

1 Introduced by the Council President at the request of the Mayor:  
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4 **RESOLUTION 2023-740**

5 A RESOLUTION DESIGNATING 1959 KINGS AVENUE (R.E.  
6 082062-0000) AND 0 KINGS AVENUE (R.E. 082112-  
7 0000), JACKSONVILLE, FLORIDA, IN COUNCIL DISTRICT  
8 5, AS A BROWNFIELD AREA FOR ENVIRONMENTAL  
9 REHABILITATION AND ECONOMIC DEVELOPMENT;  
10 PROVIDING FOR NOTIFICATION OF BROWNFIELD SITE  
11 REHABILITATION AGREEMENT; PROVIDING AN EFFECTIVE  
12 DATE.  
13

14 **WHEREAS**, Felker-Sessions Enterprises, LLC ("Felker") owns land  
15 located at 1959 (R.E. 082062-0000) and 0 Kings Avenue (R.E. 082112-  
16 0000), Jacksonville, Florida, in Council District 5, a survey, map  
17 and legal description is attached as **Exhibit 1** (the "Property"); and

18 **WHEREAS**, the Property was previously used by a pest control  
19 company and is impacted by pesticide contamination; and

20 **WHEREAS**, Felker plans to conduct further assessment and  
21 remediation activities on the Property to achieve regulatory site  
22 closure from the Florida Department of Environmental Protection  
23 (FDEP); and

24 **WHEREAS**, Felker is requesting that City Council adopt a  
25 resolution designating the Property a Brownfield Area as authorized  
26 under the Florida Brownfields Redevelopment Act, Sections 376.77 -  
27 376.85, Florida Statutes; and

28 **WHEREAS**, following enactment of a resolution approving the  
29 Brownfield Area designation, Felker will negotiate a Brownfield Site  
30 Rehabilitation Agreement (BSRA) with FDEP; and

31 **WHEREAS**, Felker is pursuing the Brownfield designation and BSRA

1 to benefit from the State of Florida's Voluntary Cleanup Tax Credit  
2 program and cleanup liability protection from the State; and

3 **WHEREAS**, it is the recommendation of the Planning and  
4 Development Department's Community Planning Division and the  
5 Brownfield Redevelopment Program that, having met the criteria  
6 required for Brownfield Area designation, the Brownfield designation  
7 requested by Felker be approved, a copy of the Staff Report is  
8 attached as **Exhibit 2**; and

9 **WHEREAS**, the City has complied with the procedures and has given  
10 proper notice as required by Section 376.80, Florida Statutes; now,  
11 therefore

12 **BE IT RESOLVED** by the Council of the City of Jacksonville:

13 **Section 1. Findings.** The Council, acting as the governing  
14 body of Duval County, finds the preamble hereof to be true and  
15 correct.

16 **Section 2. Designation.** For the purposes of the Florida  
17 Brownfields Redevelopment Act, Sections 376.77 - 376.85, Florida  
18 Statutes, the Property is hereby designated a Brownfield Area. For  
19 the purposes of Jacksonville's Brownfield Program, this area shall  
20 be called the "Kings Avenue Brownfield Area". This designation shall  
21 not, however, render the City of Jacksonville liable: for the cost  
22 of site rehabilitation or source removal, as those terms are defined  
23 in Sections 376.79(17) and (18), Florida Statutes; for other costs  
24 in excess of those attributable to the City as administrator of a  
25 Brownfield Program; or as a property owner, if the City hereafter  
26 acquires any realty within the designated Brownfield Area.

27 **Section 3. Notification and Rehabilitation Agreement.**  
28 Felker will negotiate a Brownfield Site Rehabilitation Agreement with  
29 FDEP and notify the City Brownfield Coordinator when such an agreement  
30 has been reached.

31 **Section 4. Effective Date.** This resolution shall become

1 effective upon signature by the Mayor or upon becoming effective  
2 without the Mayor's signature.

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4 Form Approved:

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6 /s/ Jason R. Teal

7 Office of General Counsel

8 Legislation Prepared By: Jason R. Teal

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