Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

Agenda Item No. 5(I)

From: Carlos A. Gimenez
County Mayor

Subject: Resolution Designating Land Located at Theoretical NW 90 Ave and 58 Street Brownfield Site

RECOMMENDATON

It is recommended that the Board of County Commissioners ("Board") designate the land located at theoretical NW 90 Ave and 58 Street ("Subject Property") as a brownfield area pursuant to Florida Statutes Section 376.80(2)(a). The entirety of the property is owned by Miami-Dade County (County) and was acquired as part of a plan to support and complement soccer training and development within the County.

SCOPE

The Subject Property that is proposed to be designated as a brownfield is located in Commissioner Jose "Pepe" Diaz' District 12. The proposed area is identified by folio 30-3016-000-0012.

FISCAL IMPACT

There is no fiscal impact. The designation of a property as a brownfield pursuant to Florida Statute 376.80(2)(a) would not obligate the County, as the property owner, to rehabilitate or redevelop the property, but it could serve to provide financial incentives for a private development partner.

TRACK RECORD/MONITOR

Not applicable.

BACKGROUND

The Subject Property (Exhibits A, B and C) is a 47-acre parcel that was part of the over 550-acre 58 Street Landfill property utilized as a municipal and construction landfill until 1987 when it was properly closed. The Environmental Protection Agency (EPA) previously designated the larger site as a Superfund site. A Superfund site is an uncontrolled or abandoned site where hazardous waste is located. The Subject Property was acquired by the Parks, Recreation and Open Spaces Department (PROS) in 2007 and later remediated to applicable landfill closure criteria and made fully developable by the County in 2010. The entire 550-acre area is now classified as an "Archived Superfund Site" which means that the EPA has determined that assessment has been complete and no further remediation is planned. Currently, methane gas and groundwater monitoring is being conducted pursuant to the site's state permit conditions.

The Subject Property was acquired by PROS as part of its larger strategy to address the growth of soccer within the County and to allow for the development of a Miami-Dade Regional Soccer Park. The Regulatory and Economic Resources Department, Business Affairs division, is recommending that the Board designate the Subject Property as a brownfield area because this site is part of the larger 58 Street Landfill property and has been underutilized for the past thirty years.

A brownfield site, as defined in Section 376.79(3) of the Florida Statutes, is real property, where the expansion, redevelopment or reuse of the property may be complicated by actual or perceived environmental contamination. A brownfield area is defined as a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local

government resolution. Brownfields may include all or portions of community development areas, enterprise zones, empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency designated brownfield pilot projects. The goal of the brownfield program is to significantly improve the utilization, general condition, and appearance of these sites. Once a property has been designated as a brownfield by a local government, the property may be eligible for certain state-funded incentives that the County is not typically able to benefit from.

According to the application submitted by the PROS, acting on behalf of the County, there are County plans to solicit for a private development partner to construct a soccer training facility on the 47-acre site. PROS is proposing development of fields, park-related offices, park-related athlete fitness and wellness facilities, and ancillary retail, lodging and parking facilities requiring a total private investment of approximately $25 million. It is expected that over 100 new permanent jobs will be created. While these outcomes are not a condition of the brownfield designation nor are they guaranteed, the private development of County lands and further investment in the construction of supporting facilities, along with the economic return to the County, may be incentivized by the state tax credits made available through this designation.

According to the Florida Statutes, a local government must consider the following when determining whether to designate this area as a brownfield pursuant to Florida Statutes Section 376.80(2)(a):

1. **"Whether the brownfield area warrants economic development and has a reasonable potential for such activities."**

The Subject Property was formerly a part of the County's 58 Street Landfill property. Until its purchase by PROS in 2006, and approval as an elite soccer tournament and training facility through a Governmental Facility Hearing (R-666-12) included as Exhibit D, the property lay vacant and underutilized for the past thirty years. Through advertised private sector industry workshops and meetings in 2013 and 2014, the County has already received expressions of interest from several private development groups interested in establishing a premiere training facility on the Subject Property which demonstrates that it warrants economic development (Exhibit E). The Subject Property has the ability to easily support soccer and other field uses with existing site conditions without adversely impacting adjacent County uses.

2. **"Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage."**

The proposed area to be designated is approximately 47 acres, its boundaries relate to the area intended to be developed, and it represents .003% of the County's land area of approximately 2,431 square miles. This particular site is centrally located among other soccer facilities within Miami-Dade County and provides a location proximate to the extensive team and spectator lodging necessary for this facility to succeed.

3. **"Whether the area has potential to interest the private sector in participating in rehabilitation."**

Several private development firms, along with certain professional soccer teams have already expressed interest in this project. As such, PROS will simultaneously solicit proposals from private industry and seek County approval for this designation. In this way, prior to completing any evaluation and

negotiation of a proposed developer, the County and potential developers can confirm if State tax incentives can be part of the development of the project and how they would factor into any project costs, economic development and revenue return to the County. The ability to receive tax incentives will further attract private sector investment into the site if a private developer's costs associated with the planning, design construction or operation of the site may be reduced.

4. **"Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purposes."**

The Subject Property is already designated for use as recreational open space (Governmental Facility Hearing (R-666-12)), and not located in a community redevelopment area, Empowerment zone, closed military base, or designated brownfield pilot project area. Furthermore, even after using regulatory required engineering controls and landfill monitoring methods, the site is perfectly suited to support field and facility development needed to support the contemplated soccer training facility.

For this proposed brownfield designation pursuant to Florida Statutes Section 376.80(2)(a), the County, as the owner of the property, is not agreeing to rehabilitate or develop the site but rather to competitively solicit for a private partner to develop this location into a premiere soccer and field sport training and development facility.

For the reasons above, the Regulatory and Economic Resources Department is recommending that the Board designate this land as a brownfield area. Additionally, this property has the potential to be rehabilitated and used to create jobs and contribute to the County's general fund tax base.

Jack Osterholt
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 3, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 5(I)

Please note any items checked.

_____	**"3-Day Rule" for committees applicable if raised**
_____	**6 weeks required between first reading and public hearing**
_____	**4 weeks notification to municipal officials required prior to public hearing**
_____	**Decreases revenues or increases expenditures without balancing budget**
_____	**Budget required**
_____	**Statement of fiscal impact required**
_____	**Ordinance creating a new board requires detailed County Mayor's report for public hearing**
✓	**No committee review**
_____	**Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**
_____	**Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved_____ Mayor
Veto _____
Override _____

Agenda Item No. 5(I)
6-3-14

RESOLUTION NO. _____

RESOLUTION DESIGNATING REAL PROPERTY LOCATED AT THEORECTICAL NW 90 AVENUE AND 58 STREET, MIAMI-DADE COUNTY, FLORIDA 33155, AND ALSO IDENTIFIED BY FOLIO NUMBER 30-3016-000-0012, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(a) OF THE FLORIDA STATUTES AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, brownfield sites are defined as sites that are generally underutilized, idled, and abandoned industrial or commercial property where use, expansion, or redevelopment may be curtailed by perceived or actual conditions, including but not limited to environmental contamination; and

WHEREAS, Sections 376.77-376.84, Florida Statutes, hereinafter referred to as the "Brownfield Redevelopment Act," provide for the designation by resolution of certain commercial and industrial areas or sites as brownfield areas or sites for the purpose of encouraging rehabilitation and economic development or environmental remediation; and

WHEREAS, with respect to the real property located at theoretical NW 90 Avenue and 58 Street in Miami-Dade County, and also identified by Folio Number 30-3019-000-0012 and shown in Exhibits "B" and "C", the Board of County Commissioners has considered the following factors set forth in Section 376.80 (2)(a), Florida Statues:

- Whether the proposed brownfield area warrants economic development and has reasonable potential for such activities;

- Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographical area;
- Whether the area has potential to interest the private sector in participating and rehabilitation; and
- Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural or historical preservation purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. That the recitals and findings set forth above are true and are hereby incorporated by reference.

Section 2. That the area shown in Exhibit "B" and "C" attached hereto and incorporated herein by reference, is hereby designated as a Brownfield Area for rehabilitation, economic development, and environmental remediation in accordance with the intent of the Brownfield Redevelopment Act. However, such designation shall not render Miami-Dade County liable for the costs of site rehabilitation or source removal, as those terms are defined in Section 376.79, (17) and (18), Florida Statutes, or for any other costs above and beyond those costs attributable to Miami-Dade County's role in designating the property depicted in Exhibits "B" and "C" as a Brownfield Area.

Section 3. That the area shown in Exhibit "B" shall be formally referred to as the "Miami-Dade Regional Soccer Park Brownfield Redevelopment Area."

Section 4. If any section, clause, phrase, word or provision is declared invalid by a court of competent jurisdiction, such portions shall be deemed a separate and distinct provision, and such a declaration shall not affect the validity of the remaining portions of the Resolution.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Abbie Schwaderer-Raurell

Exhibit A
Location Map

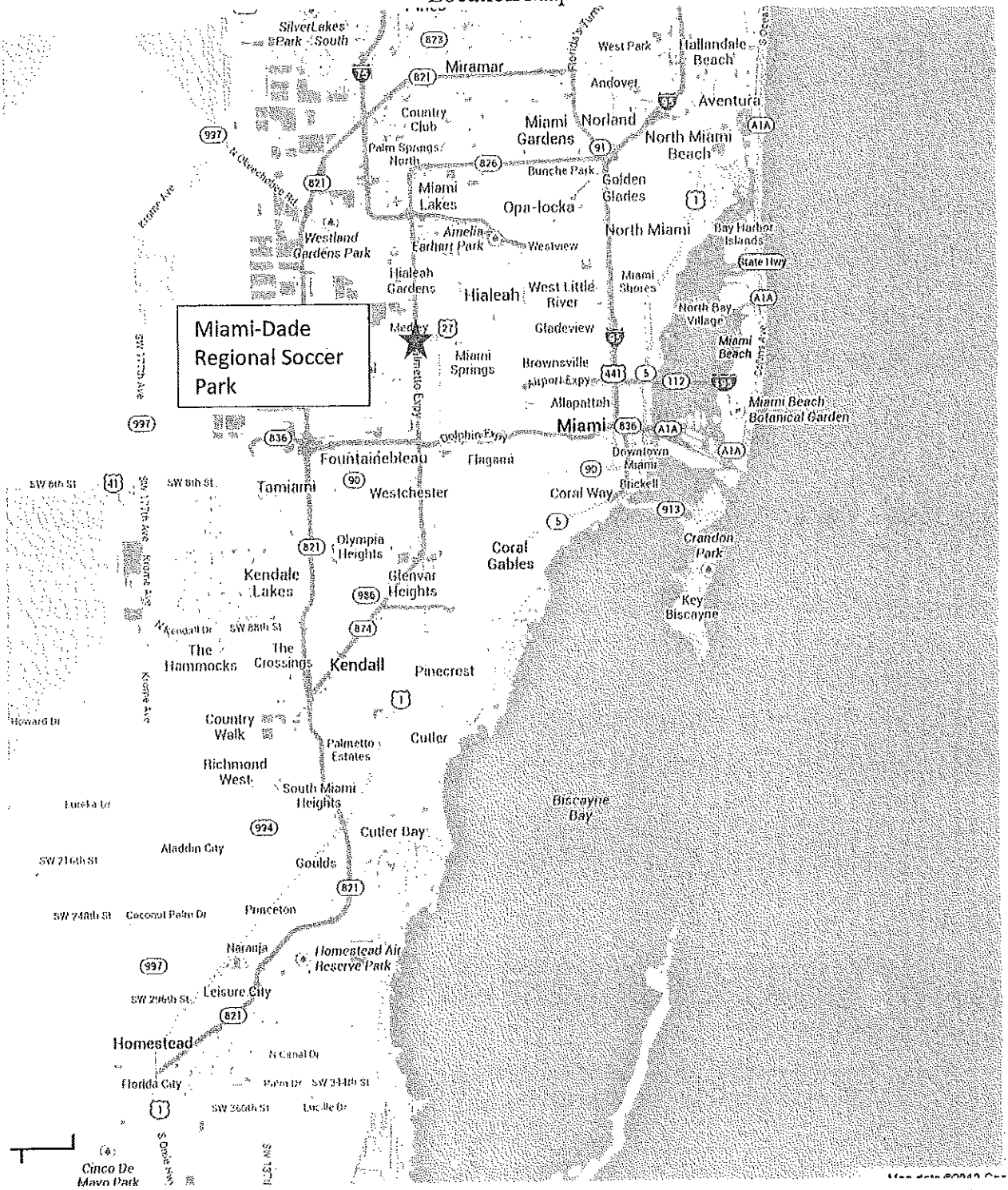

Exhibit B
Site Location

Exhibit C

Miami-Dade Regional Soccer Park Legal Description

All that lot, piece or parcel of land situate, lying and being in Section 16, Township 53 South, Range 40 East, Miami-Dade County, Florida, the same being more particularly described by metes and bounds as follows, viz.:

Commence at the south ¼ corner of said Section 16; thence N01°45'13"W along the west line of the southeast ¼ of said Section 16 for 659.80 feet to the northwest corner of the southwest ¼ of the southwest ¼ of the southeast ¼ of said Section 16, this also being the point of beginning of the hereinafter described parcel of land; from said point of beginning, thence continue N01°45'13"W along said west line of the southeast ¼ of Section 16 for 989.69 feet to a point of intersection with the north line of the Florida Power & Light Company right of way area as described in that certain right of way agreement as recorded January 24, 1964 in official records book 3992 at page 60 of the public records of Dade County (now Miami-Dade County), Florida (hereinafter, "The Right of Way Agreement"); thence N 89°32'37"E along said north line of the land described in the right of way agreement for 2605.05 feet to a point of intersection with a line lying 40 feet westerly of, as measured at right angles to and parallel with the east line of said southeast ¼ of Section 16, this also being the west right of way line of N.W. 87th Avenue; thence S01°45'42"E along said parallel line and the west right of way line of N.W. 87th Avenue for 365.09 feet; thence departing said parallel line and the west right of way line of N.W. 87th Avenue, S891°32'37"W for 555.87 feet; thence S01°51'09"E for 146.88 feet; thence S88°31'21"W for 794.29 feet; thence S01°03'45"W for 239.86 feet to a point of non-tangent intersection with the arc of a circular curve concave to the southwest, with said point of non-tangent intersection bearing N19°57'21"E from the center of said curve; thence northwesterly along the arc of said curve, having a radius of 244.00 feet and a central angle of 18°53'36" for 80.46 feet to the point of tangency; thence N88°56'15"W for 10.96 feet; thence S01°03'45"W for 63.62 feet; thence S89°57'34"W for 80.27 feet; thence S00°11'14"E for 795.50 feet to a point of intersection with a line lying 40 feet northerly of, as measured at right angle to and parallel with the south line of said southeast ¼ of Section 16, this also being the north right of way line of N.W. 58th Street; thence S89°31'31"W along said parallel line and the north right of way line of N.W. 58th Street for 387.51 feet to the southeast corner of the South Florida Water Management District (formerly the Central and Southern Florida Flood Control District) property as described in that certain fee simple deed from the Board of County Commissioners of Dade County, Florida to the Central and Southern Flood Control District as recorded May 4, 1964 in official records book 4124 at page 310 of the public records of Dade County (now Miami-Dade County), Florida (hereinafter, "The South Florida Water Management District Property"); thence N01°45'21"W along the east line of the southwest ¼ of the southwest ¼ of the southeast ¼ of said Section 16 and the east line of said South Florida Water Management District Property for 619.70 feet to the northeast corner of said southwest ¼ of the southwest ¼ of the southeast ¼ of Section 16 and the northeast corner of said South Florida Water Management District Property; thence S89°31'57"W along the north line of said southwest ¼ of the southwest ¼ of the southeast ¼ of Section 16 and the north line of said South Florida Water Management District Property for 661.30 feet to the northwest corner of said southwest ¼ of the southwest ¼ of the southeast ¼ of Section 16, the northwest corner of said South Florida Water Management District Property and the point of beginning.

Exhibit D
Site Development Plan

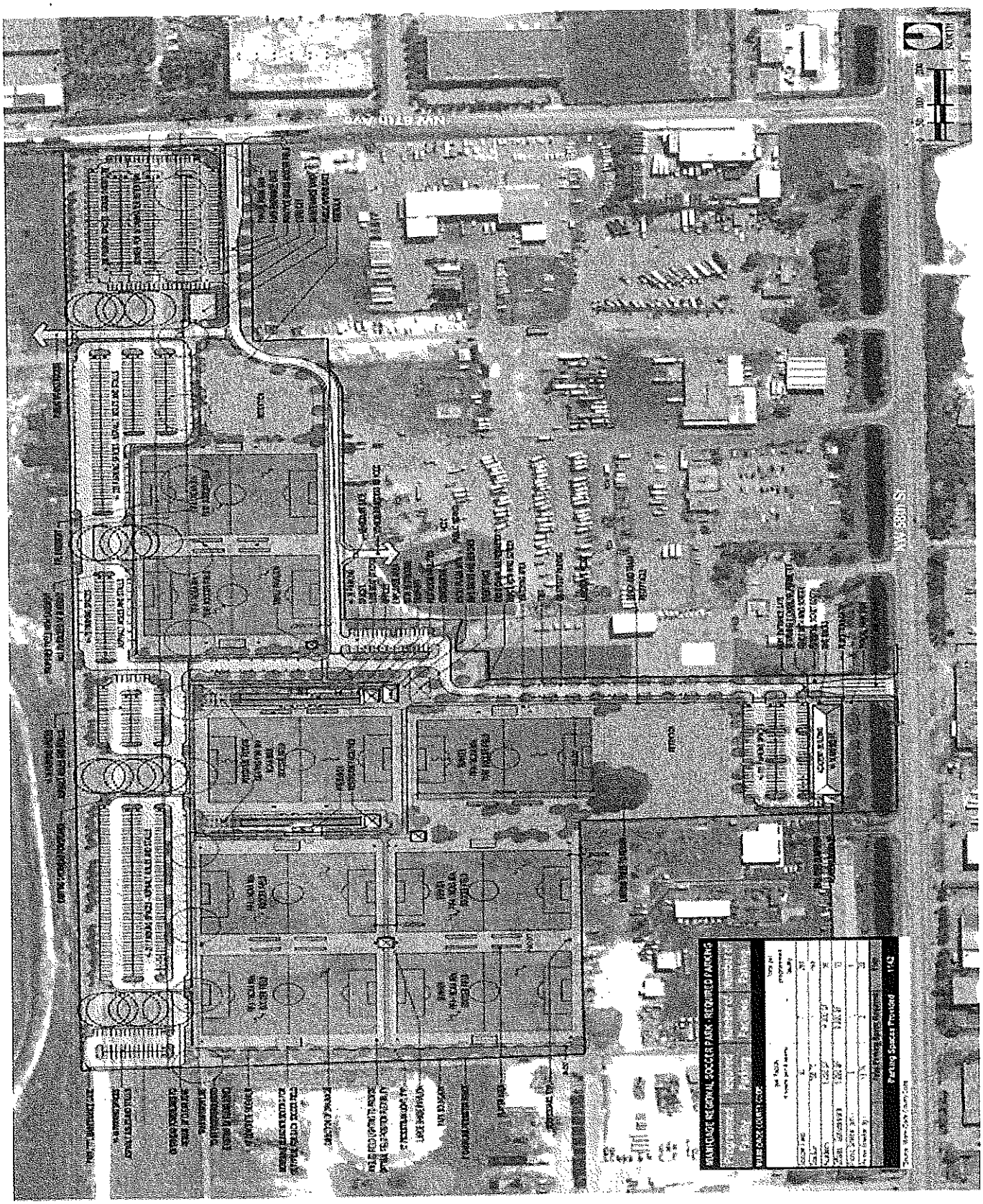

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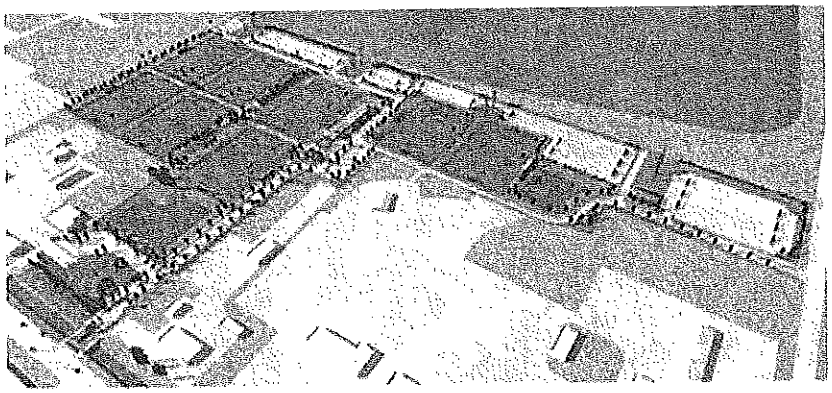
Exhibit E
Development Advertisement (Sample)

INDUSTRY DAY MEETING
47 ACRE SOCCER TRAINING PARK

DEVELOPMENT AND OPERATION OF NATIONAL AND INTERNATIONAL CALIBER PROFESSIONAL SOCCER TRAINING PARK

9000 NW 58 Street, Miami, Florida, 33178

Miami-Dade County will hold an Industry Day workshop for potential proposers to discuss with County representatives, the draft scope of services for the development, management and operation of the Miami-Dade Regional Soccer Park. The County is seeking information and ideas from industry providers to best achieve a turn-key Soccer Park without further contribution from the County, while adhering to the approved Regional Soccer Park General Plan (R-666-12). The facility is designed to create a public soccer park supporting state, national and international caliber training and tournaments. Miami-Dade County invites one or more potential proposers to discuss their interest in developing and operating one or all proposed facilities within the Park.



In accordance with existing County development approvals, facilities include:

* 7 FIFA size tournament soccer fields
* 1 - 3,000 seat FIFA size stadium field
* 100+ bed Athlete lodging hotel
* 60,000+/- Sq. Ft. of additional Training, Fitness, Retail, Concessions, Administrative facilities
* On-site and off-site parking

All related information on the project is available for download/review under the title "Soccer Park" at http://www.miamidade.gov/DPMww/FutureSolicitations.aspx

Information obtained at the meeting will be used to complete a Request for Proposal (RFP) solicitation. The County anticipates that the RFP will be released during or after the last week of February, 2014.

THE INDUSTRY DAY MEETING WILL BE HELD ON:

Wednesday, January 29th, 2014 at 1:00PM
Stephen P. Clark Center, 111 NW 1st Street, Miami FL 33128, 18th Floor, Conference Room 18-4

COUNTY CONTACT:

Kristina Guillen, Procurement Contracting Officer
Internal Services Department, Division of Procurement Management Services
111 NW 1st Street, Suite 1300, Miami FL 33128

Email: kguille@miamidade.gov

If you require a sign language interpreter or materials in accessible format for this event, please call the ADA Coordinator at (305) 375-1530 at least five days in advance.