RESOLUTION
of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
DESIGNATING CERTAIN LAND WITHIN UNINCORPORATED ORANGE COUNTY AS THE PINE HILLS ROCC (REDEVELOPING ORANGE COUNTY COMMUNITIES) AND AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION, AND ECONOMIC DEVELOPMENT

Resolution No. 2013-14

WHEREAS, Sections 376.77 - 376.85, of the Florida Statutes, as amended, (the "Brownfields Redevelopment Act" or the "Act") authorizes and provides for designation by resolution of certain lands as a "Brownfield Area", and for the corresponding provision of environmental remediation, rehabilitation, and economic development for such areas; and

WHEREAS, the procedures set forth in Section 376.80(1) of the Act, including the notice and public hearing requirements set forth in Sections 125.66 and 125.66(4)(b)(2) and 125.66(4)(b)(3) Florida Statutes, have been complied with.

WHEREAS, on February 28, 2013 and April 23, 2013, public hearings were held near the area to be designated to provide an opportunity for public input on the size of the area, the objective for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents considerations, and other relevant local concerns in accordance with Section 376.80(2)(a), Florida Statutes; and

WHEREAS, the Orange County Board of County Commissioners has considered the criteria set forth in Section 376.80(2)(a), Florida Statutes, namely,

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes, and

WHEREAS, the Orange County Board of County Commissioners wishes to notify the Florida Department of Environmental Protection of its decision to designate a Brownfield Area for remediation, rehabilitation, and economic development for the purposes set forth in the Act; and
BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY, FLORIDA:

Section 1. The recitals and findings set forth in the Preamble to this Resolution are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

Section 2. The area described in Exhibit "A" as the Pine Hills ROCC, attached hereto and incorporated herein by reference, located in the unincorporated area of the County, less any real property for which a property owner within the area depicted in Exhibit "A" requests in writing to have his or her property removed from the designation provided for herein, is hereby designated as the "Pine Hills ROCC (Redeveloping Orange County Communities) at which shall hereafter be known as the "Pine Hills ROCC" and as a Brownfield Area for environmental remediation, rehabilitation, and economic development as set forth in the Act, under the following terms and conditions:

a. The designation of the Brownfield Area by this Resolution does not, by itself, render the Board of County Commissioners responsible for the costs and liabilities associated with site remediation, rehabilitation, economic development, or source removal, as those terms are defined in the Act, unless the Orange County Board of County Commissioners specifically designates itself as a responsible person pursuant to Section 376.80(3), thereof.

b. Nothing in this Resolution shall be deemed to prohibit, limit, or amend the authority and power or the Orange County Board of County Commissioners, otherwise legally available, to designate any other property or properties as a Brownfield Site or Brownfield Area, or to modify, amend, or withdraw the designation as established herein.

Section 3. In accordance with Section 376.80(1), Florida Statutes, the Orange County Board of County Commissioners hereby directs the Orange County Environmental Protection Division to notify the Florida Department of Environmental Protection of Orange County's decision to designate this Brownfield Area for the purposes of remediation, rehabilitation, and
economic development.

Section 4. This Resolution shall become effective APR 23 2013

ADOPTED this ___ day of ___, 2013.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: ____________________________
Teresa Jacobs
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: ____________________________
Deputy Clerk
EXHIBIT A

PROPOSED PINE HILLS ROCC AREA