

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**IN RE: Pinellas County, Florida
126th Ave N Dump
5833 126th Ave. N., Clearwater, FL 33760
Ulmerton Road Opportunity Corridor Expansion Area
Brownfield Area Identification Number: BF52-
Brownfield Site Identification Number: BF52-**

**BROWNFIELD SITE REHABILITATION AGREEMENT PURSUANT TO §376.80(5),
Florida Statutes (F.S.)**

WHEREAS, the Brownfields Redevelopment Act was enacted to reduce public health and environmental hazards on existing commercial and industrial sites by offering incentives to encourage responsible persons to voluntarily develop and implement cleanup plans; and

WHEREAS, the Department of Environmental Protection ("Department") is the administrative agency of the State of Florida having the power and duty to protect Florida's environment and to administer and enforce the provisions of Chapters 403 and 376, F.S., and the rules promulgated thereunder, Chapters 62-777 and 62-780, Florida Administrative Code (F.A.C.), as amended; and

WHEREAS, the Department has jurisdiction over the matters addressed in this Brownfield Site Rehabilitation Agreement ("BSRA"); and

WHEREAS, the Department has the authority, pursuant to §376.81, F.S., to establish by rule, criteria for determining the rehabilitation program tasks that comprise a site rehabilitation program and the level at which a rehabilitation program task and a site rehabilitation program may be deemed complete;

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, it is agreed as follows:

This BSRA is entered into between the Department and Pinellas County, hereinafter the Person Responsible For Brownfield Site Rehabilitation ("PRFBSR") (collectively referred to as the "parties"), for the rehabilitation of a brownfield site within a designated brownfield area pursuant to §376.80(5), F.S. The Department and the PRFBSR agree to the following:

1. DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department is the agency of the State of Florida with authority and power to enforce the provisions of Chapters 376 and 403, F.S.

2. PERSON RESPONSIBLE FOR BROWNFIELD SITE REHABILITATION

Pinellas County is the PRFBSR as defined in §376.79(13), F.S., for the real property described in the map and legal description in **Attachment A** (the "Brownfield Site"), incorporated herein, that has been designated by **Pinellas County** in Resolution Number 15-51 approved on June 2, 2015; as a brownfield area as defined in §376.79(4), F.S. **Attachment A** is a composite exhibit that includes: (a) the legal description and map of the Brownfield Site; and (b) the County resolution with all attachments including the map of the designated brownfield area. The brownfield site consists of 15.19 acres.

3. PRFBSR'S DUTIES

The PRFBSR agrees:

- (a) to conduct "site rehabilitation" of any "contaminated site(s)" as defined in §376.79, F.S., whose source originates on the real property described in **Attachment A as the Brownfield site**. If such contaminated site(s) extend(s) beyond the boundary of the Brownfield site, then PRFBSR agrees to conduct site rehabilitation to address the entire contaminated site;
- (b) to conduct site rehabilitation and submit technical reports and rehabilitation plans in a timely manner according to the attached brownfield site rehabilitation schedule agreed upon by the parties (see **Attachment B**), and incorporated herein;
- (c) to conduct site rehabilitation activities under the observation of professional engineers or professional geologists, as applicable, who are registered in accordance with the requirements of Chapters 471 or 492, F.S., respectively. Submittals provided by the PRFBSR must be signed and sealed by a professional engineer registered under Chapter 471, F.S., or by a professional geologist registered under Chapter 492, F.S., as applicable, certifying that the submittal and associated work comply with the laws and rules of the Department and those governing the profession. Upon completion of the approved remedial action, a professional engineer registered under Chapter 471, F.S., or a professional geologist registered under Chapter 492, F.S., as applicable, must certify that the corrective action was, to the best of his or her knowledge, completed in substantial conformance with the plans and specifications approved by the Department;

- (d) to conduct site rehabilitation in accordance with Chapter 62-160, F.A.C., as the same may be amended from time to time;
- (e) to obtain any local, state or federal approvals or permits required for the site rehabilitation work and to conduct the necessary site rehabilitation consistent with local, state, and federal laws, rules and ordinances. All site rehabilitation shall be consistent with the cleanup criteria in §376.81, F.S., the requirements of Chapters 62-780, F.A.C., Contaminated Site Cleanup Criteria, and 62-777, F.A.C., Contaminant Cleanup Target Levels;
- (f) to allow access by the Department during the entire site rehabilitation process, as evidenced by the attached documentation (see **Attachment C**) incorporated herein, establishing that such site access has been secured by agreement with the **real property owner**. Upon the transfer of any real property interest in any portion of the Brownfield Site before site rehabilitation is complete, the PRFBSR shall notify the Department within 15 days from the date that such an interest is effective. With notice the PRFBSR shall provide a copy of an access agreement in substantially the same form as that in **Attachment C** with any successor in interest to the **real property owner** of the Brownfield Site or with any party with a real property interest in the Brownfield Site after the effective date of this agreement, granting such access to the Department; and
- (g) to consider appropriate pollution prevention measures and to implement those that the PRFBSR determines are reasonable and cost-effective, taking into account the ultimate use or uses of the real property described in **Attachment A**.

4. CERTIFICATION

The PRFBSR is the local government with jurisdiction over the real property described in **Attachment A**. Therefore, the PRFBSR certifies that the proposed redevelopment complies with applicable laws and requirements for such redevelopment. Documentation provided that describes the proposed redevelopment is provided as **Attachment D**.

5. SITE CONTRACTOR

The PRFBSR must ensure that the contractor who is performing the majority of the site rehabilitation program tasks pursuant to this BSRA or supervising the performance of such tasks by licensed subcontractors in accordance with the provisions of § 489.113(9), F.S., has provided certification to the Department that

the contractor meets the requirements listed below. If the identity of the contractor is known at the time of the execution of this BSRA, a Brownfields Redevelopment Program Contractor Certification Form (CCF) shall be submitted as **Attachment E** to this BSRA. If the contractor has not yet been determined, the PRFBSR shall ensure that the CCF is submitted to the District Brownfield Coordinator and approved by the Department before the contractor begins performing any site rehabilitation tasks at the site.

The PRFBSR must submit to the Department documentation as **Attachment F**, which shows a National Environmental Laboratory Accreditation Program ("NELAP")-recognized authority has accredited the laboratory(s) that will perform the analyses required by this agreement.

Any contractor that performs site rehabilitation tasks at a contaminated site originating on the real property as described in **Attachment A** shall provide documentation in accordance with the provisions of the paragraph above and with **Attachments E and F**, if applicable, showing that any contractor that performs site rehabilitation tasks:

- (a) meets all certification and license requirements imposed by law; and
- (b) performs, or has laboratory analyses performed, pursuant to NELAP certification requirements and performs, or has field sampling work performed, in accordance with the Standard Operating Procedures provided in Chapter 62-160, F.A.C., as amended, if applicable to performance of site rehabilitation tasks.

6. CONTINUOUS COMPLIANCE

During the entire site rehabilitation process, the PRFBSR agrees to ensure that the contractor continues to comply with the requirements of **Paragraph 5** of this BSRA pursuant to the requirements of §376.80(6), F.S.

7. VOLUNTARY CLEANUP TAX CREDIT PROGRAM

Not all activities that are approved or performed in association with a BSRA are eligible for the state's Voluntary Cleanup Tax Credit (VCTC). In accordance with Section 376.30781, F.S., only costs incurred and paid that are either integral, necessary and required for site rehabilitation or for solid waste removal, are eligible for the VCTC. "Site rehabilitation" means the assessment of site contamination and the remediation activities that reduce the levels of contaminants at a site through accepted treatment methods to meet the cleanup target levels established for that site. For sites subject to the Resource Conservation and Recovery Act, as amended, the term includes removal,

decontamination, and corrective action of releases of hazardous substances. "Solid waste removal" means removal of solid waste from the land surface or excavation of solid waste from below the land surface and removal of the solid waste from the brownfield site. Nothing contained herein is intended to limit the VCTC otherwise available to the PRFBSR under applicable law.

8. ADVISORY COMMITTEE

The PRFBSR shall establish an advisory committee pursuant to the requirements of §376.80(4), F.S., for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. The advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate. However, if an appropriate local advisory committee already exists, this committee may be used for requesting public participation and for the purposes of complying with this paragraph.

The PRFBSR shall provide the advisory committee a copy of the final proposed draft BSRA and a copy of the executed BSRA. When the PRFBSR submits a site assessment report or the technical document containing the proposed course of action following site assessment to the Department or the local pollution control program for review, the PRFBSR shall hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

The names, addresses, and contact numbers for all advisory committee members are included as **Attachment G**.

9. INDEMNIFICATION

The PRFBSR shall save and hold harmless and indemnify the Department against any and all liability, claims, judgments or costs of whatsoever kind and nature for injury to, or death of any person or persons and for the loss or damage to any property resulting from the use, service, operation or performance of work under the terms of this BSRA and from the negligent acts or omissions of the PRFBSR or its employees, agents, contractors, subcontractors, or other representatives, to the extent allowed by law.

10. LIABILITY PROTECTION

The liability protection provided under §376.82, F.S., shall become effective upon execution of this BSRA and shall remain effective, provided the PRFBSR complies with the terms of this BSRA.

11. TERMINATION

If the PRFBSR fails to comply with this BSRA, the Department shall notify the PRFBSR and allow 90 days for the PRFBSR to return to compliance with the provision at issue or to negotiate a modification to the BSRA with the Department for good cause shown. If an imminent hazard exists the 90-day grace period shall not apply. If the project is not returned to compliance with this BSRA and a modification cannot be negotiated, the Department shall terminate this BSRA.

The PRFBSR may terminate this BSRA at any time upon written notice to the Department.

Termination of this BSRA by either party will revoke the immunity provision of §376.82, F.S.

12. IMMINENT HAZARD

Nothing herein shall be construed to limit the authority of the Department to undertake any action in response to, or to recover the costs of responding to, conditions at or from the real property described in **Attachment A** that require the Department to take action to abate an imminent hazard to the public health, welfare or the environment.

13. RELEASE OF LIABILITY

Upon successful completion of this BSRA as evidenced by the issuance of a Site Rehabilitation Completion Order (SRCO) for each contaminated site originating from the real property described in **Attachment A**, the PRFBSR and his or her successors and assigns, shall be relieved from further liability for site rehabilitation as described in paragraph 3.a. of this BSRA to the Department and third parties and of liability in contribution to any other party who has or may incur cleanup liability for the contaminated site(s).

14. GOVERNING LAW

This BSRA has been delivered in the State of Florida and shall be construed in accordance with the laws of Florida and any applicable local regulations. Wherever possible, each provision of this BSRA shall be interpreted in such manner as to be effective and valid under applicable law. If any provision of this

BSRA shall be prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this BSRA. Any action hereon or in connection herewith shall be brought in Pinellas County, Florida.

15. SUBMITTALS

The PRFBSR shall submit one hard (paper) copy or one electronic (digital) copy of any certifications or documentation required in **Paragraph 6** ("Site Contractor") above, and all data, reports, responses, addenda, or modifications to reports and plans required by this BSRA to:

**Stephanie Mills,
Environmental Specialist II/Brownfields Coordinator
FDEP Southwest District
13051 North Telecom Parkway
Temple Terrace, FL 33637**

The Department encourages the submittal of documents for review in an electronic format rather than the submittal of paper copies. All electronic copies of documents shall be in the format listed in Section 8 of the Instructions and attached as **Attachment H**. Time frames for the Department's review of technical reports and plans and submittal of documents by the PRFBSR shall be governed by the attached schedule (see **Attachment B**), incorporated herein. After final Department approval of each report or plan, an electronic copy shall be submitted to the Department within 30 days. The electronic copy of the report shall be submitted on Compact Disc (CD) for archiving purposes in the format listed in **Attachment H**.

16. DOCUMENT REVIEW

During the site rehabilitation process, if the Department fails to complete the review of a technical document within the time frame specified in this BSRA, with the exceptions of "no further action proposals," "monitoring only proposals," and feasibility studies, which must be approved prior to implementation, the PRFBSR may proceed to the next site rehabilitation task. However, the PRFBSR does so at its own risk and may be required by the Department to complete additional work on a previous task.

17. ASSIGNMENT

The PRFBSR shall not assign any rights or responsibilities under this BSRA to any other party without the written consent of the Department and the local

government with jurisdiction over the real property described in **Attachment A**. However, the Department shall not withhold its consent to such an assignment if: (a) the proposed assignee meets all of the eligibility criteria under §376.82, F.S.; (b) the proposed assignee has agreed, in writing, to assume all obligations of the PRFBSR under the terms of this Agreement; and (c) the assignment of PRFBSR obligations under any agreement with the local government with jurisdiction over the real property has been approved, in writing, by the local government.

18. WAIVER

By entering into this BSRA, the PRFBSR waives its right to challenge the contents of this BSRA in an administrative hearing afforded by §120.569 and §120.57, F.S., or an appeal afforded by the terms of §120.68, F.S. This BSRA does not deny the PRFBSR a right to challenge the Department's actions taken pursuant to this BSRA. No delay or failure to exercise any right, power or remedy accruing to either party upon breach or default by either party under this BSRA, shall impair any such right, power or remedy of either party; nor shall such delay or failure be construed as a waiver of any such breach or default, or any similar breach or default thereafter.

19. EFFECTIVE DATE AND ADMINISTRATIVE HEARING

This BSRA (Order) is final and effective on the date of execution unless a timely petition for an administrative hearing is filed under §§120.569 and 120.57, F.S., within 21 days after the date of receipt of notice of agency action. Upon the timely filing of such petition, this BSRA will not be effective until further order of the Department. The liability protection for the PRFBSR pursuant to §376.82(2), F.S., becomes effective upon execution of the brownfield site rehabilitation agreement. The procedures for petitioning a hearing are set forth below.

Persons other than the PRFBSR who are affected by this BSRA have the following options:

- (a) If you choose to accept the Department's decision regarding this BSRA, you do not have to do anything. This BSRA is final and effective 21 days after the date of execution.
- (b) If you choose to challenge the Department's decision, you may do the following:
 - (i) File a request for an extension of time to file a petition for hearing with the Agency Clerk of the Department in the Office of the General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within 21 days of receipt of

this BSRA; such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Or

- (ii) File a petition for administrative hearing with the Agency Clerk of the Department in the Office of the General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within **21** days of receipt of this BSRA.

Please be advised that mediation of this decision pursuant to §120.573, F.S., is not available.

How to Request an Extension of Time to File a Petition for Hearing:

For good cause shown, pursuant to Rule 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for hearing. Such a request shall be filed with (received by) the Agency Clerk of the Department in the Office of the General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within **21** days of receipt of this BSRA. Petitioner shall mail a copy of the request to the PRFBSR at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be made.

How to File a Petition for Administrative Hearing:

A person whose substantial interests are affected by this BSRA may petition for an administrative proceeding (hearing) under §§120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Agency Clerk of the Department in the Office of the General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within **21** days of receipt of this BSRA. Petitioner shall mail a copy of the petition to the PRFBSR at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right to request an administrative proceeding under Chapter 120, F.S.

Pursuant to §120.569(2), F.S., and Rule 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

1. The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the PRFBSR's name and address; the Department's Brownfield

Pinellas County
Brownfield Site Rehabilitation Agreement
Brownfield Site ID # BF52-

Area and Brownfield Site Identification Numbers; and the name and address of the Brownfield Site; the name and address of each agency affected;

2. A statement of when and how each petitioner received notice of the Department's action or proposed action;

3. An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;

4. A statement of the disputed issues of material facts, or a statement that there are no disputed facts;

5. A concise statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;

6. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action, including an explanation of how the alleged facts relate to the specific rules of statutes; and

7. A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this BSRA. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

20. JUDICIAL REVIEW

Except for the PRFBSR, any party has the right to seek judicial review of this BSRA under §120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Agency Clerk of the Department in the Office of the General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice of appeal must be filed within 30 days after this BSRA is filed with the clerk of the Department (see below).

21. CONTACTS FOR GENERAL AND LEGAL QUESTIONS

Any questions about the content of this BSRA, the Department's review of the BSRA, or technical questions should be directed to the Department's District Brownfields Coordinator at:

Stephanie Mills
Environmental Specialist II/Brownfields Coordinator
13051 North Telecom Parkway
Temple Terrace, FL 33637
813-470-5763

or to the PRFBSR's representative at:

Teri Hasbrouck
Environmental Program Coordinator
Pinellas County Real Estate Management
509 East Avenue S.
Clearwater, FL 33756

Questions regarding legal issues should be referred to the Department's Brownfields Program Attorney in the Office of General Counsel at (850) 245-2242. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

22. ENTIRETY OF AGREEMENT

This BSRA represents the entire agreement of the parties. Any alterations, variations, changes, modifications or waivers of provisions of this BSRA shall only be valid when they have been reduced to writing, duly signed by each of the parties hereto, and attached to the original of this BSRA, unless otherwise provided herein.

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Pinellas County
Brownfield Site Rehabilitation Agreement
Brownfield Site ID # BF52-

IN WITNESS WHEREOF, each of the parties has made and executed this Brownfield Site Rehabilitation Agreement on the date set forth for each signature of each representative below: **Mary Yeargan**, District Director Southwest District, State of Florida Department of Environmental Protection, and **Pinellas County Board of County Commissioners** the Person Responsible for Brownfield Site Rehabilitation, signing by and through **John Morroni, Chariman** duly authorized to execute same.

PERSON RESPONSIBLE FOR
BROWNFIELD SITE REHABILITATION

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: *John Morroni*
(PRFBSR Authorized Signatory)
**John Morroni, Chairman
Pinellas County
Board of County Commissioners**

By: _____
Director, DEP Southwest District

Mary Yeargan, P.G.

Date: 10/29/15

Date: _____

315 Court Street
Clearwater, FL 33756
727-464-3377

Approved as to form and legality:

Randy J. Miller, II, FDEP Attorney

(Print FDEP Attorney's Name)

APPROVED AS TO FORM

By: *Michael A. Zas*
Office of the County Attorney

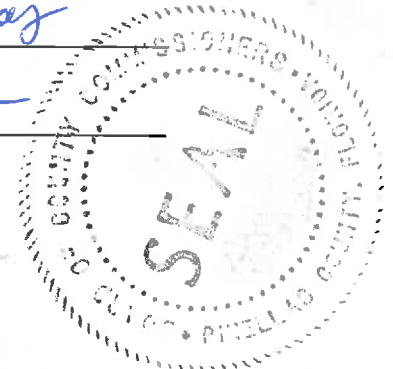
FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Noranda Jay
Clerk (or Deputy Clerk)

Date: 10/29/15

cc: Randy J. Miller, II, FDEP Brownfields Program Attorney
Peter Cornais, FDEP Brownfields Program Manager
Stephanie Mills, Southwest District Brownfields Coordinator

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List of Attachments

Attachment A	Local Government Resolution for the Brownfield Area and Map and Legal Description of the Brownfield Site
Attachment B	Brownfield Site Rehabilitation Schedule
Attachment C	Site Access Agreement
Attachment D	Certification of Redevelopment Agreement
Attachment E	Contractor Certification Form
Attachment F	Quality Assurance Certificate
Attachment G	Advisory Committee Members
Attachment H	Format for Submittal of Technical Documents

Site Access Agreement
Brownfield Site ID #:BF52-
August 9, 2015
Page 2 of 2

Attachment A
Local Government Resolution for the Brownfield Area and Map and Legal
Description of the Brownfield Site

(Pinellas County Resolution 15-51)

**BOARD OF COUNTY
COMMISSIONERS**

Dave Eggers
Pat Gerard
Charlie Justice
Janet C. Long
John Morrone
Karen Williams Seel
Kenneth T. Welch



July 9, 2015

Kim Walker
Florida Department of Environmental Protection
Division of Waste Management
Twin Towers Office Building
2600 Blair Stone Road, MS #4505
Tallahassee, Florida 32399-2400

**RE: Pinellas County Ulmerton Road Opportunity Corridor Brownfield Expansion Area
Designation**

Dear Ms. Walker:

Pinellas County, in accordance with Florida Statutes 376.77-376.84, has adopted Resolution No. 15-51, which was approved by the Pinellas Board of County Commissioners on June 2, 2015 (see attached). This resolution expands the State approved Ulmerton Road Opportunity Corridor Brownfield Area. The intent of this designation is to offer Brownfields benefits to stimulate redevelopment of the area.

The county will notify the Florida Department of Environmental Protection when there is a person who has assumed responsibility for Brownfields site rehabilitation, within the designated area, pursuant to Florida Statutes Section 376.80(3). This designation shall not render Pinellas County liable for costs of site rehabilitation or source removal, as those terms are defined in the Act, or for any other costs, above and beyond those costs attributable to the County's role as administrator of the Brownfields program within the designated Brownfield.

Please confirm receipt of this notification and let me know if additional information or clarification is required.

Sincerely,

A handwritten signature in blue ink that reads "Teri Hasbrouck".

Teri Hasbrouck
Environmental Program Manager
Real Estate Management Department

Enclosures

Pinellas County
Real Estate Management
509 East Ave. S.
Clearwater, FL 33756
Main Office: (727) 464-3496
FAX: (727) 464-5251
V/TDD: (727) 464-4062



RESOLUTION 15- 51

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA EXPANDING THE ULMERTON ROAD OPPORTUNITY CORRIDOR AREA-WIDE BROWNFIELD PREVIOUSLY ESTABLISHED IN ACCORDANCE WITH SECTION 376.77-86 FLORIDA STATUTES (AREA ID #BF521202000) TO INCLUDE PROPERTIES LOCATED SOUTH OF ULMERTON ROAD, WEST OF 58TH STREET N., NORTH OF 126TH AVENUE N., AND EAST OF US HIGHWAY 19 N. AS DEPICTED ON EXHIBIT "A" ATTACHED HERETO AND MADE PART HEREOF, FOR THE PURPOSES OF ECONOMIC DEVELOPMENT AND ENVIRONMENTAL REHABILITATION AND PROVIDING FOR NOTIFICATION OF THE PERSON(S) RESPONSIBLE FOR BROWNFIELDS SITE REHABILITATION; AUTHORIZING THE COUNTY ADMINISTRATOR TO NOTIFY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION AND TO TAKE SUCH OTHER ACTIONS AND EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THIS BROWNFIELD EXPANSION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Sections 376-77-376.86, Florida Statutes, the "Brownfields Redevelopment Act" (the "Act"), the State of Florida has provided for the designation of certain contiguous areas consisting of one or more Brownfields sites as "Brownfield Areas" by resolution of such areas, and Pinellas County has established a Brownfields Redevelopment Program as provided in Resolution No. 03-125; and

WHEREAS, the County desires to provide for the expansion of a Brownfields Area, identification of the person responsible for Brownfields site rehabilitation, and notification to the Florida Department of Environmental Protection ("FDEP") of its decision to expand a Brownfields Area Pursuant to the Act; and

WHEREAS, the County has complied with the notice and public hearing requirements set forth in Section 376.80(1) and (2)(a), and 125.66(4)(2)(b), Florida Statutes, and a public hearing was held on the proposed designation near the Area proposed for designation; and

WHEREAS, the County has considered the criteria set forth in Florida Statutes Section 376.80(2)(a)1-4, Florida Statutes, including whether the proposed Brownfields Area warrants economic development and has a reasonable potential for such activities; whether the proposed area represents a reasonable focused approach and is not overly large in geographic coverage; whether the area has potential to interest the private sector in participating in rehabilitation; and

whether the area contains sites or parts of sites suitable for limited recreational open space, cultural or historical purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY FLORIDA, AT A DULY ASSEMBLED MEETING HELD ON THE 2nd DAY OF JUNE, 2015, AS FOLLOWS:

Section 1. The Area depicted on Exhibit A attached hereto and incorporated herein by reference, known as the Ulmerton Road Opportunity Corridor Brownfield Expansion Area, is hereby designated as a Brownfields Area in accordance with the Act.

Section 2. The County will notify the Florida Department of Environmental Protection of this designation of a Brownfields Area, and when there are persons who have assumed responsibility for Brownfields site rehabilitation.

Section 3. This Brownfields designation shall not render Pinellas County liable for costs of site rehabilitation or source removal, as those terms are defined in the Act, or for any other costs, above and beyond those costs attributable to the County as administrator of the Brownfields Program within the designated Brownfields Area.

Section 4. Pinellas County Real Estate Management Department is authorized and directed to receive and maintain all written requests from property owners to have their property removed from the Brownfield designation in accordance with Section 376.80(1), Florida Statutes.

Section 5. This Resolution shall take effect immediately upon its adoption.

Commissioner Long offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Welch, and upon roll call, the vote was:

Ayes: Morrone, Justice, Long, Welch, Eggers and Seel.

Nays: None.

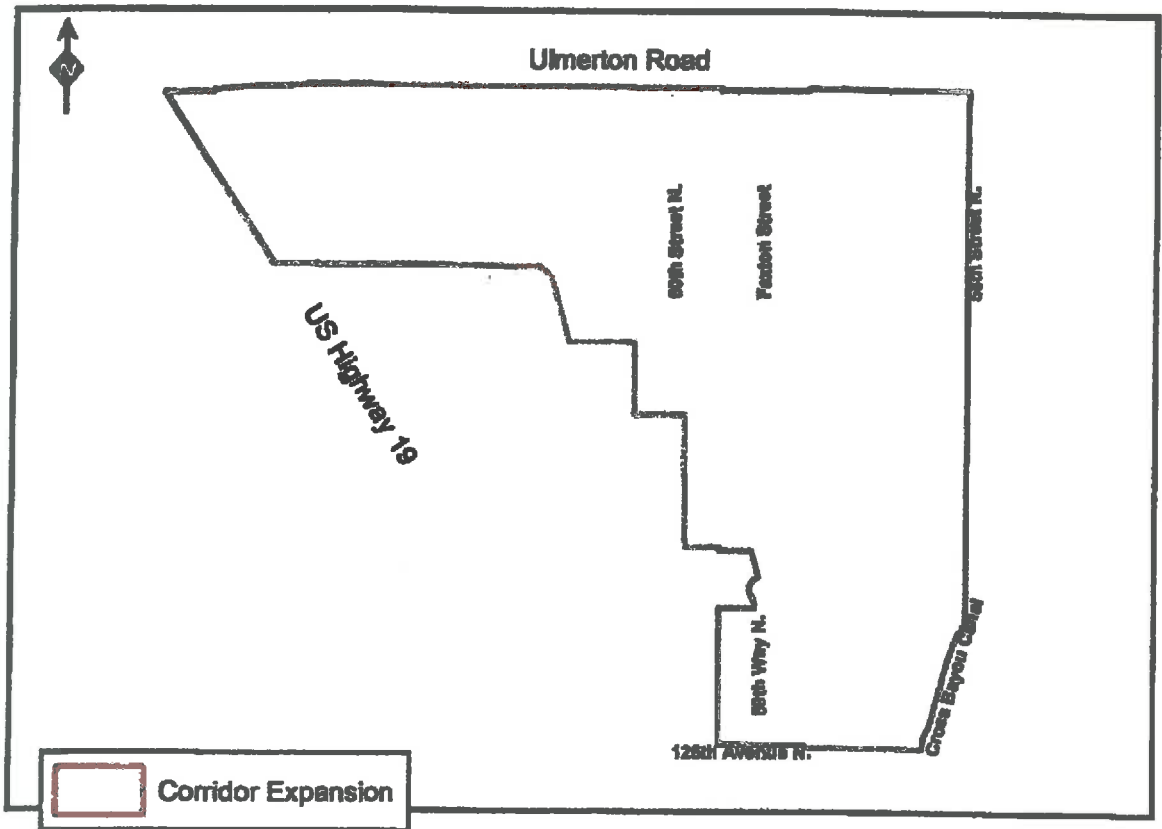
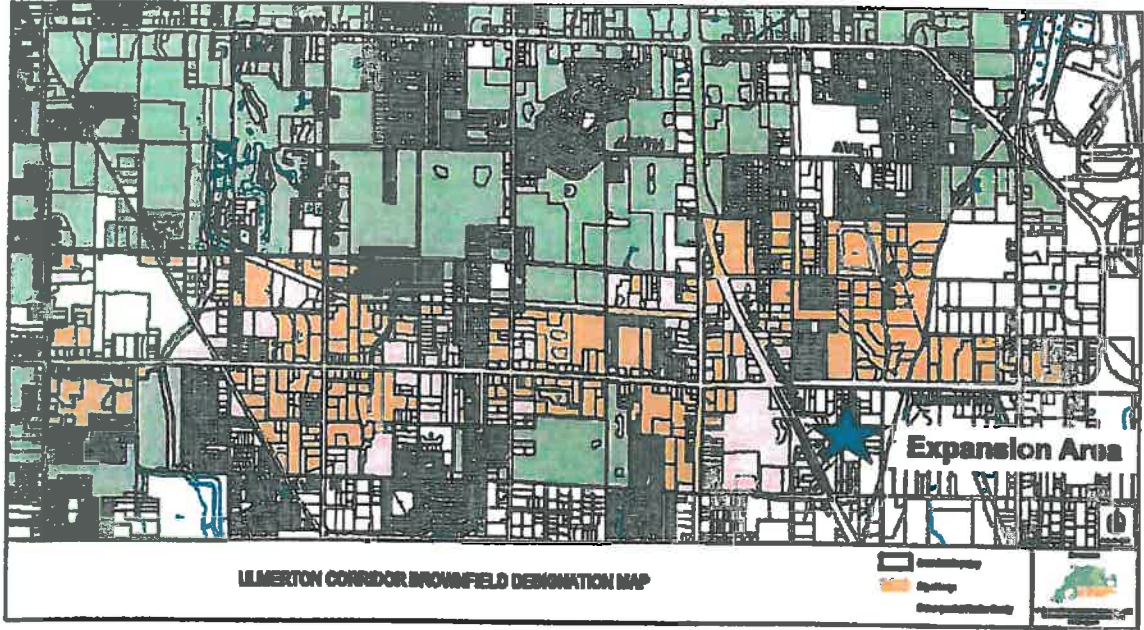
Absent and not voting: Gerard.

APPROVED AS TO FORM
OFFICE OF THE COUNTY ATTORNEY

By: M2ao

I, KENNETH P. BURKE, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 2nd day of June, A.D. 2015.
KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio
Clerk of the Board of County Commissioners,
Pinellas County, Florida.
By: Chloe J. Smith
Deputy Clerk

Exhibit A
Ulmerton Road Opportunity Corridor Brownfield Expansion Area



17

No. _____
BCC 06-02-15
9:33 A.M. Abbott/SCHMIDT

#17 Resolution No. 15-51 adopted designating the Ulmerton Road Opportunity Corridor Expansion Area as a Brownfield Area pursuant to Chapter 376, Florida Statutes, and authorizing the County Administrator to notify the Florida Department of Environmental Protection of said designation.

Motion - Commissioner Long
Second - Commissioner Welch

In response to queries by Commissioner Welch, Pinellas County Economic Development Director Mike Meidel related that public notice was provided to property owners in the subject area; that a public hearing took place at the EpiCenter on April 16, 2015; and that during public comment, only one person spoke and expressed support for expanding the corridor; whereupon, he indicated that approximately 20 businesses are located within the expansion area; and that many of those properties still rely on septic systems.

Mr. Meidel related that people seem to be generally supportive of the expansion; that the area is comprised strictly of businesses; and that business owners can receive tax credits for cleaning their properties; whereupon, responding to queries by Commissioner Eggers, he briefly discussed the benefits of the expansion, including improving stormwater issues associated with the Cross Bayou Canal.

Vote - 6 - 0



**PINELLAS
COUNTY**
ECONOMIC DEVELOPMENT

BUREAU OF WASTE CLEANUP
RECEIVED

AUG 29 2012

FEDERAL PROGRAMS SECTION

August 21, 2012

Kim Walker
Brownfields Liaison
Florida Department of Environmental Protection
2600 Blair Stone Road, MS #4505
Tallahassee, FL 32399-2400

RE: Pinellas County Ulmerton Road Opportunity Corridor Brownfield Designation

Dear Ms. Walker:

Pinellas County, in accordance with Florida Statutes 376.77-376.84, has adopted Resolution No. 12-71, which was approved by the Pinellas Board of County Commissioners on August 7, 2012 (see attached). This resolution creates the State approved Pinellas County Ulmerton Road Opportunity Corridor (UROC) Area-wide Brownfield. At the request of the property owners, the properties listed on the attached Ulmerton Road Opportunity Corridor (UROC) Opt-Out Properties Summary should be excluded from the designation.

This designation shall not render Pinellas County liable for costs of site rehabilitation or source removal, as those terms are defined in the Act, or for any other costs, above and beyond those costs attributable to the County's role as administrator of the Brownfields program within the designated Brownfield Area.

Please confirm receipt of this notification and let me know if additional information is required. Thank you for your assistance with this matter.

Sincerely,

Mike Meidel, Director
Economic Development Department

cc: Bruce Bussey, Community Development Department
Teresa Brydon, City of Largo Economic Development Division

Enclosures

**Ulmerton Road Opportunity Corridor (UROC) Brownfield Area
Opt-Out Properties Summary***

Parcel ID	Address
02-30-15-09046-001-0030	2264 Cheryl Road
02-30-15-89046-001-0010	2210 Cheryl Road
02-30-15-89046-002-0030	2265 Cheryl Road
03-30-16-93369-001-0010	13555 Automobile Blvd
03-30-16-93369-001-0020	13555 Automobile Blvd
03-30-16-93369-001-0030	13555 Automobile Blvd
03-30-16-93369-001-0040	13555 Automobile Blvd
03-30-16-93369-001-0050	13555 Automobile Blvd
03-30-16-93369-003-0010	13555 Automobile Blvd
03-30-16-93369-004-0050	13555 Automobile Blvd
03-30-16-93369-005-0010	13555 Automobile Blvd
03-30-16-93369-005-0020	13555 Automobile Blvd
03-30-16-93369-005-0030	13555 Automobile Blvd
03-30-16-93369-005-0040	13555 Automobile Blvd
03-30-16-93369-005-0050	13555 Automobile Blvd
12-30-15-70542-100-0400	8050 Ulmerton Road

*As of August 21, 2012

RESOLUTION 12 - 71

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA, DESIGNATING A BROWNFIELDS AREA WITHIN THE ULMERTON ROAD AREA FOR THE PURPOSES OF ECONOMIC DEVELOPMENT AND ENVIRONMENTAL REHABILITATION AND PROVIDING FOR NOTIFICATION OF THE PERSON(S) RESPONSIBLE FOR BROWNFIELDS SITE REHABILITATION; AUTHORIZING THE COUNTY ADMINISTRATOR TO NOTIFY THE DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Sections 376.77-376.86, Florida Statutes, the “Brownfields Redevelopment Act” (the “Act”), the State of Florida has provided for the designation of certain contiguous areas consisting of one or more Brownfields sites as “Brownfields Areas” by resolution and for the corresponding provision of economic development and environmental remediation for such areas, and Pinellas County has established a Brownfields Redevelopment Program as provided in Resolution No. 03-125; and

WHEREAS, the County desires to provide for the designation of a Brownfields Area, identification of the person responsible for Brownfields site rehabilitation, and notification to the Florida Department of Environmental Protection (“FDEP”) of its decision to designate a Brownfields Area pursuant to the Act; and

WHEREAS, the County has complied with the notice and public hearing requirements set forth in Sections 376.80(1) and (2)(a), and 125.66(4)(2)(b), Florida Statutes, and a public hearing was held on the proposed designation in the Area proposed for designation; and

WHEREAS, the County has considered the criteria set forth in Florida Statutes Section 376.80(2)(a)1-4, Florida Statutes, including whether the proposed Brownfields Area warrants economic development and has a reasonable potential for such activities; whether the proposed area represents a reasonably focused approach and is not overly large in geographic coverage; whether the area has potential to interest the private sector in participating in rehabilitation; and whether the area contains sites or parts of sites suitable for limited recreational open space, cultural or historical purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY FLORIDA, AT A DULY ASSEMBLED MEETING HELD ON THIS 7th DAY OF August, 2012, AS FOLLOWS:

Section 1. The Area depicted on Exhibit A attached hereto and incorporated herein by reference, known as the Ulmerton Road Opportunity Corridor (“UROC”) Brownfields area, is hereby designated as a Brownfields Area in accordance with the Act.

Section 2. The County will notify the Florida Department of Environmental Protection when there are persons who have assumed responsibility for Brownfields site rehabilitation within the designated area.

Section 3. The County Administrator or his designee is hereby authorized and directed to notify the FDEP of this designation of a Brownfields Area, and identification of the person responsible for Brownfields site rehabilitation.

Section 4. This designation shall not render Pinellas County liable for costs of site rehabilitation or source removal, as those terms are defined in the Act, or for any other costs, above and beyond those costs attributable to the County's role as administrator of the Brownfields program within the designated Brownfields Area.

Section 5. Pinellas County Economic Development is authorized and directed to receive and maintain all written requests from property owners to have their property removed from the Brownfield designation in accordance with Section 376.80(1), Florida Statutes.

Section 6. This Resolution shall take effect immediately upon its adoption.

Commissioner Welch offered the foregoing Resolution and moved its adoption, which was seconded by Commissioner Latvala, and upon roll call, the vote was:

Ayes: Morrone, Welch, Bostock, Brickfield, Roche and Latvala.

Nays: None.

Absent and not voting: Seel.

I, KENNETH P. BURKE, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida. Witness my hand and seal of said County FL this 15 day of AUGUST, A.D. 2005
KENNETH P. BURKE, Clerk of the Circuit Court Ex-Officio, Clerk of the Board of County Commissioners, Pinellas County, Florida.

By Michael P. [Signature]
Deputy Clerk

All that tract or parcel of lands lying within and being in the County of Pinellas, Florida to wit:

Commence at the Northwest corner of the Southeast $\frac{1}{4}$ section of Section 3, Township 30 South, Range 15 East also being the intersection of Seminole Boulevard and 16th Avenue SE; thence run Easterly along the southern section of the Northeast $\frac{1}{4}$ of said section 3, approximately 50 feet, thence run southerly 33 feet to a point on the south right-of-way line of 16th Avenue SE and also being the Northwest corner of Lot 1, Block 1 of the First Christian Church of Largo Subdivision, and also the Point of Beginning [P.O.B.].

From the P.O.B., run easterly along the south right of way line of 16th Avenue SE to a point that intersects parallel with the Southwest corner of the Northwest $\frac{1}{4}$ of Section 2, Township 30, Range 15 East, continue to run Easterly along the south right-of way line of 16th Avenue SE to a point on the south right-of way line of Donegan Road, also known as 16th Avenue SE, continue Easterly along said South right-of way to a point of intersection of Lake Avenue SE and unimproved 142nd Avenue N. Continue Easterly on the South 142nd Avenue N unimproved right-of-way to a point of intersection of Starkey Road and also being the Northeast corner of metes and bounds parcel 02-30-15-00000-410-0510. Thence run Easterly 120 feet to the East right-of-way line of Starkey Road. Thence run northerly to the Northwest corner of parcel 01-30-15-70416-300-0601 and also the south right-of-way line of unimproved 142nd Avenue N. Thence run easterly along the south line of unimproved 142nd Avenue N to the Northwest corner of lot 18, Tall Pines Estates Phase II Subdivision. Thence run southerly along the west side of said Subdivision to the Northwest corner of Lot 1 of Tall Pines Corporate Center Subdivision; Thence run Easterly along the North boundary line of said subdivision to the Northeast corner of Tall Pines Corporate Center Subdivision and also being a point on the west side of Tall Pines Drive. Thence run Southerly along the West side of Tall Pines Drive to the Northeast corner of Lot 2 of the Pineridge Business Center Subdivision; Thence run Easterly to the east side of Tall Pines Drive and also the Southwest corner of Lot 173 of Tall Pines Estates Phase III Subdivision. Thence run easterly along said subdivision to the Southeast corner of Lot 160 and also being a point on the West Side of Wild Acres Road. Thence run Northerly along the west side of Wild Acres Road to the Northeast Corner of Parcel 4 of Tall Pines Estates Phase V Subdivision. Thence run Easterly to the East side of Wild Acres Road and also being the Southwest corner of parcel identification (PID) number 01-30-15-70416-400-0704, Pinellas Groves Subdivision, and continue easterly along the south boundary line of said PID, to the southwest corner of PID number 01-30-15-70416-400-0700, Pinellas Groves Subdivision and also being the Northeast corner of Lot 1 of Macy Subdivision. Thence run Southerly along said Lot 1 to the Northwest Corner of Lot 1, Pless Acres Subdivision. Thence run Easterly to the Northeast corner of said lot and also being the West side of the right-of-way line of Palm Way. Thence run Easterly to the East side of the Palm Way right-of way line and run Northerly to the Northwest corner of PID 01-30-15-18126-012-0110, Coral Heights Subdivision. Thence run Easterly along the North boundary lines of said PID and PID 01-30-15-18126-012-0190, Coral Heights

Subdivision to the Northeast corner of said PID 01-30-15-18126-012-0190 and also the Western right-of-way line of Coral Way. Thence continue Easterly approximately 80 feet to the Eastern right-of-way line of Coral Way and a point of intersection with 139th Avenue N. Thence go Southerly to the Northwest corner of Lot 3, Block 6 of Coral Heights Subdivision and also the South right-of-way line of 139th Avenue N. Thence run easterly along the South right-of-way line of 139th Avenue N. to the Northeast corner of Lot 14, Block 6, Coral Heights Subdivision. Thence go Northerly along the West lot line of Lot 1, Block 1, Majestic Coach Club Condo Subdivision, to the Northwest corner of said lot and also being a point on the South right-of-way line Florida Power. Thence run Easterly along said South right-of-way line to the Southeast corner of said right-of-way and also being a point on the West right-of-way line of Belcher Road. Continue Easterly to a point on the East right-of-way line of Belcher Road and also being the Southwest corner of the Florida Power right-of-way line. Continue to run Easterly along said Southern boundary line approximately 2,680 feet to the southeast corner of said right-of-way and also a point on the West side of 72nd Street N unimproved right-of-way. Thence run Northerly along the West line of 72nd Street N unimproved right-of-way to the South right-of-way line of 142nd Avenue N. Thence run Easterly along the South right-of-way line of 142nd Avenue N to the West side of 66th Street N. Thence run Northerly along the West boundary line of 66th Street N to the South boundary line of 146th Avenue N. Thence continue Northerly approximately 30 feet. Thence run Easterly across 66th Street and US Highway 19 to a point on the East right-of-way line of US Highway 19 N Frontage Road. Thence continue Easterly to 146th Avenue N centerline. Thence run Southerly approximately 30 feet to the South right-of-way line of 146th Avenue N. Thence run Easterly along the South right-of-way line of 146th Avenue N to the East right-of-way line of 63rd Street N. Thence run Northerly approximately 30 feet along the East right-of-way line of 63rd Street N. Thence run Westerly 30 feet also being a point on the west side of Lot 2, Pinch A Penny Subdivision. Thence run Northerly along said lot to the Northwest corner of Lot 6, Pine Hollow Subdivision. Thence run Easterly along said subdivision to the Northeast corner of Lot 1, Pine Hollow Subdivision and also being a point on the West right-of-way line of 62nd Street N. Thence run Southerly along the West right-of-way of 62nd Street to the Northeast corner of Lot 12, Pine Hollow Subdivision. Thence run Easterly approximately 73 feet to the East right-of-way line of 62nd Street N. Thence continue Easterly approximately 798.2 feet to the Northeast corner of Lot E, Mears Industrial Park. Thence run Southerly along the East side of said lot to the Southeast corner of said lot. Thence continue Southerly approximately 30 feet to a point on the North right-of-way line of 146th Avenue N. Thence run Easterly approximately 166.3 ft to the Northwest corner of Lot 1, Alta Largo Subdivision. Thence continue to run Easterly along the North boundary line of Alta Largo Subdivision to the Northeast corner of said subdivision and also being the West right-of-way line of 58th Street N. Thence continue Easterly to the East right-of-way line of 58th Street N and also the Northwest corner of parcel ID 04-30-16-00000-230-0100. Thence continue Easterly along the North boundary line of said parcel to the Northeast corner of Lot 11, Rubin Icot Center. Thence continue Southwesterly along the East boundary of Rubin Icot Center to

a point parallel to the Southwest corner of Lot 15, Airport Industrial Park. Thence run easterly along the South boundary line of Airport Industrial Park to the Southeast corner of Lot 1, Airport Park and also being a point on the 49th Street N west right-of-way line. Continue to run Easterly approximately 120 feet to the 49th Street N East right-of-way line and also being the Southwest corner of Lot A, Airport Industrial Park Unit Two. Continue to run Easterly along the South boundary of Airport Industrial Park Unit Two to the Southeast corner of Lot F, Airport Industrial Park Unit Two and also being a point on the West right-of-way line of Roosevelt Boulevard. Thence run Southwesterly along the west right-of-way line of Roosevelt Boulevard to a point of intersection on the North side where Roosevelt Boulevard meets Ulmerton Road. Thence run Westerly along the North side of Ulmerton Road to the Southwest corner of Parcel ID 04-30-16-70902-400-1205 and also being the East right-of-way line of 49th Street N. Thence run Southerly approximately 193.4 feet to the South right of way line of Ulmerton Road. Thence run Westerly along the south right-of-way line of Ulmerton Road to the centerline of US Highway 19 N. Thence run Southeasterly along the centerline of US Highway N to the south right-of-way line of 126th Avenue N. Thence run Westerly along the South right-of-way line of 126th Avenue N to the northwest corner of Lot 1, Block 2, Potterfield Miniature Farms and also being a point on the East right-of-way line of 66th Street N. Continue to run Westerly to the west side of 66th Street N and the south right-of-way line of 126th Avenue N. Continue to run Westerly along the South right-of-way line of 126th Avenue N to the Northwest corner of Lot 62, Block 3, Tree Land Park. Thence run Northerly to the North right of way line of 126th Avenue N. Thence run Westerly to the Southwest corner of Parcel ID 07-30-16-70956-100-1302. Thence run northerly to the Southeast corner of Lot 46, Block 1, Pinebrook Estates North. Thence continue Northerly along the East boundary of Pinebrook Estates North to Northeast corner of Lot 26, Block 1, Pinebrook Estates North. Thence run Westerly along the North boundary of Pinebrook Estates North to the Northwest corner of Pine Forest Subdivision. Thence run Northerly along the West boundary of Pinewood Villas Unit 1 to the Southeast corner of Opal Place. Thence run Westerly along the South boundary of said plat to the Southwest corner of Opal Place. Thence run Northerly along the West boundary of said Opal Place to the South right of way line of Ulmerton Road. Thence run westerly along the South right-of-way line of Ulmerton road to the Northeast corner of Lot 1, Largo Bazaar Subdivision. Thence run Southerly along the West boundary of Largo Bazaar Subdivision to the Southeast boundary of Villa Nueva Condo. Thence run Westerly along the South boundary lines of Villa Nueva Condo and Rosetree Village to the southwest corner of Parcel ID 07-30-16-70956-200-0502. Thence run Southerly approximately 332.2 feet to the Southeast corner of Parcel ID 07-30-16-70956-200-0712. Thence run Westerly approximately 639 feet to the East right-of-way line of Belcher Road. Continue to run Westerly to the West right-of-way line of Belcher Road and also being the Northeast corner of Lot 27, Block 14, Cumberland Park 1st Addition. Thence continue Westerly along Cumberland Park 1st Addition to the Northeast corner of Lot 19, Block 14, Cumberland Park. Thence continue Westerly along the north boundary line of Cumberland Park to the Northwest

corner of Lot 17, Block 14, Cumberland Park and also a point on the East right-of way line of Cumberland Drive. Continue to run Westerly to the Northeast Corner of Lot 17, Block 10, Cumberland Park. Thence continue Westerly to the Northwest corner of Lot 22, Block 10, Cumberland Park. Thence continue Westerly approximately 1,293.5 feet to a point on the East right- of-way line of Wild Acres Road. Thence continue Westerly to the west side of Wild Acres Road and also being the Southeast corner of Parcel 12-30-15-70542-200-1608. Continue to run Westerly to the Northeast corner of Parcel ID 12-30-15-84742-000-0021 of Spectrum Technology Park. Thence run Southerly along the East line of Spectrum Technology Park approximately 1,304.8 feet to the North right-of-way line of 126th Avenue N. Continue to run Southerly to the South right-of-way line of 126th Avenue N. Thence run Westerly along 126th Avenue N to the East right-of-way line of Starkey Road. Continue to run Westerly to the West side of Starkey Road and also being the South right-of-way line of 126th Avenue N. Continue to run Westerly along the South right-of-way line of 126th Avenue N to the West right-of-way line of the Seaboard Coastal Railroad. Thence run Northwesterly along the West right-of-way line of the Seaboard Coastal Railroad to the Northeast corner of Lot 8, Tree Top Subdivision. Thence run Westerly along the North boundary line of Tree Top Subdivision to the West right-of-way line of 95th Street N and also the Southeast corner of Lot 5, Block 8 of Ulmerton Subdivision. Thence run Northerly along the West right-of way line of 95th Street N to the Southeast corner of Lot 3, Block 8 of Ulmerton Subdivision. Thence run Westerly along said lot to the Southwest corner of said lot 3. Thence run Northerly along the West side of Lot 3 to the Northwest corner of Lot 3. Thence run Westerly to the Southwest corner of Lot 2, Block 8, Ulmerton Subdivision. Thence run Northerly to the Southwest corner of Lot 12, Block 1, Ulmerton Subdivision. Thence run Easterly to the Southeast corner of said Lot 12. Thence run Northerly to the Northeast corner of said lot 12. Thence run Westerly to the Northwest corner of said Lot 12 and also being a point on the East right-of-way line of Clay Avenue. Continue to run Westerly approximately 40 feet to the West right-of-way line of Clay Avenue and also the Southeast corner of the original Lot 4, Block 2, Ulmerton Subdivision. Thence run Northerly along the West right-of-way line of Clay Avenue to the Northeast corner of Lot 4, Block 2, Ulmerton Subdivision. Thence run Westerly along the north boundary line of said Lot 4 to the Northwest corner of said Lot 4. Thence run Southerly along the west boundary line of said lot 4 to the southwest corner of the original Lot 4 and also being the Southeast corner of Lot 19, Block 2, Ulmerton Subdivision. Thence run Westerly along the South boundary line of said Lot 19 to the West right-of-way line of Center Avenue and also being the Southeast corner of Lot 4, Block 3, Ulmerton Subdivision. Thence Northerly along the West right-of-way line of Center Avenue to the Southeast corner of Lot 1, Cyrus Subdivision. Thence run Westerly along the south boundary line of said Lot 1 to the West right-of-way line of Madison Avenue and also being the Northeast corner of Lot 4, Block 4, Ulmerton Subdivision. Thence run Southerly along said lot 4 to the Southeast corner of said lot 4. Thence run Westerly along the South boundary lines of said lot 4 to the Southwest corner of Lot 19, Block 4, Ulmerton Subdivision and also being a point on the East

right-of-way line of Washington Avenue. Thence run Northerly along the East right-of-way line of Washington Avenue to the Northwest corner of Lot 21, Block 4, Ulmerton Subdivision and also being a point on the South right-of-way line of Ulmerton Road. Thence run Westerly along the South right-of-way line of Ulmerton Road to the Northeast Corner of Lot 1, Golden Corral Largo Subdivision. Thence run Southeasterly along said lot approximately 99.4 feet to the Southeast corner of said Lot 1. Thence run Southwesterly approximately 313.2 feet to the East corner of Lot 1. Thence run Southerly 173.1 feet to the Southeast corner of Lot 1. Thence run westerly along the South boundary line of said lot to the West right-of-way line of 101st Street SE. Thence run Southerly along the West right-of-way line of 101st Street to the Northeast corner of Lot 1, Block 1, Halgreen Manor Unit 1 Subdivision and also being a point on the north right-of-way of 101st Way SE. Thence run Westerly along the North boundary line of Halgreen Manor Unit 1 Subdivision to the Northwest corner of Lot 19, Block 1, Halgreen Manor Unit 2. Thence run Southerly along the West boundary line of Halgreen Manor Unit 2 to the Northeast corner of Parcel ID 10-30-15-97480-000-0005 of Whittington Court Townhomes. Thence run Westerly along the North boundary line of Whittington Court Townhomes to the East right-of-way line of Seminole Boulevard. Thence run Northerly along the East right-of-way line of Seminole Boulevard to the Point of Beginning.

**Attachment B
Table I
Brownfield Site Rehabilitation Schedule**

Type of Report or Activity	PRFBSR Action or Submittal Time Frames	Department Review or Comment Time frames
Notice of Interim Source Removal Action or Emergency Response Action situations.	Within 24 hours of initiation of the action.	No comment required.
Interim Source Removal Proposal	When seeking approval before implementation of an alternative product recovery method, groundwater recovery, soil treatment or disposal technique (see Rule 62-785.500).	Within 30 days of receipt.
Interim Source Removal Plan	When seeking approval before implementation of an alternative product recovery method, groundwater recovery, soil treatment or disposal technique (62-780.500, F.A.C.)	Within 30 days of receipt.
Interim Source Removal Status Report	Within 60 days of completion of source removal activities and every 60 days thereafter or when the field activity is terminated, whichever occurs first.	No comment required.
Interim Source Removal Report	Within 60 days of completion of interim source removal activities.	Within 60 days of receipt.
Site Rehabilitation Plan (SRP) or Combined Document; (Optional submittal) (See Rule 62-780.450, F.A.C.)	Optional: SRP submitted within 270 days of executing BSRA. May include multiple tasks.	Within 60 days of receipt.
Site Assessment Report (SAR)	SAR submitted within 270 days of executing BSRA.	Within 60 days of receipt.
Risk Assessment Report (RAR)	Optional: (within 60 days of SAR approval.)	Within 90 days of receipt.
No Further Action (NFA) Proposal	When the site meets the criteria for NFA (See Rule 62-780.680, F.A.C.).	Within 60 days of receipt.
Well Survey and Sampling Results pursuant to paragraph 62-780.600(3)(h), F.A.C.	Within 60 days of discovery of contamination beyond the property boundaries	Within 60 days of receipt.
Natural Attenuation with Monitoring (NAM) Plan	When the site meets the criteria for Natural Attenuation with Monitoring (See Rule 62-780.690, F.A.C.).	Within 60 days of receipt.
Natural Attenuation with Monitoring (NAM) Report	Within 60 days of sample collection.	No comment required.
Remedial Action Plan (RAP)	Within 90 days of approval of a SRP, SAR or RAR.	Within 60 days of receipt.
As-Built Drawings	Within 120 days of initiating operation of the active remediation system.	No comment required.
Initiate Operation of Active Remedial Action	Within 120 days of RAP approval.	No comment required.
Proposals submitted pursuant to subsection 62-780.700(15), F.A.C.	Optional during active remediation	Within 60 days of receipt
Remedial Action Status Report (Monthly or quarterly status reports may be required for submittal - - depending on site conditions and Advisory Committee.)	Within 60 days of the anniversary date of initiating operation of active remediation system.	No comment required.

Post Active Remediation Monitoring (PARM) Plan	When the site meets the criteria for NFA (see Rule 62-780.680) or Leveling-Off (see Rule 62-780.700(17))	Within 60 days of receipt.
Post Active Remediation Monitoring (PARM) Report	Within 60 days of sample collection.	No comment required.
Leveling Off Determination	Within 60 days of sample collection.	Within 60 days of receipt.
Post Active Remediation Monitoring (PARM) Plan resampling proposal (Rule 62-780.750(4)(e), F.A.C.	Within 60 days of sample collection.	Within 60 days of receipt.
Site Rehabilitation Completion Report (SRCR)	Within 60 days of the final sampling event. If SRCR not approved then submit modifications, etc. within 60 days of Department's response.	Within 60 days of receipt. If the brownfield site meets the requirements of Chapter 62-780, F.A.C. for the issuance of a SRCO, a SRCO will be issued.
Pilot Study Work Plan	When seeking approval before implementation of a Pilot Study pursuant to Rule 62-780.700(2), F.A.C.	Within 60 days of receipt.
Notices for Field Activities except for Start of Interim Source Removal or Emergency Response Action situations.	Within seven (7) days but not less than 24 hours prior notice to the Department to perform field activity.	No comment required.
Submittal to the Department of addenda, responses, or modification to plans or reports, pursuant to Chapter 62-780, F.A.C.	Within 60 days of receipt of the Department's response.	Within the same time frame for review of the original submittal.
Submittal of Form and Actual Notice required in subsection 62-780.220(2), F.A.C.	See text of rule for "Initial Notice of Contamination Beyond Property Boundaries" in subsection 62-780.220(2), F.A.C.	No comment required.
Submittal of Actual and Constructive Notice required in subsection 62-780.220(3), F.A.C.	See text of rule for "Subsequent Notice of Contamination Beyond Source Property Boundaries for Establishment of a Temporary Point of Compliance (TPOC)" in subsection 62-780.220(3), F.A.C.	No comment required.
Submittal of proof of Constructive Notice required in subsection 62-780.680(8), F.A.C.	When seeking an SRCO with conditions, the PRFBSR must provide constructive notice of the Department's intent to approve a no Further Action Proposal with controls.	No comment required.

Attachment C
SITE ACCESS AGREEMENT
PERMISSION TO ENTER PROPERTY
BROWNFIELDS REDEVELOPMENT PROGRAM

1. Pinellas County, the real property owner ("undersigned" or "owner"), hereby grants permission to the State of Florida, Department of Environmental Protection ("Department") and its agents and subcontractors to enter the undersigned's property ("the property") located at 5833 126th Ave. North, Clearwater, FL 33760 as described in Attachment A attached to the BSRA for the brownfield site assigned the Brownfield Site Identification Number BF52- beginning on the date of execution of the BSRA and ending on such date as deemed appropriate by the Department or the successful completion of the BSRA, whichever occurs first.
2. This permission is contemplated to be used for the following activities that may be performed by the Department, its agents, representatives or subcontractors:
 - a. Having access to areas where contamination may exist.
 - b. Investigation of soil and groundwater including, but not limited to, the installation of groundwater monitoring wells, the use of geophysical equipment, the use of an auger for collection of soil and sediment samples, the logging of existing wells, videotaping, preparation of site sketches, taking photographs, any testing or sampling of groundwater, soil, surface water, sediments, air, and other materials deemed appropriate by the Department and the like.
 - c. Removal, treatment and/or disposal of contaminated soil and water, which may include the installation of recovery wells or other treatment systems.
3. Upon completion of the investigation, the Department will restore the property as near as practicable to its condition immediately prior to the commencement of such activities.
4. The granting of this permission by the undersigned is not intended, nor should it be construed, as an admission of liability on the part of the undersigned or the undersigned's successors and assigns for any contamination discovered on the property.
5. The Department, its agents, representatives or subcontractors may enter the property during normal business hours and may also make special arrangements to enter the property at other times after agreement from the undersigned.
6. The Department acknowledges and accepts any responsibility it may have under applicable law (Section 768.28, Florida Statutes) for damages caused by the acts of its employees acting within the scope of their employment while on the property.
7. In exercising its access privileges, the Department will take reasonable steps not to interfere with the Owner's operations, or the remediation and redevelopment activities pursuant to the BSRA.

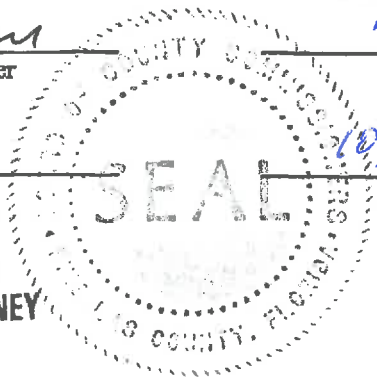
John Morrison
Signature of Real Property Owner

10/29/15
Date

[Signature]
Deputy Clerk

Witness

10/29/15
Date



APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By MJW
Attorney

Site Access Agreement
Brownfield Site ID #:BF52-
August 9, 2015
Page 2 of 2

Accepted by the Department by the following authorized agent:

Signature of Department representative

Witness

Date

Date

Attachment D
Certification of Redevelopment Agreement

(The PRFBSR and the local government with jurisdiction over the real property are the same entity (Pinellas County). Therefore an agreement between the PRFBSR and the local government with jurisdiction over the property is not required.)

Attachment E
Contractor Certification Form

The Contractor Certification form
will be submitted to FDEP prior to initiating work under this BSRA.



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR
HERSCHEL T. VINYARD JR.
SECRETARY

CONTRACTOR CERTIFICATION FORM Brownfields Redevelopment Program

Contractor Name _____ Date: _____

Contractor Address: _____

Contact Name: _____

Phone No.: _____ Fax No.: _____

Brownfield Site ID #: _____

Contractor Certifies by Checking All Appropriate Boxes:

	Yes	No
1. It meets all certification and license requirements imposed by law.	<input type="checkbox"/>	<input type="checkbox"/>
2. It performs or contracts laboratory analysis pursuant to National Environmental Laboratory Accreditation Program certification requirements and performs or contracts field-sampling work in accordance with the Standard Operating Procedures for Field Activities pursuant to Chapter 62-160, Florida Administrative Code.	<input type="checkbox"/>	<input type="checkbox"/>
3. It complies with all applicable OSHA regulations.	<input type="checkbox"/>	<input type="checkbox"/>
4. Has the capacity to perform the majority of the site rehabilitation program tasks pursuant to a brownfield site rehabilitation agreement or supervise the performance of such tasks by licensed subcontractors in accordance with Section 489.113(9), F.S.	<input type="checkbox"/>	<input type="checkbox"/>

The person named below by signing as an "Officer of the Company" hereby certifies to the Florida Department of Environmental Protection (FDEP) that the Contractor named above meets the requirements for contractors participating in the Brownfields Redevelopment Program [Sections 376.80(6) and (7), Florida Statutes (F.S.)]:

Signature of Officer of the Company and Date Signed Print Name of Officer of the Company

Title of Officer of the Company

Attachment F
Quality Assurance Certificate

The laboratory quality assurance certificate
will be submitted to FDEP prior to initiating work under this BSRA.

**Attachment G
Advisory Committee Members**

Member Name	County Department	Phone Number
Teri Hasbrouck	Real Property Division, Real Estate Management 509 East Avenue South Clearwater, FL 33756	727-464-6967
Paul Berlage, P.E.	Watershed Management Section 22211 US Highway 19 N Clearwater, FL 33765	727-464-3617
Rahim Harji, P.E.	Watershed Management Section 22211 US Highway 19 N Clearwater, FL 33765	727-464-8760
Andrew Pupke	Real Estate Management 509 East Avenue S. Clearwater, FL 33756	727-464-3237
Cindy Margiotta	Economic Development Dept. 13805 58 th Street N., Suite 1-200 Clearwater, FL 33760	727-464-7398

Attachment H
Format for Submittal of Technical Documents

1. One hard copy or one electronic copy of each report or proposal and final reports shall be submitted to the Department or to the delegated local program.
2. In an effort to increase efficiency, responsiveness, and to enhance environmental protection, electronic records are an acceptable media substitute for hard copy and shall be pursued as the first option of choice to arrive at compliance. Where an electronic format exists of the records it shall be used to transmit the data, file, report, document, map, plans, picture, record, or any other object that may be available in an electronic format. Electronic records shall be kept in industry standard non-proprietary formats: TIFF, GIF, JPEG, PDF, or in Microsoft Word, Microsoft Excel, and Microsoft Access not older than one (1) release behind the current.
3. Data requested shall be transmitted using available media such as E-mail, Compact Disc (CD), or File Transfer via an FTP site. Additional formats may be considered at the time of the request.
4. After final approval of each report, an electronic copy and one hard copy shall be submitted within 30 days.
5. The media shall include a file directory and specify the "naming convention".
 - (a) Final reports (any text files) must be in one of the approved formats.
 - (b) Site maps and surveys shall be in TIFF, JPEG or ".pdf" format.
 - (c) Site-specific GIS data tables shall be in Excel or text (tab delimited) format.
 - (d) The cover of the media shall include the Site Name, Designated Brownfield Area, Date and Type of Report(s).
 - (e) The left inside cover of the media should list all the files located on the media.