

1 Introduced by the Council President at the request of the Mayor:
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4 **RESOLUTION 2023-739**

5 A RESOLUTION DESIGNATING 7893 HOGAN SETTLEMENT
6 ROAD (R.E. 007618-0000), JACKSONVILLE, FLORIDA,
7 IN COUNCIL DISTRICT 12, AS A BROWNFIELD AREA FOR
8 ENVIRONMENTAL REHABILITATION AND ECONOMIC
9 DEVELOPMENT; PROVIDING FOR NOTIFICATION OF
10 BROWNFIELD SITE REHABILITATION AGREEMENT;
11 PROVIDING AN EFFECTIVE DATE.

12
13 **WHEREAS**, Novu Residential Group, LLC and Novu Normandy
14 Residences, LLC ("Novu") are currently under contract to buy and
15 develop land owned by Connie L. Michener and located at 7893 Hogan
16 Settlement Road (R.E. 007618-0000), Jacksonville, Florida, in Council
17 District 12, a map is attached as **Exhibit 1** (the "Property"); and

18 **WHEREAS**, the Property was previously used as a private solid
19 waste disposal facility and is impacted by solid waste and debris;
20 and

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

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

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

1 **WHEREAS**, Novu is pursuing the Brownfield designation and BSRA
2 to benefit from the State of Florida's Voluntary Cleanup Tax Credit
3 program and cleanup liability protection from the State; and

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

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

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

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

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

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

1 **Section 4. Effective Date.** This resolution shall become
2 effective upon signature by the Mayor or upon becoming effective
3 without the Mayor's signature.

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5 Form Approved:

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7 /s/ Jason R. Teal

8 Office of General Counsel

9 Legislation Prepared By: Jason R. Teal

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