

LEGISLATIVE FACT SHEET

DATE: 06/14/17

BT or RC No: N/A
(Administration & City Council Bills)

SPONSOR: Planning and Development Department - Community Planning Division
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentation: Maurice Postal, City Planner II

Provide Name: Maurice Postal, City Planner II

Contact Number: 255-7810

Email Address: mpostal@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide: Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

Pursuant to §376.80(2)(c), Florida Statutes (F.S.), BW Philips Bowden, LLC is requesting that City Council adopt a Resolution designating a Brownfield Area for 5735 Philips Highway, Jacksonville, FL 32216 (RE# 152997-0000). Florida Statutes require that an area outside of a community redevelopment area, Enterprise Zone, Empowerment Zone, closed military base or designated brownfield pilot project area be designated as a Brownfield Area by local government Resolution. Following enactment of the legislation approving the designation, the owner will negotiate a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection (FDEP). The owner is pursuing the Brownfield Area designation and BSRA in order to benefit from the State of Florida's Voluntary Clean Up Tax Credit Program (VCTC). The VCTC will allow the site owner to receive a 50% State corporate income tax credit for assessment and cleanup costs, up to an annual amount of \$500,000. The property owner also wishes to apply for cleanup liability protection from the State. The owner has met all of the five criteria required for a Brownfield Area designation, as required by Section 376.80(2)(c), F.S. The site was used as an automobile dealership from 1970 through 2004. Environmental site assessments have discovered the presence of surface oil discharges, as well as multiple storage tanks and an oil/water separator. The owner wishes to pursue regulatory closure of the site by FDEP by conducting further assessment and remediation activities.

APPROPRIATION: Total Amount Appropriated N/A as follows:
 List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s)	From: _____	Amount: _____
	To: _____	Amount: _____
Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of City of Jacksonville Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____
Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

The proposed legislation has no funding requirements and will have no adverse financial impact on the City of Jacksonville.

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Justification of Emergency: If yes, explanation must include detailed nature of emergency.

	Yes	No
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.

Fiscal Year Carryover?

Note: If yes, note must include explanation of all-year subfund carryover language.

CIP Amendment?

Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment.

Contract / Agreement Approval?

Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted?

Related RC/BT?

Attachment: If yes, attach appropriate RC/BT form(s).

Waiver of Code?

Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper.

Code Exception?

Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper.

Related Enacted Ordinances?

Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper.

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS: **Yes** **No**

Continuation of Grant?

Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?

Surplus Property Certification?

Attachment: If yes, attach appropriate form(s).

Reporting Requirements?

Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating reports.

In accordance with §376.80, F.S., a copy of the signed Resolution enacting a Brownfield Area at 5735 Philips Highway has to be sent to the Florida Department of Environmental Protection. This has to be done within 30 days of the adoption of the Resolution. The Planning and Development Department, Maurice Postal, City Planner II, 255-7810, will be responsible for generating the required report.

Division Chief:

Kristen D. Reed
(signature)

Date:

6/8/17

Prepared By:

Maurice Postal
(signature)

Date:

6-8-17

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o Roselyn Chall, Budget Office, St. James Suite 325

Thru: Kristen Reed, Chief of Community Planning, Planning and Development Department
(Name, Job Title, Department)
Phone: 255-7838 E-mail: kreed@coj.net

From: Maurice Postal, City Planner II, Planning and Development Department
Initiating Department Representative (Name, Job Title, Department)
Phone: 255-7810 E-mail: mpostal@coj.net

Primary Contact: Maurice Postal, City Planner II, Planning and Development Department
(Name, Job Title, Department)
Phone: 255-7810 E-mail: mpostal@coj.net

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: Peggy Sidman, Office of General Counsel, St. James Suite 480
Phone: 904-630-4647 E-mail: psidman@coj.net

From: _____
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact: _____
(Name, Job Title, Department)
Phone: _____ E-mail: _____

CC: Allison Korman Shelton, Director of Intergovernmental Affairs, Office of the Mayor
904-630-1825 E-mail: akshelton@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item: Yes No

Boards Action / Resolution?

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED