

RESOLUTION NO. 2024-R-139

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING 11.14 ACRES OF THE REAL PROPERTY LOCATED AT 1525 N.W. 135 STREET AND IDENTIFIED BY FOLIO NO. 06-2123-000-0050, 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, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY CLERK TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, the Legislature of the State of Florida, in Sections 376.77 through 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 the designation of a brownfield area outside one of the above-listed areas; and

WHEREAS, the proposed brownfield area consists of the western 11.14 acres of the property located at 1525 N.W. 135th Street, North Miami, FL 33167, Folio No. 06-2123-000-0050 (hereinafter referred to as the "Claude Pepper Park Green Reuse Area"), as shown in Exhibit "A" and more particularly described in Exhibit "B"; and

WHEREAS, Redwood CP DEV, LLC (the "Applicant") controls the Claude Pepper Park Green Reuse Area and has requested that the City of North Miami, Florida (the "City") designate it as a "brownfield area" pursuant to section 376.80 of the Florida Statutes; and

WHEREAS, the Mayor and City Council of the City of North Miami, Florida (the “City Council”) have reviewed the relevant procedures that apply in designating a “brownfield area,” as specified in section 376.80 of the Florida Statutes, and has complied with them; and

WHEREAS, proper notice of the designation of the proposed brownfield area has been provided in accordance with sections 376.80(1)(c) and § 166.041(3)(c)2 of the Florida Statutes; and

WHEREAS, the City Council finds as follows:

1. the Applicant controls the Claude Pepper Park Green Reuse Area and has agreed to rehabilitate and redevelop it;
2. rehabilitation and redevelopment of the Claude Pepper Park Green Reuse Area will result in economic productivity in the area and will create at least five permanent, full-time jobs not associated with implementation of the rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities;
3. the proposed redevelopment at the Claude Pepper Park Green Reuse Area is consistent with the City’s comprehensive plan and is a permissible use under the City’s land development regulations;
4. notice of the proposed rehabilitation of the Claude Pepper Park Green Reuse Area has been provided to neighbors and nearby residents, and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation; and
5. the Applicant has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan; and

WHEREAS, the Mayor and City Council have determined that the proposed designation of the Claude Pepper Park Green Reuse Area is in the best interest of the City, and advantageous to the public health, safety, and welfare; and

WHEREAS, the City desires to notify the Florida Department of Environmental Protection of its resolution designating the Claude Pepper Park Green Reuse Area a “brownfield area” to further its rehabilitation and redevelopment for purposes of sections 376.77 – 376.85 of the Florida Statutes.

**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 find that the Applicant has satisfied the requirements to designate a proposed brownfield area set forth in section 376.80, Florida Statutes (2024).

Section 3. Property Designation. The Mayor and City Council hereby designate the property depicted on Exhibit A and described on Exhibit B, attached hereto and incorporated herein by reference, as the Claude Pepper Park Green Reuse Area for purposes of sections 376.77 through 376.85, Florida Statutes (2024).

Section 4. Authorization to City Manager and City Attorney. The Mayor and City Council hereby authorize the City Manager and City Attorney to notify the Florida Department of Environmental Protection of the City Council's resolution designating the Claude Pepper Park Green Reuse Area a "brownfield area" for purposes of sections 376.77 through 376.85, Florida Statutes.


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

PASSED AND ADOPTED by a 5 - 0 vote of the Mayor and City Council of the City of North Miami, Florida, this 24th day of September 2024.



ALIX DESULME, ED.D.
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: Charles

Seconded by: Galvin

Vote:

Mayor Alix Desulme, Ed.D.

X (Yes) (No)

Vice Mayor Mary Estimé-Irvin

X (Yes) (No)

Councilman Scott Galvin

X (Yes) (No)

Councilwoman Kassandra Timothe, MPA

X (Yes) (No)

Councilman Pierre Frantz Charles, M.Ed.

X (Yes) (No)