 Dept 143 Unit 2108 Object 8201 Program Code/Period N/A: \$50,000
Fund 1544 Dept 143 Unit 2109 Object 8201 Program Code/Period N/A: \$300,000

B. Recommended Sources of Funds/Summary of Fiscal Impact:

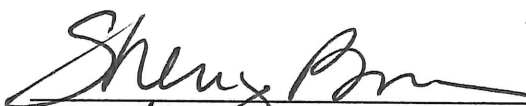
Source of funds will be USEPA Brownfields Revolving Loan Fund

C. Departmental Fiscal Review:


Shairette Major, Fiscal Manager II


III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:


OFMB Sherry Brown 9/15/15

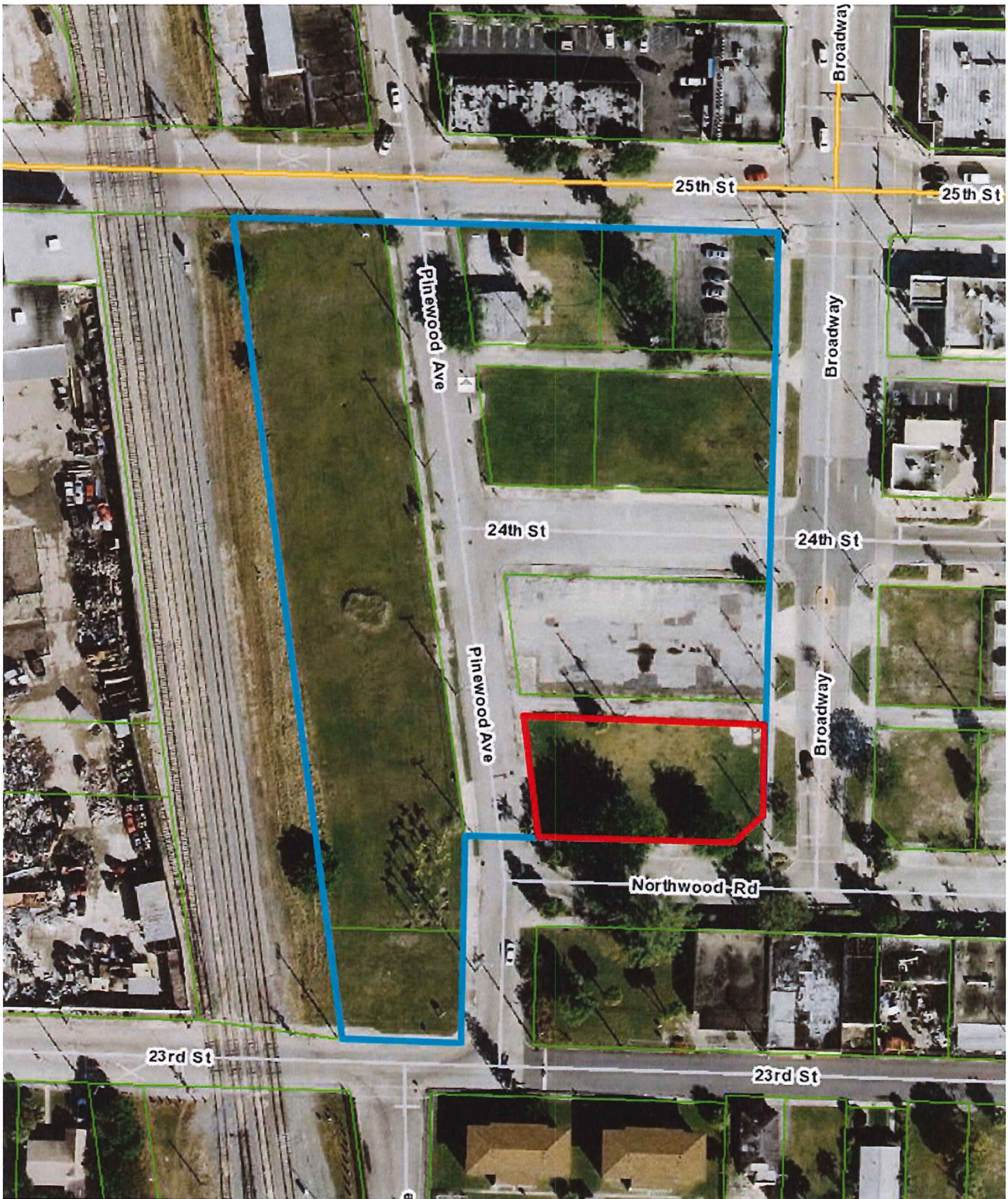

Contract Development and Control 9/17/15

B. Legal Sufficiency:


Assistant County Attorney 9/17/15

C. Other Department Review:

Department Director



Northwood Anchor Redevelopment Site

- Redevelopment site
- 2401 Broadway - Clean-up site



RESOLUTION NO. 15-26

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY RELATING TO THE CLEANUP OF THE ANCHOR SITE; APPROVING THE ENVIRONMENTAL CLEANUP OF THE ANCHOR SITE; APPROVING SUBMISSION OF AN APPLICATION TO PALM BEACH COUNTY'S ENVIRONMENTAL REVOLVING LOAN FUND TO PROVIDE FUNDING FOR THE CLEANUP; AUTHORIZING THE CHAIR TO EXECUTE ALL AGREEMENTS AND OTHER DOCUMENTS NECESSARY TO COMPLETE THE CLEANUP; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the West Palm Beach Community Redevelopment Agency (the "Agency"), for the purpose of economic redevelopment, created a real estate assemblage on the western edge of Northwood Village, bounded by Broadway on the east, the FEC Railway tracks on the west, 25th Street on the north and 23rd Street on the south and otherwise known as the "Anchor Site"; and

WHEREAS, this assemblage was well documented to have supported a series of uses recognized to be the sources of potential environmental contamination, such as automotive repair shops and gasoline stations; and

WHEREAS, after a series of site assessments, beginning in 2005, a Remedial Action Plan (RAP) was prepared and approved by the Florida Department of Environmental Protection (FDEP) in April, 2011. An Analysis of Brownfields Cleanup Alternatives (ABCA) evaluated four potential remedial alternatives and concluded that an air sparge soil vapor extraction technology appeared to be the most cost effective remedial cleanup method. FDEP approved this method and a RAP was approved in September, 2014 and cleanup was to have commenced by March 29, 2015; and

WHEREAS, in April, 2015, Agency staff secured an updated scope of services and cost estimate from consultant Terracon, who, with consultant engineer firm CardnoTBE, have been working on the earlier phases of analysis of the site for a number of years. The cleanup cost is estimated to be \$326,500; and

WHEREAS, the Agency deems it necessary to do all things necessary to carry out the cleanup.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WEST PALM BEACH COMMUNITY REDEVELOPMENT AGENCY THAT:

SECTION 1: The Board of Commissioners of the West Palm Beach Community Redevelopment Agency hereby authorizes the environmental cleanup of the Anchor Site. In furtherance thereof the Board authorized Agency staff to apply for a loan from Palm Beach County's Revolving Loan Fund (RLF) to provide funding for the cleanup.

SECTION 2: The Board of Commissioners hereby authorizes entering into an agreement with consultants Terracon and CardnoTBE in an amount not to exceed Three Hundred and Fifty Thousand Dollars (\$350,000.00) to carry out the Cleanup. This authorization is contingent upon receipt of a loan from the RLF.

SECTION 3: The Chair is hereby authorized to execute all documents necessary to carry out the purposes and intent of this resolution, including but not limited to applications, contracts, certifications and addenda or amendments to such documents.

SECTION 4: This Resolution shall take effect as provided by law.