

RESOLUTION 2018-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 140 MACARTHUR CAUSEWAY, MIAMI BEACH, FLORIDA 33139-5101, BEARING FOLIO NUMBER 02-4204-000-0010, AS A BROWNFIELD AREA PURSUANT TO FLORIDA STATUTES SECTION 376.80(2)(A), 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, a brownfield site is defined at Florida Statutes § 376.79(4) to mean the real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination; and

WHEREAS, a brownfield area is defined at Florida Statutes § 376.79(3) to mean a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government resolution; and

WHEREAS, the State of Florida has provided, in § 97-277, Laws of Florida, which is codified at Florida Statutes §§ 376.77 – 376.85 for the designation by resolution of certain contiguous areas consisting of one or more brownfield sites as “Brownfields Areas,” for the purpose of encouraging rehabilitation (including remediation), job creation, and economic redevelopment; and

WHEREAS, the City of Miami Beach desires to designate a Brownfield Area within the city limits of the City for purposes of encouraging rehabilitation (including remediation), job creation, and economic redevelopment; and

WHEREAS, the property desired to be designated as a Brownfield Area is described and depicted in Exhibit “A” to this Resolution and assigned Folio Identification Number 02-4204-000-0010 (the “Subject Property”) by the Miami-Dade County Property Appraiser; and

WHEREAS, the City of Miami Beach has considered the criteria set forth in Florida Statutes § 376.80(2)(a)1-4, namely:

- (i) whether the proposed Brownfield Area warrants economic development and has a reasonable potential for such activities;

- (ii) whether the proposed Brownfield Area represents a reasonably focused approach and is not overly large in geographic coverage;
- (iii) whether the proposed Brownfield Area has potential to interest the private sector in participating in remediation, rehabilitation and economic development, and
- (iv) whether the proposed Brownfield Area contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purpose; and

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

WHEREAS, such designation shall not render the City of Miami Beach liable for costs of site rehabilitation, including remediation, or source removal, as those terms are defined in §§ 376.79(19) and (20), Florida Statutes, or for any other costs, above and beyond those costs attributed to the adoption of this Resolution; and

WHEREAS, the City of Miami Beach wishes to notify the Florida Department of Environmental Protection of its decision to designate the Subject Property as a Brownfield Area for rehabilitation for purposes set forth in Florida Statutes §§ 376.77-376.85.

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

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

SECTION 2. That the Subject Property, comprised of approximately 2.16 acres, and incorporated herein by reference is hereby designated as a Brownfield Area for environmental remediation, rehabilitation, and economic development for the purposes set forth in Florida Statutes §§ 376.77 – § 376.85 and shall hereinafter be referred to as the “Fleet Management Park Green Reuse Area.”

SECTION 3. That the City Manager is hereby authorized to notify the Florida Department of Environmental Protection of the City Commission’s resolution designating the Subject Property as the Fleet Management Green Reuse Area for purposes of Florida Statutes §§ 376.77-376.85.

SECTION 4. This Resolution shall become effective immediately upon passage.

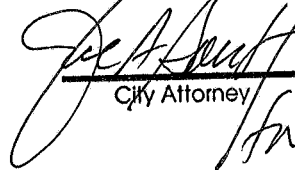
PASSED and ADOPTED this _____ day of _____, 2018.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney



Date

Exhibit A

LEGAL DESCRIPTION

A CERTAIN TRACT DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT WHICH IS 1580 FEET NORTH OF AND 2015 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 54 SOUTH, RANGE 42 EAST PARTICULARLY DEFINED AS BEING AT THE INTERSECTION OF THE CENTERLINE OF THE ROADWAY OF THE ORIGINAL COUNTY CAUSEWAY VIADUCT AND THE FACE OF THE WEST BRIDGE ABUTMENT; RUN SOUTH 67 DEGREES 5 MINUTES WEST A DISTANCE OF 58.70 FEET; THENCE RUN SOUTH 31 DEGREES 43 MINUTES EAST A DISTANCE OF 64.75 FEET; THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTHERLY BOUNDARY OF THE COUNTY CAUSEWAY A DISTANCE OF 223.93 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE RUN SOUTH 31 DEGREES 43 MINUTES EAST A DISTANCE OF 403.8 FEET; THENCE RUN SOUTH 25 DEGREES 29 MINUTES WEST A DISTANCE OF 97.46 FEET; THENCE RUN NORTH 64 DEGREES 31 MINUTES WEST A DISTANCE OF 120 FEET; THENCE RUN SOUTH 25 DEGREES 29 MINUTES WEST A DISTANCE OF 100 FEET; THENCE RUN NORTH 64 DEGREES 31 MINUTES WEST A DISTANCE OF 200 FEET; THENCE RUN NORTH 25 DEGREES 29 MINUTES EAST A DISTANCE OF 223.24 FEET; THENCE RUN NORTH 10 DEGREES 51 MINUTES WEST A DISTANCE OF 162.52 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF THE COUNTY CAUSEWAY; THENCE RUN EASTERLY A DISTANCE OF 98.79 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID CAUSEWAY TO THE POINT OF BEGINNING.

CONTAINING 94,090 SQUARE FEET OR 2.16 ACRES MORE OR LESS

