

1 Introduced by the Council President at the request of the Mayor:  
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4 **RESOLUTION 2023-779**

5 A RESOLUTION DESIGNATING 5079 WEST BEAVER STREET  
6 (R.E. 059273-0000), JACKSONVILLE, FLORIDA, IN  
7 COUNCIL DISTRICT 9, 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**, DAS Holdings EBRA, LLC ("DAS Holdings") is the owner  
14 of land located at 5079 West Beaver Street (R.E. 059273-0000),  
15 Jacksonville, Florida, in Council District 9, a map is attached as  
16 **Exhibit 1** (the "Property"); and

17 **WHEREAS**, the Property was previously used as an equipment  
18 retail/service facility, a laydown yard and a diesel truck repair  
19 business and is impacted by petroleum contamination; and

20 **WHEREAS**, DAS Holdings 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**, DAS Holdings 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, DAS Holdings will negotiate a Brownfield  
30 Site Rehabilitation Agreement (BSRA) with FDEP; and

31 **WHEREAS**, DAS Holdings is pursuing the Brownfield designation and

1 BSRA to benefit from the State of Florida's Voluntary Cleanup Tax  
2 Credit 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 DAS Holdings 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 "5079 West Beaver Street Brownfield Area". This  
21 designation shall not, however, render the City of Jacksonville liable  
22 for the cost of site rehabilitation or source removal, as those terms  
23 are defined in Sections 376.79(17) and (18), Florida Statutes; for  
24 other costs in excess of those attributable to the City as  
25 administrator of a Brownfield Program; or as a property owner, if the  
26 City hereafter acquires any realty within the designated Brownfield  
27 Area.

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