

RESOLUTION NO. 2022-R-46

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, DESIGNATING THE REAL PROPERTY GENERALLY LOCATED AT 13855 NW 17TH AVENUE, CONSISTING OF 7.06 ACRES, AND IDENTIFIED BY MIAMI-DADE COUNTY FOLIO NO. 06-2123-000-0060, AS FURTHER IDENTIFIED BY THE MAP IN THE ATTACHED EXHIBIT "A", AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, FOR THE PURPOSE OF ENVIRONMENTAL REHABILITATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the Legislature of the State of Florida, in Sections 376.77 -376.85, Florida Statutes, adopted the Brownfields Redevelopment Act, the purpose of which is to encourage the redevelopment and the voluntary cleanup of real property where the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination; and

WHEREAS, the Brownfields Redevelopment Act created a process whereby a local government with jurisdiction over a brownfield area must, by resolution, notify the Florida Department of Environmental Protection of its decision to designate a brownfield area; and

WHEREAS, a local government may designate a brownfield area that is outside a community redevelopment area, enterprise zone, empowerment zone, closed military base or designated brownfield pilot project area; and

WHEREAS, the City of North Miami ("City") has conducted the necessary public hearing(s) for designation of a brownfield area outside one of the above listed areas; and

WHEREAS, the City has determined that:

1. North Miami Ventures, LLC ("NMV"), which owns a potential brownfield area generally located at 13855 NW 17th Avenue, North Miami, FL, consisting of 7.06 acres, and described with more particularly in the legal description attached hereto as Exhibit "A" and as depicted by the map attached hereto as Exhibit "B" (the "Proposed Brownfield Area"), is requesting the designation of the Proposed Brownfield Area as a brownfield area and has agreed to rehabilitate and is planning to redevelop the Proposed

Brownfield Area. The proposed redevelopment of the Proposed Brownfield Area by NMV includes possible multi-family residential, commercial, and public uses.

2. The rehabilitation and redevelopment of the Proposed Brownfield Area will result in economic productivity of the area, along with the creation of at least five (5) new permanent jobs at the Proposed Brownfield Area that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project, demolition or construction activities pursuant to the redevelopment of the Proposed Brownfield Area.
3. The redevelopment of the Proposed Brownfield Area is consistent with the City's 2036 Comprehensive Plan, and are permissible uses under the City's Land Development Regulations.
4. Proper notice of the designation of the proposed brownfield area has been provided to neighbors and nearby residents, in accordance with Section 376.80(1)(c) and Section 166.041(3)(c)2, Florida Statutes (2021), and NMV and the City have afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation.
5. Based upon the representations of NMV in its application for a Brownfield Area designation, and the materials in the public hearing record, NMV has provided reasonable assurance that it has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the Proposed Brownfield Area.
6. The proposed brownfield area designation on the subject property is in the best interest of the City, and advantageous to the public health, safety and welfare.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL
OF THE CITY OF NORTH MIAMI, FLORIDA:**

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by this reference.

Section 2. Adoption of Representations. The Mayor and City Council of the City of North Miami, Florida, find that the City has satisfied the requirements to designate a proposed brownfield area set forth in Section 376.80, Florida Statutes (2021).

Section 3. Property Designation. The Mayor and City Council of the City of North Miami, Florida, hereby designate the area depicted on Exhibit "A" and described on Exhibit "B", attached hereto and incorporated herein by reference, as a "brownfield area" for purposes of Sections 376.77 through 376.85, Florida Statutes (2021).


Section 4. Authorization to City Clerk. The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Clerk to notify the Florida Department of Environmental Protection of the City Council's resolution designating the proposed brownfield area for purposes of Sections 376.77 through 376.85, Florida Statutes (2021).

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 4-1 vote of the Mayor and City Council of the City of North Miami, Florida, this 12th day of April, 2022.



PHILIPPE BIEN-AIME
MAYOR

ATTEST:



VANESSA JOSEPH, ESQ.
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



JEFF P. H. CAZEAU, ESQ.
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Estimé-Irvin

Seconded by: Bien-Aime

Vote:

Mayor Philippe Bien-Aime

 X (Yes) (No)

Vice Mayor Alix Desulme, Ed.D.

 X (Yes) (No)

Councilman Scott Galvin

 (Yes) X (No)

Councilwoman Kassandra Timothe, MPA

 X (Yes) (No)

Councilwoman Mary Estimé-Irvin

 X (Yes) (No)

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE CITY OF NORTH MIAMI
CITY COUNCIL ON THIS 26th DAY OF April , 2022.