

RESOLUTION 05-199

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

WHEREAS, pursuant to Sections 376.77-376.85, Florida Statutes (the "Act"), 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 20 DAY OF September, 2005, AS FOLLOWS:

Section 1. The Area depicted on Exhibit A attached hereto and incorporated herein by reference, known as the Lealman Community Brownfields area, is hereby designated as a Brownfields Area in accordance with the Act. Such designation shall not, however, render Pinellas County liable for the cost of site rehabilitation or source removal, as those terms are defined in the Act, or for any other costs in excess of those attributable to the County as administrator of a Brownfields Program, or as a property owner within the designated Brownfields area.

Section 2. 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.

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. This Resolution shall take effect immediately upon its adoption.

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

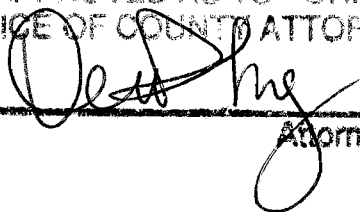
Ayes: Morrioni, Welch, Stewart, Harris, Seel, Latvala and Duncan.

Nays: None.

Absent and not voting: None.

APPROVED AS TO FORM
OFFICE OF COUNTY ATTORNEY

By

A handwritten signature in black ink, appearing to read "D. S. Mc", written over a horizontal line.

Attorney

LEALMAN AREA-WIDE BROWNFIELD FUTURE LAND USE MAP AUGUST 2005



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WELLINGTON SCHOOL
(OPTING OUT OF DESIGNATION)

