

1 Introduced by the Council President at the request of the Office
2 General Counsel:
3
4

5 **ORDINANCE 2025-320-E**

6 AN ORDINANCE REGARDING THE ASSIGNMENT AND
7 ASSUMPTION OF, AND FIRST AMENDMENT TO,
8 REMEDIATION OF CONTAMINATION AT THE SITE OF A
9 BROWNFIELD SITE REHABILITATION AGREEMENT
10 PURSUANT TO SECTION 376.80(5), FLORIDA STATUTES,
11 FOR THE FORMER MANUFACTURED GAS PLANT OPERATED
12 IN AND AROUND WHAT IS NOW SPRINGFIELD PARK;
13 APPROVING EXECUTION OF THE ASSIGNMENT AND
14 ASSUMPTION OF, AND FIRST AMENDMENT TO BROWNFIELD
15 SITE REHABILITATION AGREEMENT AND ASSOCIATED
16 AGREEMENT AND RELEASES; AUTHORIZING THE MAYOR
17 AND HER DESIGNEES TO TAKE ALL FURTHER ACTIONS TO
18 PERFORM THE CITY'S OBLIGATIONS PURSUANT TO THIS
19 ORDINANCE; PROVIDING FOR CITY OVERSIGHT BY THE
20 SOLID WASTE DIVISION; PROVIDING AN EFFECTIVE
21 DATE.
22

23 **WHEREAS,** over 100 years ago, there was a private manufactured
24 gas plant ("MGP") located and operating on private property adjacent
25 and upgradient to real property presently owned by the City, now
26 known as Springfield Park; and

27 **WHEREAS,** the City discovered in the mid-1990s that, as a result
28 of the operation of the former MGP, various hazardous substances and
29 pollutants generated by the former MGP were deposited on and into
30 soils, sediments, surface water and groundwater at and around
31 Confederate Park and nearby adjacent properties; and

1 **WHEREAS**, in response to the discovery of the contamination,
2 the City was and will be required to incur response costs for
3 remediation under the federal Comprehensive Environmental Response,
4 Compensation and Liability Act of 1980, as amended, 42 U.S.C. sections
5 9601 et seq. ("CERCLA"), specifically including completion of
6 remedial investigation to delineate environmental impacts from the
7 release of the hazardous substances and pollutants from the former
8 MGP and implementation of a remediation program to clean up the
9 contamination; and

10 **WHEREAS**, the Florida Department of Environmental Protection
11 ("FDEP") is the administrative agency of the State of Florida having
12 the power and duty to protect Florida's environment and to administer
13 and enforce several environmental statutes and rules intended to
14 address environmental contamination remediation issues, including
15 those at the former MGP site and for Confederate Park and the impacted
16 adjacent properties; and

17 **WHEREAS**, to address the contamination cleanup, various
18 parties, including, the FDEP, the City, Jacksonville Hospitality
19 Holdings, L. P. ("JHH"), Shoppes of Lakeside, Inc. ("Shoppes") and
20 Southport Financial Real Estate, LLC ("Southport") (the "Brownfield
21 Parties"), entered into extensive and detailed negotiations resulting
22 in a Brownfield Site Rehabilitation Agreement ("BSRA") pursuant to
23 section 376.80(5), Florida Statutes, which was approved per Ordinance
24 2018-542-E; and

25 **WHEREAS**, the JHH and Southpoint intend to assign their rights
26 and responsibilities under the BSRA to Dozier Prestige Worldwide, LLC
27 ("Dozier") and Dozier intends on assuming such rights and
28 responsibilities under the BSRA; and

29 **WHEREAS**, Shoppes intends on assigning their rights and
30 responsibilities under the BSRA to Ollivanders Downtown, LLC
31 ("Ollivanders") and Ollivanders intends on assuming such rights and

responsibilities under the BSRA; and

WHEREAS, it is intended that Continental Holdings, LLC be added to the BSRA; and

WHEREAS, it is the intent to consolidate these modifications into the Assignment and Assumption of, and First Amendment to, Brownfield Site Rehabilitation Agreement; now, therefore,

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Approval of Execution of the Assignment and Assumption of, and First Amendment to, Brownfield Site Rehabilitation Agreement and Agreement and Releases; Authorization to Implement.

There is hereby approved, and the Mayor, or her designee(s), is authorized to execute and implement, for and on behalf of the City, the First Amendment to, Brownfield Site Rehabilitation Agreement and its terms and conditions, in the form attached hereto as **Exhibit 1**, and the associated Agreement and Releases with Ollivanders and Dozier, attached hereto as **Exhibit 2**, and to take, or cause to be taken, for and on behalf of the City, such further action as is necessary to effectuate the purposes of this Ordinance.

Section 2. Oversight Department. The Solid Waste Division shall oversee the First Amendment to, Brownfield Site Rehabilitation Agreement.

Section 3. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Dylan Reingold

GC-#1693359-v1-2025-320-E_Scriv_Corr.docx