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Agenda Item #: 31-3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	April 16, 2019	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Department of Hou	sing and Economic Su	stainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to execute and consent: to an Assignment and Assumption Agreement (Agreement) for the Brownfield Site Rehabilitation Agreement (BSRA) between Pine Lantana Road Holdings, LLC, a Florida Limited Liability Company (Seller) and Lantana Parcel, LLC, a Florida Limited Liability Company (Buyer) for property located at 4965 Lantana Road, Property Control Number 00-42-44-36-37-001-0000 (Subject Property), a Brownfield site located in unincorporated Palm Beach County.

Summary: On September 27, 2016, the County designated the subject property a Brownfield by Resolution R2016-1417. Since that time, the BSRA was entered into between the Seller and the Florida Department of Environmental Protection (FDEP), the agency overseeing Brownfields in the State, for the voluntary cleanup of the subject property. The FDEP requires that when a Brownfield designated property is being sold, the responsibilities of the BSRA be assigned to the new owner with the consent of FDEP and the local government having jurisdiction over the subject property. As the local government with jurisdiction, the County's consent of the Agreement will facilitate assignment of the responsibility for rehabilitation of the subject property to the Buyer in coordination with the FDEP. Approval by the County is required, however, the approval does not in any way obligate the County, nor are any County funds pledged for the implementation of the cleanup. **No County funds for implementation are required**. District 3 (JB)

Background and Justification: The Florida Brownfields Redevelopment Act (Act) Sections 376.77-376.86, Florida Statutes, was adopted by the Florida Legislature in 1997 to provide incentives for local governments and individuals to voluntarily clean up and redevelop brownfield reuse sites. The Seller under the BSRA has been conducting site assessment of the subject property, which was a former wood treatment facility, pursuant to the Act and its governing rules. The Buyer desires to continue brownfield site rehabilitation activities in accordance with the current BSRA for the Subject Property that was assigned Brownfield Site ID No. BF501601001. The County will benefit by consenting to the Agreement, as the Buyer will assume responsibility for rehabilitation of the Subject Property in coordination with the FDEP.

Attachment(s):

- 1. Assignment and Assumption Agreement
- 2. Brownfield Site Rehabilitation Agreement
- 3. Brownfield Designation Resolution R2016-1417

Recommended By:	Stem Herms	4-9-19	
_	Department/Director	Dáte	
	(//)		
Approved By:	- we Dohnson	4/6-/19	
	Assistant County Administrator	Date	

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023		
Capital Expenditures							
Operating Costs							
External Revenues							
Program Income							
In-Kind Match (County)							
NET FISCAL IMPACT							
# ADDITIONAL FTE POSITIONS (Cumulative)							
Is Item Included In Curre Does this Item include th Budget Account No.:	nt Budget? e use of Federa	al funds?	Yes Yes	No X No X			
Fund Dept U	nit Objec	:t	Program Coo	le/Period			
B. Recommended So	urces of Funds	/Summar	y of Fiscal I	mpact:			
No fiscal impact					_		
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C. Departmental Fiscal Review: Beverley Reid, Division Manager							
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	III. <u>REVIE</u>	W COMN	<u>IENTS</u>				
A. OFMB Fiscal and/or Contract Development and Control Comments:							
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B. Legal Sufficiency:			1/1-/1	, , , , ,			
Assistant County Att	A 4/15/19						
C. Other Department	Review:						
Department Director							