



# Pinellas County

## Legislation Details (With Text)

**File #:** 21-834A      **Version:** 1

**Type:** Contract/Agreement      **Status:** Passed

**File created:** 4/20/2021      **In control:** Public Works

**On agenda:** 7/13/2021      **Final action:** 7/13/2021

**Title:** Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection for the former Baypointe Golf Course Brownfield site.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. FE\_Agreement - Brownfield Site, 2. PE\_AGREEMENT - BROWNFIELD SITE, 3. Agreement, 4. Resolution 21-2, 5. Project Location Map, 6. Resolution 06-70

Date	Ver.	Action By	Action	Result
7/13/2021	1	Board of County Commissioners	approved	Pass

**Subject:**

Brownfield Site Rehabilitation Agreement with the Florida Department of Environmental Protection for the former Baypointe Golf Course Brownfield site.

**Recommended Action:**

Approval of the Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection for the former Baypointe Golf Course Brownfield site.

- The County will conduct site rehabilitation on contaminated areas within the former Baypointe Golf Course Brownfield site.
- The former Baypointe Golf Course was designated a Brownfield site on January 12, 2021, per Resolution 21-2.
- The BSRA allows the County to receive tax credit incentives providing reimbursement of certain costs associated with site rehabilitation.

Maximum amount up to \$500,000.00 in tax credits annually; authorize the Chairman to sign and the Clerk of the Circuit Court to attest.

**Strategic Plan:**

Practice Superior Environmental Stewardship  
3.3 Protect and improve the quality of our water, air, and other natural resources

Deliver First Class Service to the Public and Our Customers  
5.2 Be responsible stewards of the public's resources

**Summary:**

Execution of the BSRA is the final administrative step toward site rehabilitation, which allows the County to gain access to Florida Brownfield Program incentives. The incentives are in the form of

Voluntary Cleanup Tax Credit (VCTC), which provides reimbursement of certain costs associated with Brownfield rehabilitation. The BSRA also provides a schedule for rehabilitation and a framework for reporting and documenting progress.

**Background Information:**

In February 2020, the County purchased the former Baypointe Golf Course. The site encompasses 40.1275 acres and is located on Commodore Drive in Seminole. On January 12, 2021, the County adopted Resolution 21-2 designating the former Baypointe Golf Course as a Brownfield site. Through site rehabilitation, the County can preserve greenspace and assist with regional water quality goals.

Section 9 of the Agreement regarding Indemnification has been revised. FDEP has modified this provision to provide that each party is liable for its own negligence. Per Resolution 06-70, the County generally does not indemnify other parties.

**Fiscal Impact:**

The Brownfield VCTC incentive provides up to 50% of the cost of site assessment and rehabilitation. This equates to a maximum amount of \$500,000.00 annually in the form of corporate tax credits, which can be sold to eligible corporate entities. Sampling, testing, and rehabilitation of the site are budgeted in the Fiscal Year (FY) 2022-2027 Capital Improvement Plan in the FY 2022 Proposed Budget within the Capital Projects Fund, project 003435A Baypointe Stormwater Conservation Area.

**Staff Member Responsible:**

Kelli Hammer Levy, Director, Public Works

**Partners:**

FDEP

**Attachments:**

Agreement  
Resolution 21-2  
Project Location Map  
Resolution 06-70