



DRAFT AGENDA

MONDAY, APRIL 26, 2021

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

1 Oakwood Boulevard, Suite 250

Hollywood, FL 33020

Phone: 954-924-3653

Council Meeting will begin at 10:30 a.m.

VIRTUAL / PHYSICAL MEETING

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/606799021>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

Access Code: 606-799-021

I. Pledge of Allegiance and Roll Call

II. Approval Council Agenda

III. Presentation (Time Certain: 11:45 a.m.)

**“American Rescue Plan – Local Government Opportunities” – José Alfaro, Jr., Director, KMPG
Advisory Services**

IV. Action Items

A. Minutes of Previous Meeting

B. Financial Report

C. Consent: Comprehensive Plan Amendment Reviews

Proposed

- Broward County 21-01ESR
- Broward County 21-02ESR



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
www.sfrpc.org; sfadmin@sfrpc.com

- City of Hollywood 21-01ESR
- City of Lauderhill 21-01ESR
- City of Miramar 21-01ESR
- Town of Southwest Ranches 21-01ESR
- City of Sunny Isles Beach 21-01ESR
- City of Weston 21-01ESR

Adopted

- Broward County 20-05ESR
- Broward County 20-08ESR
- City of Homestead 20-01ESR
- City of Key West 20-01ACSC
- City of Key West 20-02ACSC
- Village of North Bay Village 20-01ESR
- City of North Miami Beach 20-01ESR
- City of North Miami Beach 20-02ESR
- City of Pembroke Pines 20-01ESR
- City of Pembroke Pines 20-02ESR
- Town of Southwest Ranches 20-01ESR
- Town of Southwest Ranches 20-02ESR
- Town of Southwest Ranches 20-03ESR
- Town of Southwest Ranches 20-04ESR
- City of Wilton Manors 20-01ESR

- D. Regional Issues: Comprehensive Plan Amendment Review - None
- E. Finance Committee / Auditor Selection & Oversight Committee
- F. Statement of Organization Review and Update
- G. Resolution TCSF #21-01 – Central and Southern Florida Flood Resiliency Planning Study

Public Comments

V. Discussion Items

- A. Executive Director’s Report
- B. Legal Counsel Report
- C. Councilmembers Report
- D. Ex-Officio Report

VI. Program Reports and Activities

- A. SFRPC Revolving Loan Funds Status Report
- B. SFRPC CARES Act RLF Status Report
- C. Development of Regional Impact Status Report-None

VII. Announcements and Attachments

- A. Attendance Form
- B. Correspondence and Articles

C. Upcoming Meetings

- 1) Monday, May 24, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)
- 2) Monday, June 24, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)
- 3) Monday, July 26, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)

VIII. Adjournment

Pursuant to Chapter 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Agency at least 5 days before the hearing by contacting the South Florida Regional Planning Council at one of the following: (1) One Oakwood Boulevard, Suite 250, Hollywood, Florida 33020; (2) Phone 954-924-3653; (3) Fax 954-924-3654; or (4) sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1 (800) 955-8771 (TTY/VCO), 1 (800) 955-8770 (Voice), 1 (800) 955-8773 (Spanish).

Agenda packets for upcoming Council meetings will be available at the Council's website, <http://sfrpc.org/resources/agenda/> ten days prior to the meeting.

If you would like to be added to the e-mail list to receive the link to the agenda, please e-mail the Council at sfadmin@sfrpc.com.



Special Guest

José Alfaro, Jr.
Advisory Senior Associate
Risk Consulting, KPMG

American Rescue Plan ***~ Local Government Opportunities ~***



Mr. Alfaro is a Director in KPMG's Advisory Services practice based in Tallahassee, Florida with more than ten years of experience in governmental and regulatory compliance consulting. Jose assists management teams of state and local governments navigate complex regulatory environments to achieve efficiency and compliance with federal, state, and other regulations.

Jose has served as a team lead with responsibility for planning and executing multi-faceted regulatory compliance consulting projects and has more than seven years of experience working with federal grant programs including programs administered by the United States Departments of Energy, Treasury, Transportation, Labor, Housing and Urban Development, National Aeronautics and Space Administration, Centers for Medicare and Medicaid Services, and the Federal Emergency Management Agency.

Before KPMG, Jose served Florida CFOs Alex Sink and Jeff Atwater in preparation of the state's Comprehensive Annual Financial Report. He later joined the Bureau of Financial Monitoring and Accountability at the Department of Economic Opportunity (DEO) to help with monitoring the state's allocation of US Department of Labor funds for reemployment assistance. Presently, Jose serves as lead Director with responsibility for planning and performing CDBG-DR project management assistance for DEO's management of HUD funds for Hurricane Michael reconstruction.

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

February 22, 2021

The South Florida Regional Planning Council met virtually and in-person on this date. Chair Geller welcomed those in attendance, virtually, and on the phone. He called the meeting to order at 10:30 a.m. and led the Pledge of Allegiance. He reminded everyone of the meeting's procedures.

Councilmember Mario J. Bailey
Councilmember Michelle Coldiron (virtually present)
Councilmember Joseph Corradino (absent)
Councilmember Beam Furr
Councilmember René Garcia (virtually present)
Chair Steve Geller
Councilmember Oliver Gilbert, III (absent)
Councilmember Cary Goldberg (virtually present)
Councilmember Samuel Kaufman (virtually present)
Councilmember Jordan Leonard (virtually present)
Councilmember Eddie Martínez
Councilmember Jean Monestime (absent)
Councilmember Greg Ross
Councilmember Michael Udine (virtually present)
Councilmember Ana M. Ziade (absent)

Isabel Cosio Carballo, SFRPC Executive Director, and Sam Goren, Legal Counsel, were present.

The following Ex-Officio Members were virtually present:

Laura Corry, representing the South Florida Water Management District
Dat Huynh, representing the Florida Department of Transportation, District VI

The following Ex-Officio Member was absent:

Jason Andreotta, representing the Florida Department of Environmental Protection

Legal Counsel, Sam Goren announced that there was a legal quorum present.

Chair Geller introduced the new Councilmembers, Commissioner Eddie Martínez from Monroe County, Senator/Commissioner René Garcia from Miami-Dade County represented by Iraida Mendez-Cartaya, and Vice Chair/Commissioner Oliver Gilbert, III of Miami-Dade County. Chair Geller passed the gavel to Councilmember Bailey. Chair Bailey asked Commissioner Martínez to introduce himself. Commissioner Martínez gave a brief synopsis of his personal background and announced that he is happy to be part of the SFRPC.

II. Approval of Council Agenda

Councilmember Geller moved to approve the Council Agenda. Councilmember Ross seconded the motion, which carried by a unanimous vote.

Chair Bailey announced that the presentation will be at 11:45 a.m.

III. Presentation (Time Certain: 11:45 a.m.)

FPL - Delivering the Best Value Through Investments and Innovation

Special Guests: Juliet Murphy Roulhac, Regional Director for Corporate External Affairs and Irene R. White, Senior Director, Miami-Dade External Affairs

IV. Action Items

A. Minutes of Previous Meeting

Councilmember Geller moved to approve the Minutes of the Previous Meeting. Councilmember Ross seconded the motion, which carried by a unanimous vote.

Mr. Goren explained the roll call process for agenda items, public rights, etc.

B. Financial Report

Finance Manager, Leo Braslavsky Soldi explained the Financial Report in detail.

Councilmember Ross moved to approve Agenda Item IV.B Financial Report. Councilmember Martínez seconded the motion, which was carried by a unanimous vote.

Public Comments

There were no comments or questions from the public via email or virtually.

Mr. Goren read the Comprehensive Plan Amendment Reviews, Proposed and Adopted.

C. Consent: Comprehensive Plan Amendment Reviews

Proposed

- Monroe County 21-01ACSC
- Monroe County 21-02ACSC
- Monroe County 21-03ACSC
- City of Marathon 21-01ACSC
- City of Wilton Manors 20-01ESR

Adopted

- Broward County 20-06ESR
- Town of Davie 20-02ESR
- City of Miami Beach 20-02ESR
- City of Miami Beach 20-03ESR
- City of Miami Beach 20-04ESR
- City of Miami Beach 20-05ESR
- City of Miramar 20-02ESR
- City of Oakland Park 20-02ESR
- City of Parkland 20-02ESR
- Village of Sea Ranch Lakes 20-01ER
- City of Sweetwater 20-01ESR

Public Comment

There were no comments or questions from the public via email or virtually.

Councilmember Geller moved to approve Agenda Item IV.C Consent: Comprehensive Plan Amendment Review, Proposed and Adopted. Councilmember Ross seconded the motion, which carried by a unanimous vote. Roll was called.

D. Regional Issues: Comprehensive Plan Amendment Review - None

E. Resolution 21-02 Release Federal Interest in the EDA SFRPC Revolving Loan Fund

Mrs. Cosio Carballo explained the background on the Revolving Loan Fund (RLF) and the federal legislation defederalizing legacy RLF Programs.

Public Comment

There were no comments or questions from the public via email or virtually.

Councilmember Ross moved to approve Agenda Item IV.E. Resolution 21-02 Release Federal Interest in the EDA SFRPC Revolving Loan Fund. Councilmember Geller seconded the motion, which carried by a unanimous vote. Roll was called.

F. SFRPC Revolving Loan Fund Board Membership

Mrs. Cosio Carballo updated the Councilmembers on the RLF Board Membership. Attached to the Agenda Item are the present RLF Board Members and Board information. She explained that Councilmember Asseff has served as Chair of the RLF Board for many years prior to her recent retirement. There are currently two vacancies on the RLF Board. Councilmember Kaufman and Councilmember Goldberg indicated that they are willing to serve on the RLF Board. Councilmember Kaufman will represent the Council in the “SFRPC” slot, and Councilmember Goldberg will serve in the “at large” slot. Mrs. Cosio Carballo thanked them for the interest and requested the RLF Board be ratified by the SFRPC Councilmembers. The Council then ratified the complete membership of the RLF Board.

Public Comment

There were no comments or questions from the public via email or virtually.

Councilmember Furr moved to approve Agenda Item IV.F. SFRPC Revolving Loan Fund Board Membership and the ratification of the RLF Board. Councilmember Ross seconded the motion, which carried by a unanimous vote. Roll was called.

G. Executive Director Spending Authority

Chair Bailey commented on the research performed by Mrs. Cosio Carballo in collecting information from the other RPCs’ spending authorities. Mrs. Cosio Carballo summarized past discussions on the spending authority along with the poll taken from the other RPCs. She consulted with Chair Geller and Legal Counsel and it was suggested that \$20,000 was an appropriate amount to request.

Public Comment

There were no comments or questions from the public via email or virtually.

Councilmember Geller moved to approve Agenda Item IV.G Executive Director Spending Authority. Councilmember Martínez seconded the motion, which carried by a unanimous vote. Roll was called.

H. Statement of Organization Review and Update

Chair Bailey questioned Mr. Goren if this Agenda Item was time sensitive. Mr. Goren stated that the Statement of Organization was adopted in January 2020 with significant modifications. He explained the changes, rules, and guidelines used for the modification and adoption in January 2020 on how the SFRPC now operates. The modifications to the Statement of Organization had been made according to suggestions from the Executive Director, Legal Counsel, and Senator Geller to reflect current practice. The review and update does not have to happen today but does require the Council's decision to update the document. Chair Bailey requested that this item be deferred to the next meeting so that there is additional time for review by a Statement of Organization Committee and Council Members. Mr. Goren explained the modifications in this document in detail.

Public Comments

There were no comments or questions from the public via email or virtually.

Councilmember Geller motioned to defer Agenda Item IV.H. Statement of Organization to the following meeting in April. Councilmember Ross seconded the motion, which carried by a unanimous vote. Roll was called.

V. Discussion Items

A. Executive Director's Report

Mrs. Cosio Carballo updated the Board on SB 62 and thanked everyone for their cooperation in sharing this information. She explained that this Bill will eliminate the RPCs from Florida Statute and updated the Councilmembers on the SB 62 status. She thanked Chair Bailey, who testified in support of the RPCs. The next SFRPC / TCRPC Joint Meeting will be held on Friday, March 19, 2021. The TCRPC is the lead organizer of the meeting although the TCRPC / SFRPC work jointly on all items. Executive Director Tom Lanahan has requested an entirely virtual meeting. Under this scenario, due to updated physical quorum requirements, the Meeting will need to be considered a Workshop where there will be no votes.

Councilmember Geller motioned that the TCSF RPC Joint Meeting be called a Workshop. Councilmember Ross seconded the motion, which carried by a unanimous vote. Roll was called.

B. Legal Counsel Report

Mr. Goren updated the Council on hybrid City Commission/Council Meetings, School Board Meetings, Governors Executive Order 20-39, physical quorum requirements, and opinions regarding these requirements. There was discussion on the various meeting forums.

C. Councilmembers Report

Chair Bailey requested that the Councilmembers attend the Joint Meeting in March. He invited Secretary Eagle, Executive Director of the Department of Economic Opportunity, to speak. Councilmember Geller provided an update on Broward County's Affordable Housing and eviction information, through the CARES Act Funding. Copies of the document will be forwarded once it is finalized. Chair Bailey informed the Council that some municipalities have direct allocations. Councilmember Coldiron gave an update on the status of the CARE Funds received by Monroe County and the percentage distributed for rental assistance.

D. Ex-Officio Reports

Laura Corry, SFWMD Representative, announced future SFWMD meeting dates. Dat Huynh, FDOT VI Representative, announced that Stacy Miller was chosen to be the new District VI, Secretary. He summarized her professional background.

VI. Program Reports and Activities

A. SFRPC Revolving Loan Funds Status Report

Jeff Tart, Senior Loan Officer, thanked the newly appointed RLF Board Members, Councilmember Kaufman and Councilmember Goldberg. He updated the Councilmembers on the new loans and performance of the traditional RLF in detail. He also thanked the Councilmembers for passing the defederalization of the RLF.

B. SFRPC CARES Act RLF Status Report

Mr. Tart stated that the CARES Act RLF continues to exceed the Council's expectations. He explained the amount that has been loaned in Monroe, Miami-Dade, Broward, and some of Palm Beach counties. He appreciates the referrals from the Councilmembers. The RLF website has been updated and invited the Councilmembers to look at it.

C. Development of Regional Impact Status Report – None

Public Comments – None

VII. Announcements and Attachments

A. Attendance Form

Mrs. Cosio Carballo explained the importance of timely confirmation to SFRPC staff of Councilmembers' attendance or absenteeism, and the need to have five (5) Councilmembers attending in person in order to proceed with a Council Meeting. She thanked the Councilmembers for their participation and their many contributions to the success of the SFRPC.

B. Correspondence and Articles

C. Upcoming Meetings

- 1) Monday, May 24, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)
- 2) Monday, June 28, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)
- 3) Monday, July 26, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)

Chair Bailey announced that the next meeting will be Joint Meeting on March 19, 2021 and hopes all the Councilmembers can attend.

III. Guest Presentations:

FPL - Delivering the Best Value Through Investments and Innovation

Special Guests: Juliet Murphy Roulhac, Regional Director for Corporate External Affairs and Irene R. White, Senior Director, Miami-Dade External Affairs

Chair Bailey introduced Ms. Roulhac and Ms. White and thanked them for their time to present today. Mrs. Cosio Carballo welcomed them and noted that Ms. Roulhac’s mother Vivienne Murphy had worked at the SFRPC in Finance for many years.

Ms. Roulhac stated that she has a great affinity for the SFRPC since her Mother had worked there for over 20 years. She understands and knows the value of the SFRPC work.

Ms. Roulhac stated that she and her colleague Irene White are pleased to present today on FPL’s many innovations and investments to ensure that FPL will continue providing excellent service to their customers. She recognized and thanked Mayor Geller for his role on the Council and County. Information was presented on the parent company, NextEra Energy in detail. It is headquartered in Florida, with operations or development projects in 48 states. NextEra Energy is the world’s largest generator of renewable energy from the wind and the sun, and world leader in battery restorage. Gulf Power was acquired by NextEra Energy and will be merging with FPL, who will now serve customers from Miami to Pensacola. Investments in clean energy and sustainability was described, including the future installation of solar panels. Florida will then be #2 in solar generation in the country. FPL is also building the world’s largest solar powered battery to fill the gap for solar energy when the sun is not shining. Green hydrogen technology is also being explored and FPL will lead with the launch of the first pilot program in the country. Ongoing and planned investments and upgrades of the energy grid, power line locations, transmission structures, and pole inspections/replacements were detailed. She discussed the challenges of upgrading structures, including permitting, and discussed undergrounding power lines and cost. Ms. Roulhac explained the upgraded and innovative technology used: smart meters, intelligent devices, diagnostic centers, drones, and substation robots. She shared information on the FPL’s Office of Economic Development that responded to the Great Recession in mid-2000. Their commitment to helping businesses stay competitive has moved the economy forward, created job opportunities, created an innovation hub, college workforce development program, and more. She thanked the Councilmembers for their support. Ms. White greeted the Board and thanked them for the opportunity to meet with them today. Chair Bailey asked who Council Members can contact for additional information about FPL related issues. Ms. Roulhac responded accordingly and stated that she would follow up with Ms. Cosio Carballo on contact information to be shared with the Councilmembers. Chair Bailey thanked Ms. Roulhac and Ms. White for their presentation.

VIII. Adjournment

The meeting was adjourned at 11:55 a.m.

This signature is to attest that the undersigned is the Secretary of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL, and that the information provided herein is the true and correct minutes for the February 22, 2021 Meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 26th day of April 2021.

Jordan Leonard, Secretary

Date



MEMORANDUM

AGENDA ITEM #IV.B.2

DATE: APRIL 26, 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: FINANCIAL REPORT

Attached is a Financial Report comparing the months of January 2020 through March 2021 for your review and approval.

Recommendation

Approve the Financial Report.



South Florida Regional Planning Council
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**SOUTH FLORIDA REGIONAL PLANNING COUNCIL
COMPARATIVE BALANCE SHEET**

March 31, 2021

(unaudited)

	Jan-21	Feb-21	Mar-21	Last month's Increase (Decrease)
<u>General Fund</u>				
Assets:				
Cash	1,312,741	1,355,608	1,365,391	9,783
SBA- Investment Account	11,180	11,182	11,182	-
Accounts Receivable	13,244	12,002	8,107	(3,895)
Due from Fed, State & Local Projects	425,805	341,399	62,453	(278,946)
Prepaid Expenses/Deposits	15,477	15,477	15,477	-
Total Assets	1,778,448	1,735,667	1,462,610	(273,058)
Liabilities and Fund Balance:				
Liabilities	58,554	57,604	66,047	8,443
Fund Balance	1,719,894	1,678,063	1,396,563	(281,501)
Total Liabilities and Fund Balance	1,778,448	1,735,667	1,462,610	(273,058)
<u>Federal, State, and Local Projects</u>				
Assets:				
Accounts Receivable	69,067	26,245	19,624	(6,621)
Total Assets	69,067	26,245	19,624	(6,621)
Liabilities and Fund Balance:				
Liabilities	16,838	16,838	16,838	-
Due to General Fund	425,805	341,399	62,453	(278,946)
Fund Balance	(373,576)	(331,991)	(59,667)	272,325
Total Liabilities and Fund Balance	69,067	26,245	19,624	(6,621)
<u>Revolving Loan Funds</u>				
Assets:				
Cash and Money Market	4,364,914	4,662,125	4,572,298	(89,827)
Receivables	5,359,445	5,367,836	5,487,158	119,322
Allowance for Loan Losses	(1,227,437)	(1,227,437)	(1,559,126)	(331,689)
Total Assets	8,496,922	8,802,525	8,500,330	(302,194)
Liabilities and Fund Balance:				
Liabilities	769,908	815,607	842,048	26,441
Fund Balance	7,727,014	7,986,918	7,658,282	(328,635)
Total Liabilities and Fund Balance	8,496,922	8,802,525	8,500,330	(302,194)
<u>Southeast Florida Regional Prosperity Institute</u>				
Assets:				
Cash and Money Market	42,401	42,401	41,251	(1,150)
Receivables	-	-	-	-
Total Assets	42,401	42,401	41,251	(1,150)
Liabilities and Fund Balance:				
Liabilities	37,079	37,079	37,079	-
Fund Balance	5,322	5,322	4,172	(1,150)
Total Liabilities and Fund Balance	42,401	42,401	41,251	(1,150)

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

March 31, 2021

(unaudited)

<u>Description</u>	<u>Jan-21</u>	<u>Feb-21</u>	<u>Mar-21</u>	<u>Fiscal Year to Date</u>	<u>% Realized</u>	<u>Annual Budget</u>	<u>% of Budget</u>	<u>Remaining Budget</u>
<u>REVENUE REPORT</u>								
Membership Fees	\$ -	\$ -	\$ -	\$ 864,323	100%	\$ 864,323	33%	\$ -
Interest & Other Income	109	93	105	627	14%	4,500	0%	3,873
Local Funded Projects	26,045	26,297	2,826	98,674	45%	221,700	8%	123,026
Federal Funded Projects	24,080	93,062	119,082	380,317	42%	907,313	35%	526,996
State Funded Projects	19,667	1,211	10,300	61,145	74%	83,027	3%	21,882
Trust Funds	31,476	27,869	23,929	173,263	32%	545,700	21%	372,437
TOTAL Revenues	101,377	148,531	156,242	1,578,349	60%	2,626,563	100%	1,048,214
<u>EXPENSE REPORT</u>								
<u>Operating Expenses</u>								
Staff Compensation	\$ 120,807	\$ 98,742	\$ 105,555	\$ 712,615	55%	\$ 1,292,861	49%	\$ 580,246
Occupancy Cost	7,853	7,853	7,853	47,119	52%	91,200	3%	44,081
Utilities Electric/Sanitation	286	296	325	1,590	32%	5,000	0%	3,410
Janitorial Services	530	-	585	3,348	40%	8,295	0%	4,948
Repairs & Maintenance	-	-	-	-	0%	3,897	0%	3,897
Storage	-	952	476	2,856	57%	5,000	0%	2,144
Office Automation	7,386	4,191	5,419	34,419	43%	80,000	3%	45,581
Advertising, Notices, Supplies, Postage	816	1,926	993	8,747	56%	15,500	1%	6,753
Travel	-	140	13	153	2%	10,000	0%	9,847
Professional Development	5,125	-	-	11,507	38%	30,000	1%	18,493
Insurance	-	2,534	7,609	17,401	60%	28,783	1%	11,382
Miscellaneous Expenses	-	-	-	1,280	26%	5,000	0%	3,720
Legal Services (1)	-	4,849	-	4,849	16%	30,000	1%	25,151
Financial Services	2,501	2,023	970	5,390	12%	46,300	2%	40,910
Professional Consultants	47	-	2,577	3,503	28%	12,572	0%	9,068
Capital Expenditures	-	-	-	-	0%	95,000	4%	95,000
Subtotal Operating Expenses	145,350	123,507	132,375	854,777	49%	1,759,408	67%	904,631
Pass Through Expenses:	37,481	41,045	52,627	257,089	45%	572,483	21%	315,394
TOTAL Expenses	182,831	164,552	185,002	1,111,866	48%	2,331,891	88%	1,220,026
<u>OTHER REVENUES</u>								
Recovery of Bad Debt- Brownfields	\$ -	\$ -	\$ -	\$ -	-	\$ -		
Excess (deficit) Revenues over Expenditures	\$ (81,454)	\$ (16,020)	\$ (28,760)	\$ 466,483		\$ 294,672	12%	
RLF CARES Act Funding	\$ 27,949	\$ 274,593	\$ 21,488	\$ 2,697,809	51%	5,318,000	Total RLF CARES Grant	
(1) Additional legal YTD expenses included in "pass-through Expenses"				\$51,908				
<i>Note: Percentage of Fiscal Year lapsed 50.00%</i>								



MEMORANDUM

AGENDA ITEM #IV.C

DATE: APRIL 26, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: LOCAL GOVERNMENT COMPREHENSIVE PLAN PROPOSED AND ADOPTED AMENDMENT
CONSENT AGENDA

Pursuant to the 1974 Interlocal Agreement creating the South Florida Regional Planning Council (Council), the Council is directed by its member counties to “assure the orderly, economic, and balanced growth and development of the Region, consistent with the protection of natural resources and environment of the Region and to protect the health, safety, welfare and quality of life of the residents of the Region.”

In fulfillment of the Interlocal Agreement directive and its duties under State law, the Council reviews local government Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Pursuant to Section 163.3184, Florida Statutes as presently in effect, Council review of comprehensive plan amendments is limited to 1) adverse effects on regional resources and facilities identified in the SRPP and 2) extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region. The Council’s review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Economic Opportunity certifies its completeness.

A written report of Council’s evaluation pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the State Land Planning Agency within 30 calendar days of receipt of the amendment.

Recommendation

Find the proposed and adopted plan amendments from the local governments listed in the tables below generally consistent with the *Strategic Regional Policy Plan for South Florida*.

Approve this report for transmittal to the local governments with a copy to the State Land Planning Agency.



PROPOSED AMENDMENTS

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
Broward County 21-01ESR (received 03-05-21)	✓	N/A	04-26-21	02-23-21
<p>1. The two proposed amendments to the Broward County Comprehensive Plan (BCCP) would create revisions as follows:</p> <ul style="list-style-type: none"> • Proposed amendment 20-T4 revises the Water Management Element to ensure that policies reference the most recent sea level rise projections and to remove technical data from the Comprehensive Plan policies. • Proposed amendment 20-T5 revises the Deepwater Port Component and Transportation Element to update the Comprehensive Plan Deepwater Port Component to be consistent with the 2018 Port Everglades Master Plan Update. <p>2. The amendments affect Broward County.</p> <p>3. The amendments do not create any adverse impacts to state or regional resources/facilities.</p>				
Broward County 21-02ESR (received 03-12-21)	✓	N/A	04-26-21	03-09-21
<p>1. The proposed amendments to the Broward County Comprehensive Plan (BCCP) include three map amendments and two text amendments, and are concurrent with the following amendments:</p> <ul style="list-style-type: none"> • Miramar 21-01ESR – revises the land use designation of approximately 59 acres of Community and 24 acres of Commerce to Activity Center for a property located on both sides of Miramar Parkway, between Florida’s Turnpike and Hibiscus Place/SW 67 Avenue and a corresponding text amendment in the City of Miramar. • Hollywood 21-01ESR – revises the land use designation of approximately 15 acres of Commerce and approximately 11.6 acres of Low-Medium (10) Residential to Medium (16) Residential for a property located on the south side of Stirling Road, between Oakwood Boulevard and North 22 Avenue in the City of Hollywood. • Lauderdale 21-01ESR – revises the land use designation of approximately 14.2 acres of Commerce to High (50) Residential generally located on the west side of University Drive between Commercial Boulevard and Inverrary Boulevard/NW 50 Street in the City of Lauderdale. • Pompano Beach 20-03ESR – revises the text to add 1,500,000 square feet of industrial uses and reduce 650,000 square feet of office uses within the “Pompano Park South Activity Center” generally located on the east side of Powerline Road, between SW 3 Street/Race Tract Road and North Cypress Bend Drive in the City of Pompano Beach. <p>2. The amendment affects areas within Broward County.</p> <p>3. The amendment does not create any adverse impact to state or regional resources/facilities.</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
City of Hollywood 21-01ESR (received 03-15-21)	✓	N/A	04-26-21	08-26-20
<p>1. The proposed amendment to the City of Hollywood’s Comprehensive Plan would revise the Future Land Use Map (FLUM) to change the land use designation of approximately a 26.1 net acre property from Industrial and Low Medium (10) Residential to Medium (16) Residential with the intent of allowing the developer to construct a multi-family residential development with a maximum of 427 dwelling units.</p> <p>2. This amendment affects a property generally located on the south side of Stirling Road, between Oakwood Boulevard and North 22 Avenue in the City of Hollywood.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>				
City of Lauderhill 21-01ESR (received 03-12-21)	✓	N/A	04-26-21	07-13-20
<p>1. The proposed amendment that revises the City of Lauderhill’s Comprehensive Plan is a Future Land Use Map (FLUM) amendment that amends the future land use designation of approximately a 15.16 gross acre parcel from Commercial to High (50) Residential with a recommendation to Irregular (35.3) Residential.</p> <p>2. This amendment affects a property located at 7730 West Commercial Boulevard in the City of Lauderhill.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities. Council staff notes that the City’s Water Supply Facilities Work Plan (Work Plan) is overdue for updating and adoption, to ensure consistency with the Lower East Coast (LEC) Water Supply Plan Update by the South Florida Water Management (SFWMD) District’s Governing Board and to address critical regional coordination on water supply issues. Council staff recommends working with SFWMD staff to receive technical assistance on updating the Lauderhill Work Plan.</p>				
City of Miramar 21-01ESR (received 03-15-21)	✓	N/A	04-26-21	03-18-21
<p>1. The proposed amendment to the City of Miramar’s Comprehensive Plan is a text amendment and an amendment to the Future Land Use Map (FLUM). The intent of the amendment is to actualize the City’s revitalization vision of a central area to the City by creating the Miramar Innovation and Technology Activity Center (MITAC), and a pool of permitted uses as follows:</p> <ul style="list-style-type: none"> • Residential Land Uses: 942 dwelling units • Commercial Land Uses: 400,000 square feet • Office Land Uses: 200,000 square feet • Municipal Facility Land Uses: 160,000 square feet • Parks and Open Space: 10.23 acres <p>2. This amendment area comprises approximately 83 acres in the historic center of Miramar, on both sides of Miramar Parkway between the Florida Turnpike and SW 67 Avenue.</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
<p>3. This amendment does not create any adverse impact to state or regional resources/facilities. Council staff recommends continued coordination with the Florida Department of Transportation regarding diversifying the modal options of the community’s mobility needs, and particularly supporting the safety and opportunity for active modes.</p>				
Town of Southwest Ranches 21-01ESR (received 03-10-21)	✓	N/A	04-26-21	01-28-21
<p>1. The proposed amendment revises the Town of Southwest Ranches’ Comprehensive Plan by updating the Town’s 10-year Water Supply Facilities Work Plan. 2. This amendment affects the Town of Southwest Ranches. 3. Council staff recommends that the Town of Southwest Ranches address the comments of the South Florida Water Management District, including addressing critical regional issues such as water conservation, intergovernmental coordination, and necessary referencing of the Water Supply Plans of the two water providers outside of the Town of Southwest Ranches: Sunrise and Cooper City. The amendment should also be fully coordinated and consistent with the South Florida Water Management District’s Lower East Coast Water Supply Plan.</p>				
City of Sunny Isles Beach 21-01ESR (received 03-10-21)	✓	N/A	04-26-21	02-18-21
<p>1. The proposed amendment revises the City of Sunny Isles Beach’s Comprehensive Plan by updating the City’s 10-year Water Supply Facilities Work Plan to be consistent with the South Florida Water Management District’s Lower East Coast Water Supply Plan. 2. This amendment affects the City of Sunny Isles Beach. 3. Council staff recommends that the City of North Miami Beach Water Supply Work Plan be incorporated into the amendment or referenced, as the provider of potable water for the City of Sunny Isles Beach. Comments and recommendations provided by the South Florida Water Management District on this and other issues, including water conservation, should be addressed. This amendment does not create any adverse impact to state or regional resources/facilities but requires revision for effective regional coordination.</p>				
City of Weston 21-01ESR (received 03-10-21)	✓	N/A	04-26-21	03-01-21
<p>1. The proposed amendment revises the City of Weston’s Comprehensive Plan by updating the City’s Water Supply Plan, in accordance with Florida Statutes Section 163.3177. It includes the City’s 20-Year Water Supply</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
<p>Work Plan as well as the City of Sunrise’s Water Supply Facilities Work Plan 2020 Update, as the provider of potable water to the City of Weston.</p> <p>2. This amendment affects the City of Weston.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities. Council recommends addressing the comments and recommendations provided by the South Florida Water Management District regarding intergovernmental coordination and consistency with other plans.</p>				

ADOPTED AMENDMENTS

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
Broward County 20-05ESR (received 03-12-21)	N/A	✓	04-26-21	03-09-21
<p>1. The adopted amendments are to the Broward County Land Use Plan (PCT 20-3 and PCT 20-4) as follows:</p> <ul style="list-style-type: none"> • PCT 20-3 provides for bonus density formulas for each income category of very-low, low, and moderate, and requires the designated affordable housing units remain affordable housing for a minimum of 30 years. • PCT 20-4 permits additional residential density on parcels designated “Commerce” and “Activity Center,” subject to inclusion of an affordable housing component. <p>2. The amendments affect Broward County.</p> <p>3. The amendments do not create any adverse impacts to state or regional resources/facilities.</p> <p>4. The Council reviewed these amendments when proposed.</p>				
Broward County 20-08ESR (received 02-26-21)	N/A	✓	04-26-21	02-23-21
<p>1. The adopted amendments include one amendment to Broward County’s Land Use Plan (BCLUP) Natural Resource Map Series, which updates the Priority Planning Areas for Sea Level Rise. It also includes two amendments to the BCLUP text, one of which is concurrent with the proposed City of Pompano Beach’s Future Land Use Text Amendment #20-4ESR relating to the Pompano Beach John Knox Village Activity Center. The other text amendment revises the Climate Change Resilience Vision Strategy for consistency with the concurrent map amendment.</p> <p>2. The amendments affect Broward County.</p> <p>3. The amendments do not create any adverse impacts to state or regional resources/facilities.</p> <p>4. The Council reviewed these amendments when proposed.</p>				
City of Homestead 20-01ESR (received 02-18-21)	N/A	✓	04-26-21	08-19-20
<p>1. The adopted amendment to the City of Homestead’s Comprehensive Plan incorporates the City’s 10-Year Water Supply Facilities Work Plan and related amendments.</p> <p>2. This amendment affects the City of Homestead.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council reviewed this amendment when proposed.</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
City of Key West 20-01ACSC (received 3-24-21)	N/A	✓	04-26-21	12-02-20
<p>1. The adopted amendment to the City of Key West’s Comprehensive Plan creates a new land use category for the Historic Neighborhood Commercial District Bahama Village Truman Waterfront. It amends the Future Land Use Map (FLUM) for specific properties and amends the Future Land Use Map Legend from Historic Public / Semi-Public, Historic Commercial, and Historic Residential to Historic Commercial. It also adds a new Future Land Use Map Zoning Subdistrict designation of “Historic Neighborhood Commercial Bahama Village Truman Waterfront” and applies the designation to specific properties.</p> <p>2. The property addresses are: 918 Fort Street, 727 Fort Street, 100 Angela Street, 105 Geraldine Street, 110 Angela Street, 111 Geraldine Street, 112 Angela Street, 109 Geraldine Street, and 114 Angela Street in the City of Key West.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council reviewed this amendment when proposed.</p>				
City of Key West 20-02ACSC (received 3-25-21)	N/A	✓	04-26-21	02-18-21
<p>1. The adopted amendment to the City of Key West’s Comprehensive Plan allows high density deed restricted affordable housing units (up to 40 units per acre) in the Historic Neighborhood Commercial District Bahama Village Truman Waterfront land use category, and related amendments.</p> <p>2. The amendment affects the area designated as Bahama Village Truman Waterfront and other zones within the City of Key West.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council reviewed the amendment when proposed.</p>				
Village of North Bay Village 20-01ESR (received 02-16-21)	N/A	✓	04-26-21	02-09-21
<p>1. The adopted amendment revises the future land use element (FLUE) of the North Bay Village’s Comprehensive Plan to provide consistency with the Village-wide master plan known as NBV100. The master plan encourages resilient and sustainable mixed-use redevelopment that will be implemented through a form-based zoning code, which was developed through a series of charettes.</p> <p>2. This amendment affects the incorporated area of North Bay Village.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
<p>4. The Council reviewed the amendment when proposed. Council staff recommended continued coordination with the South Florida Water Management District, Florida Department of Transportation, and all relevant parties.</p>				
<p>City of North Miami Beach 20-01ESR (received 02-18-21)</p>	<p>N/A</p>	<p>✓</p>	<p>04-26-21</p>	<p>12-15-20</p>
<p>1. The adopted amendment to the City of North Miami Beach’s Comprehensive Plan revises specific elements including the Future Land Use Element, Infrastructure Element, Conservation Element, Intergovernmental Coordination Element, and the Capital Improvement Element. 2. This amendment affects the City of North Miami Beach. 3. This amendment does not create any adverse impact to state or regional resources/facilities. 4. The Council previously reviewed these amendments when proposed.</p>				
<p>City of North Miami Beach 20-02ESR (received 04-05-21)</p>	<p>N/A</p>	<p>✓</p>	<p>04-26-21</p>	<p>03-16-21</p>
<p>1. The adopted amendment to the City of North Miami Beach’s Comprehensive Plan Future Land Use Map creates Mixed-Use International Boulevard East and West Districts and expands the separate West Dixie Highway Mixed-Use Neighborhood Center District. 2. This amendment affects land that is presently designated both Business Land-Use category, and Residential High Density, with frontage on the SR-826 Corridor from Interstate 95 to the west to NE 19 Court to the east (International Boulevard District) and land facing west on West Dixie Highway from NE 170 Street to Greynolds Park (West Dixie Highway Mixed-Use Neighborhood District). 3. This amendment does not create any adverse impact to state or regional resources/facilities. 4. The Council previously reviewed these amendments when proposed.</p>				
<p>City of Pembroke Pines 20-01ESR (received 02-24-21)</p>	<p>N/A</p>	<p>✓</p>	<p>04-26-21</p>	<p>02-03-21</p>
<p>1. The adopted amendment to the City of Pembroke Pines’ Comprehensive Plan updates the City’s Water Supply Facilities Work Plan for a 10-year planning period, as mandated by Florida Statutes 163.3177(6)(C). The Work Plan updates the plan for water supply sources and facilities needed to serve existing and new development within the City’s jurisdiction. Specific elements that will be updated include the Future Land Use Element,</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
<p>Infrastructure Element, Conservation Element, Intergovernmental Coordination Element, and the Capital Improvement Element.</p> <p>2. This amendment affects the incorporated area of the City of Pembroke Pines.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed. Council staff noted at that time that the City should address the technical assistance comments provided by the South Florida Water Management District (SFWMD).</p>				
City of Pembroke Pines 20-02ESR (received 03-10-21)	N/A	✓	04-26-21	02-17-21
<p>1. The adopted amendment to the City of Pembroke Pines' Comprehensive Plan changes the land use designation on an approximately 558-acre parcel generally located on the southeast corner of SW 172 Avenue and Pines Boulevard (The Property). The land use change converts 509 acres of Irregular Residential plus 49 acres of Commercial to 527.6 acres of Irregular Residential plus 30.6 acres of Commercial for the purpose of developing a maximum of 211 Townhouse Units.</p> <p>2. This amendment affects the subject property, which is in the incorporated area of the City of Pembroke Pines.</p> <p>3. The amendment indicates increases in impacts on all public facilities and services with the exception of traffic circulation and solid waste. Council staff noted at the proposed stage that the wetland mitigation project for this area was never completed (1.35 acres permitted in 2009); however, the applicant will complete the wetlands mitigation area subject to Broward County's requirements. In addition, the proposed 211 units will require the submittal of an update to the City's Affordable Housing Study in compliance with the Broward County Land Use Plan policy 2.16.2. The applicant has submitted letters of available capacity and will mitigate any increased impacts during the concurrency/capacity analysis and review process.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>				
Town of Southwest Ranches 20-01ESR (received 03-10-21)	N/A	✓	04-26-21	02-11-21
<p>1. The adopted amendment to the Town of Southwest Ranches' Comprehensive Plan revises text to the Future Land Use Element (FLUE) pertaining to the US Highway 27 Business Land Use Category. The amendment clarifies that both the east and west sides of US Highway 27 may be designated within the US 27 Category, expands the list of permitted uses, and provides implementable directives for zoning regulations, including noise impacts.</p> <p>2. This amendment affects the area along US Highway 27 in the Town of Southwest Ranches.</p> <p>3. The amendments do not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>				
Town of Southwest Ranches				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
20-02ESR (received 02-10-21)	N/A	✓	04-26-21	01-28-21
<p>1. The adopted amendment to the Town of Southwest Ranches' Comprehensive Plan revises the text of the Future Land Use Element to eliminate the Residential Medium (16) land use category and amends two related Housing Element policies.</p> <p>2. This amendment affects those areas within the Town of Southwest Ranches that are designated Residential Medium (16).</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed. Council staff noted that the Town is required to revise its Water Supply Facilities Work Plan (Work Plan) within 18 months after approval of the Lower East Coast (LEC) Water Supply Plan Update by the South Florida Water Management (SFWMD) District Board, and therefore the Town's Work Plan should have been updated and adopted by May 2020. Council recommends working with the SFWMD for technical assistance, if needed.</p>				
Town of Southwest Ranches 20-03ESR (received 02-10-21)	N/A	✓	04-26-21	01-28-21
<p>1. The adopted amendment to the Town of Southwest Ranches' Comprehensive Plan amends policies in the Public School Facilities Element and Capital Improvement Element to change the adopted Level of Service (LOS) standard for public schools consistent with the Third Amended and Restated Interlocal Agreement for Public School Facility Planning in Broward County.</p> <p>2. This amendment affects the Town of Southwest Ranches.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>				
Town of Southwest Ranches 20-04ESR (received 02-10-21)	N/A	✓	04-26-21	01-28-21
<p>1. The adopted amendment to the Town of Southwest Ranches' Comprehensive Plan adopts a new Greenways Map as part of the Recreation and Open Space Element and amends the adopted text of this element in relation to the map. The new Greenways Map reflects coordination with the Recreation, Forestry and Natural Resources Advisory Board, adding several trail alignments and strengthening several policies relating to establishment of Greenways.</p> <p>2. This amendment affects the Town of Southwest Ranches.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council previously reviewed this amendment when proposed.</p>				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
City of Wilton Manors 20-01ESR (received 02-22-21)	N/A	✓	04-26-21	02-09-21
<p>1. The adopted amendment revises the City of Wilton Manors' Comprehensive Plan by modifying the density and intensity of the Transit-Oriented Corridor (TOC) land use designation, with the intent to facilitate redevelopment within the City's mixed-use TOC designated area. The amendment allows a twenty percent increase in units within the TOC, in accordance with Broward Next.</p> <p>2. This amendment affects the City of Wilton Manors.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities.</p> <p>4. The Council reviewed this amendment when proposed.</p>				



MEMORANDUM

AGENDA ITEM #IV.E

DATE: APRIL 26, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: FINANCE COMMITTEE / AUDITOR SELECTION & OVERSIGHT COMMITTEE

Chair Bailey proposes to create a three- to five-member Finance Committee that will assist the Council in reviewing the Council's monthly Financial Report in advance of the regularly scheduled Council Meeting. In addition, the Finance Committee will serve as the Auditor Selection & Oversight Committee.

Please find herewith Legal Counsel's April 5, 2021 Memorandum regarding the Auditing Services Contract.

Recommendations

Appoint three- to five-members to serve on a Finance Committee / Auditor Selection & Oversight Committee.



SOUTH FLORIDA REGIONAL PLANNING COUNCIL

MEMORANDUM

TO: Isabel Cosio Carballo, Executive Director
Leo Braslavsky Soldi, Finance Manager
Kathe Lerch, Office Administrator
Jeff Tart, Sr. Loan Officer

CC: Mario J. Bailey, Chair
Members of the Executive Committee

FROM: Samuel S. Goren, General Counsel *SSG*
Sean M. Swartz, Assistant General Counsel *SMS*

DATE: April 5, 2021

RE: South Florida Regional Planning Council ("Council") / Auditing Services Contract

In furtherance of discussions with SFRPC staff, and following our independent review of the agreement between the SFRPC and S. Davis and Associates, P.A., (the "Agreement") we are providing you with the information related to the status of the Agreement, and recent revisions to Florida law related to the retention of auditing services. This memorandum is provided as an update to our previously issued memorandum dated October 2, 2019 and related to the Council's Auditing Services Contract.

The current Agreement provides for S. Davis and Associates to perform auditing services for the SFRPC for the period from October 1, 2016 through September 30, 2021. Following the conclusion of the services on September 30, 2021, **the SFRPC will need to retain a new auditing firm.**

In 2019, the Florida Legislature approved, and the Governor signed Chapter 2019-15, Laws of Florida. This new law, which became effective July 1, 2019, includes certain amendments to Section 218.391, F.S., related specifically to the composition of the auditor selection committee, and the process for the selection of an entity to perform auditing services for the SFRPC.

I. AUDITOR SELECTION COMMITTEE

Section 218.391, F.S. requires the SFRPC Board to establish an auditor selection committee. The primary purpose of the auditor selection committee is to assist the SFRPC Board in selecting an auditor to conduct the annual financial audit; however, the auditor selection committee may serve other audit oversight purposes as determined by the SFRPC Board.

In accordance with the amendments to Section 218.391, F.S., the auditor selection committee must consist of at least three members. One member must be a member of the SFRPC Board, who shall also serve as the chair of the committee. An SFRPC employee, including the

Executive Director and the Finance Director, may not serve as a member of the auditor selection committee; however, SFRPC employees may serve in an advisory capacity to the committee.

In accordance with Section 218.391, Fla.Stat., the auditor selection committee's duties, and responsibilities are as follows:

- 1) Establish factors to use for the evaluation of audit services. These factors shall include, but are not limited to, ability of personnel, experience and the ability to furnish the required services, among other factors as may be determined by the committee.
- 2) Publicly announce requests for proposals. This public announcement must include, at a minimum, a brief description of the audit and indicate how interested firms may apply.
- 3) Provide interested firms with a request for proposal. The request for proposals shall include information on how proposals are to be evaluated and other information the committee determines is necessary for interested firms to prepare a proposal.
- 4) Evaluate proposals by qualified firms. If compensation is one of the factors established by the committee, as referenced above, it cannot be the sole or predominant factor used to evaluate proposals.
- 5) Rank and recommend, in order of preference, no fewer than three (3) firms deemed to be the most highly qualified to perform the required services after considering the factors established by the committee. If fewer than three (3) firms respond to the request for proposals, the committee shall recommend such firms deemed to be the most highly qualified.

II. CONSIDERATION BY SFRPC BOARD

Upon receipt of the recommendations of the auditor selection committee, the SFRPC Board shall inquire of the qualified firms as to the basis of compensation, select one (1) of the firms recommended by the committee, and negotiate a contract, using one of the following methods:

- 1) If compensation is not one of the factors established by the auditor selection committee and not used to evaluate the firms based on the process set forth above, the SFRPC Board shall negotiate a contract with the firm ranked first. If the SFRPC Board is not able to negotiate a contract with that firm, negotiations with that firm shall be formally terminated and the commission shall undertake negotiations with the second-ranked firm. Failing to reach an agreement with the second-ranked firm, negotiations shall be formally terminated and undertaken with the third-ranked firm. While the SFRPC Board may, during this process, reopen negotiations with any of the three top-ranked firms, it may not negotiate with more than one firm at a time.

- 2) If compensation is one of the factors established by the auditor selection committee and used to evaluate the firm based on the process set forth above, the SFRPC Board shall select the highest-ranked qualified firm or must document in its public records the reason for not selecting the highest-ranked qualified firm.

The SFRPC Board may select a firm recommended by the auditor selection committee, and negotiate a contract with one of the recommended firms using an appropriate alternative negotiation method for which compensation is not the sole or predominant factor used to select the firm.

The SFRPC Board may also designate the Executive Director or other individual to conduct these negotiations on its behalf. Ultimately, the method used by the SFRPC Board to select a firm recommended by the auditor selection committee and negotiate a contract with such firm must ensure that the agreed-upon compensation is reasonable to satisfy the statutory requirements related to annual financial audit reports (Sec. 218.39, F.S.), as well as the needs of the SFRPC Board.

If the SFRPC Board is unable to negotiate a satisfactory contract with any of the recommended firms, the auditor selection committee shall recommend additional firms, and negotiations shall continue in accordance with the process detailed herein until an agreement is reached.

III. CONTRACT REQUIREMENTS

The SFRPC's selection of an auditor must be evidenced by a written contract embodying all provisions and conditions of the procurement of such services. The written contract between the SFRPC and the selected firm shall, at a minimum, include the following:

- 1) A provision specifying the services to be provided and fees or other compensation for such services.
- 2) A provision requiring that invoices for fees or other compensation be submitted in sufficient detail to demonstrate compliance with the terms of the contract.
- 3) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed.

Written contracts entered into pursuant to these procedures may be renewed, and such renewals may be done without the use of the audit selection procedures detailed herein.

IV. CONCLUSION

As detailed herein, the selection of an independent auditor is subject to specific statutory competitive procurement requirements. The General Counsel's Office is prepared to work the SFRPC Board and the SFRPC's professional staff to facilitate this process and ensure compliance with these statutory requirements for auditor selection.

Please contact our office if there is any additional information that we can provide.



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Member: American Institute of Certified Public Accountants | Florida Institute of Certified Public Accountants

March 29, 2021

To Council Members
South Florida Regional Planning Council
1 Oakwood Boulevard, #250
Hollywood, Florida 33020

We are pleased to confirm our understanding of the services we are to provide South Florida Regional Planning Council (the "Council") for the year ended September 30, 2020. We will audit the financial statements of the governmental activities, and each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the Council as of and for the year, ended September 30, 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Council's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Council's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis,
- 2) Budgetary Comparison Schedules,
- 3) Schedules of Proportionate Share of the Net Pension Liability, and
- 4) Schedules of Contributions to the Florida Retirement System.

We have also been engaged to report on supplementary information other than RSI that accompanies the Council's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation

to the financial statements as a whole in a report combined with our auditor's report on the financial statements:

- 1) Schedule of expenditures of federal awards.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on-

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to Council. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste and abuse in financial statement audits nor do they expect auditors to provide reasonable assurance of detecting waste and abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, an unavoidable risk exists that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to

preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Council's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the Council's major programs. The purpose of these procedures will be to express an opinion on the Council's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Management Responsibilities

Management is responsible for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and

fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to [include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with

the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes.

In connection with this engagement, we may communicate with you or others via email transmission. As emails can be intercepted and read, disclosed, or otherwise used or communicated by an unintended third party, or may not be delivered to each of the parties to whom they are directed and only to such parties, we cannot guarantee or warrant that emails from us will be properly delivered and read only by the addressee. Therefore, we specifically disclaim and waive any liability or responsibility whatsoever for interception or unintentional disclosure of emails transmitted by us in connection with the performance of this engagement. In that regard, you agree that we shall have no liability for any loss or damage to any person or entity resulting from the use of email transmissions, including any consequential, incidental, direct, indirect, or special damages, such as loss of revenues or anticipated profits, or disclosure or communication of confidential or proprietary information.

Engagement Administration, Fees, and Other

We may from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service

Engagement Letter
March 29, 2021

providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, grants, loans, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, if any, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the Council; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of S. Davis & Associates P.A. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the U.S. Department of Commerce or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of S. Davis & Associates P.A. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the U.S. Department of Commerce. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Tanya I. Davis is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Engagement Letter
March 29, 2021

Our fee for these services is \$37,500 in accordance with our audit contract, however, as adjusted for engagement starting date for fiscal year ended September 30, 2020, to be paid as follows:

Payment 1	April 15, 2021	30% of total fee: \$11,250
Payment 2	May 1, 2021	30% of total fee: \$11,250
Payment 3	May 15, 2021	20% of total fee: \$7,500
Final payment	within 20 days of the Council adoption of the final report	20% of total fee: \$7,500

If the adoption of the final report occurs prior to May 15, 2021, payment 3 and the final payment will be combined and due within 20 days of the Council's adoption of the final report.

In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. Delay in audit planning or fieldwork may cause audit inefficiencies and impact budgeted audit hours. If a delay becomes apparent, we will discuss it with you and arrive at a new audit timetable. If significant additional time is necessary due to delays or otherwise, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Any changes not provided elsewhere herein have to be agreed to by mutual consent of both parties. Any controversy or claim arising out of or relating to the services covered by this letter or hereafter provided by us to the Council (including any matter involving any component unit, subsidiary, affiliate or agent of the Council or S. Davis & Associates, P.A.) shall be submitted first to voluntary mediation, and if mediation is not successful then to binding arbitration, in accordance with the dispute resolution process set forth in the attachment to this letter. Judgement on any arbitration award may be entered in any court having proper jurisdiction. In the event we must proceed with legal action to recover any unpaid invoice, you will be obligated to pay all attorneys and costs that we incur. In addition, you agree that the exclusive venue for any action to collect such unpaid invoices shall be the courts of Broward County, Florida. We appreciate the opportunity to be of service to the Council and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



S. Davis & Associates, P.A.

Engagement Letter
March 29, 2021


RESPONSE:

This letter correctly sets forth the understanding of the Council.

Management signature: 
Isabel Cosio Carballo, MPA

Title: Executive Director

Date: April 7, 2021

Governance signature: 
Mario J. Bailey

Title: Chair

Date: 4/4/21

DISPUTE RESOLUTION PROCEDURES

The following procedures shall be used to resolve any controversy or claim (“dispute”) as provided in our engagement letter of March 29, 2021. If any of these provisions are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and binding on the parties to the fullest extent permitted by law.

Mediation

A dispute shall be submitted to mediation by written notice to the other party or parties. In the mediation process, the parties will try to resolve their differences voluntarily with the aid of an impartial mediator, who will attempt to facilitate negotiations. The mediator will be selected by agreement of the parties. If the parties cannot agree on a mediator, a mediator shall be designated by the American Arbitration Association (“AAA”) or such other neutral facilitator acceptable to both parties.

The mediation will be conducted as specified by the mediator and agreed upon by the parties. The parties agree to discuss their differences in good faith and to attempt, with the assistance of the mediator, to reach an amicable resolution of the dispute.

The mediation will be treated as a settlement discussion and therefore will be confidential. The mediator may not testify for either party in any later proceeding relating to the dispute. No recording or transcript shall be made of the mediation proceedings.

Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties.

Arbitration

If a dispute has not been resolved within 90 days after the written notice beginning the mediation process (or a longer period, if the parties agree to extend the mediation), the mediation shall terminate and the dispute will be settled by arbitration. The arbitration will be conducted in accordance with the procedures in this document and the Arbitration Rules for Professional Accounting and Related Services Disputes of the AAA as in effect on the date of the engagement letter (“AAA Rules”). In the event of a conflict, the provisions of this document will control.

The arbitration will be conducted before a panel of three arbitrators, regardless of the size of the dispute, to be selected as provided in the AAA Rules. Any issues concerning the extent to which any dispute is subject to arbitration, or concerning the applicability, interpretation, or enforceability of these procedures, including any contention that all or part of these procedures are invalid unenforceable, shall be governed by the Federal Arbitration Act and resolved by the arbitrators. No potential arbitrator may serve on the panel unless he or she has agreed in writing to abide and be bound by these procedures.

DISPUTE RESOLUTION PROCEDURES - Continued

The arbitrators may not award non-monetary or equitable relief of any sort. They shall have no power to award punitive damages or any other damages not measured by the prevailing party's actual damages, and the parties expressly waive their right to obtain such damages in arbitration or in any other forum. In no event, even if any other portion of these provisions is held to be invalid or unenforceable, shall the arbitrators have power to make an award or impose a remedy that could not be made or imposed by a court deciding the matter in the same jurisdiction.

No discovery will be permitted in connection with the arbitration unless it is expressly authorized by the arbitration panel upon a showing of substantial need by the party seeking discovery.

All aspects of the arbitration shall be treated as confidential. Neither the parties nor the arbitrators may disclose the existence, content or results of the arbitration, except as necessary to comply with legal or regulatory requirements. Before making any such disclosure, a party shall give written notice to all other parties and shall afford such parties a reasonable opportunity to protect their interests.

The result of the arbitration will be binding on the parties, and judgment on the arbitrators' award may be entered in any court having jurisdiction.



MEMORANDUM

AGENDA ITEM #IV.F

DATE: APRIL 26, 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: STATEMENT OF ORGANIZATION REVIEW AND UPDATE

Please find herewith the recommended amendments to the January 2020 Statement of Organization. This language was reviewed and approved by Chair Bailey, Senator Geller, and Mayor Ross, with concurrence of Legal Counsel, at the April 14th Statement of Organization Committee Meeting.

Recommendation

Review, discuss, and adopt an Amended Statement of Organization.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
www.sfrgionalcouncil.org



Statement of Organization

April 2021

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¹ Page numbers will be adjusted upon final ratification and formatting.

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1.0 Organization

The South Florida Regional Planning Council (Council) is organized under the authority of Chapter 186, Florida Statutes, as amended from time to time. The Council is located in Comprehensive Planning District Eleven-Ten and consists of the counties of Broward, Miami-Dade and Monroe. Council headquarters shall be in a central location as determined by a majority vote of the Council. Field offices may be maintained at other locations.

Council is further organized pursuant to the terms, conditions and provisions of that certain Interlocal Agreement creating the Council by and between the Counties of Broward, Miami-Dade, and Monroe, each being a political subdivision of the State of Florida and recorded in the Public Records of each County in 1993.

2.0 Purpose

The Council's purpose is:

- (1) To exercise the rights, duties, and powers of a regional planning council as defined in Chapters 186 and 163 and Section 403.723, Florida Statutes, as amended from time to time and of a regional planning agency as defined in Chapter 23, Section 403.723, and Chapter 380, Florida Statutes, as amended from time to time, including those functions enumerated by legislative finding and declarations of Chapter 186, Florida Statutes, as amended from time to time and other applicable federal, State and local laws.
- (2) To conduct the comprehensive regional planning process.
- (3) To provide regional coordination for the local governments in the South Florida Region.
- (4) To exchange, interchange, and review the various programs referred to it which are of regional concern.
- (5) To promote communication among local governments in the Region.
- (6) To identify and resolve regional problems and issues.
- (7) To cooperate with federal, State, local and non-governmental agencies and citizens.
- (8) To assure the orderly and balanced growth and development of this Region, consistent with the protection of the natural resources and environment of the Region, and to promote safety, welfare and quality of life of the residents of the Region.
- (9) To encourage and promote communications between neighboring regional planning districts in an attempt to insure compatibility in development and long-range planning goals.
- (10) To establish, manage and maintain various revolving loan programs.
- (11) To coordinate and host conferences and other events intended to facilitate the exchange of ideas with interested community stakeholders, including private organizations, on issues relevant to the region.

3.0 Definitions

- (1) Council Member(s) - representatives appointed by the Governor, member county, or Municipal League of Cities ~~or by a member government.~~
- (2) Council - the South Florida Regional Planning Council.
- (3) Strategic Regional Policy Plan - a long-range guide for physical, economic and social development of the Region which identifies regional goals and objectives, and policies.
- (4) Elected official - a member of the governing body of a municipality or county.
- (5) Ex-Officio Members - the Governor or appropriate Department shall appoint certain ex-officio, non-voting members to each regional planning council:
 - (a) A representative of the Department of Transportation;
 - (b) A representative of the Department of Environmental Protection;
 - (c) A representative nominated by Enterprise Florida, Inc. and the Department of Economic Opportunity; and Office of Tourism, Trade and Economic Development; and
 - (d) A representative of the South Florida Water Management District.

The Governor may also appoint ex-officio, non-voting members representing appropriate metropolitan planning organizations and regional water supply authorities, as applicable. (See Section 186.504, Florida Statutes, as amended from time to time)

- (6) Federal or federal government — the government of the United States of America or any department, commission, agency or instrumentality thereof.
- (7) Local general purpose government — any municipality or county created pursuant to the authority granted under Section 1 and 2, Article VIII of the Constitution for the State of Florida.
- (8) Member County government — the principal member units representing each of the counties in the Region: Miami-Dade, Broward, and Monroe counties. ~~any county or any association representing a group of municipalities located within the Region.~~
- (9) Municipal League of Cities – the respective league of cities representing Miami-Dade, Broward, and Monroe county municipal governments. Principal member unit — each of the counties in the Region.
- (10) Region or South Florida Region — the geographical area, including both land and water, within or adjacent to the counties of Broward, Miami-Dade and Monroe.
- (11) State or State government — the government of the State of Florida, or any department, commission, agency or instrumentality thereof.

4.0 Membership, Voting and Term of Office

- (1) Broward County and Miami-Dade County shall each be represented by three (3) county commissioners, elected official members, and Monroe County shall be represented by two (2) county commissioners, elected official members. All members shall be selected from the respective elective governing body by the Chair of the County Commission.
- (2) Monroe County, in addition to the membership in (1), shall be entitled to one (1) elected official member to serve on the Council. Broward and Miami-Dade counties, in addition to the membership in (1) shall be entitled to two (2) elected official members to serve on the Council. Such members shall be elected officials of general-purpose municipal government appointed by the respective League of Cities representing the county, member government.
- (3) The Governor of the State of Florida shall appoint a maximum of six (6) voting members. Each county in the Region shall be represented by a minimum of one (1) appointment by the Governor.
- (4) The names of all Council Members shall be recorded in the Council minutes.
- (5) For the conduct of all business, each Council Member shall have one (1) equal vote.
- (6) The basic term of office for Council Members appointed by the Governor shall not exceed be for three (3) years commencing with the January meeting in a year. All appointed representatives shall be eligible for reappointment. This section shall not be construed to limit the authority or ability of governmental, collegial bodies to change their appointments to the Council.
- (7) The initial term and any subsequent terms of office for Council Members appointed by the Chairs of the county commissions shall be determined by the Commission Chairs as otherwise provided by law. serve three year staggered terms, after the initial terms specified below:

~~Terms expiring December 1981:~~

~~Broward County officials~~

~~Miami-Dade municipal officials~~

~~Governor appointees from Monroe~~

~~Terms expiring December 1982:~~

~~Miami-Dade County officials~~

~~Monroe municipal officials~~

~~Governor appointees from Broward~~

~~Terms expiring December 1983:~~

~~Monroe County officials~~

~~Broward municipal officials~~

~~Governor appointees from Miami-Dade~~

- (8) It is the express purpose and intent of this Statement of Organization that the composition of Council Members reflects the diversity in the community of South Florida and that appointments made by the

Governor, by principal member units and member governments shall, in all instances, embrace the multi-cultural, multi-ethnic, multi-lingual and multi-racial environment of South Florida.

- (9) No Council Member may serve more than ~~three (3) consecutive three (3) year terms~~ ten (10) consecutive years.

5.0 Vacancies

Any vacancy in membership shall be filled for the unexpired term in the same manner as the initial appointment.

6.0 Removal from Office

Should a Council Member have three (3) consecutive, unexcused absences from regular meetings or miss more than one-half of the regularly scheduled meetings in a calendar year without providing the Council a justifiable reason for the absence in writing, the Secretary shall so advise the appropriate member government, or the Governor, and request another appointment. Justifiable reasons shall be defined as:

- (a) Sickness;
- (b) Disability;
- (c) Temporary absence from the jurisdiction;
- (d) Excused absence by the Chair or the Executive Director; or
- (e) Required attendance at another public meeting or hearing called pursuant to Chapter 286, Florida Statutes, as amended from time to time.

Members may be removed from the Council by the legal appointing authority which made the appointment only after written notice of such action has been received by given to the Council.

7.0 Officers, Term of Office and Duties

- (1) The regular January meeting shall be the annual meeting of the Council, and shall be for the purpose of electing the new officers and conducting such other business as may come before the members. The Council shall elect from its membership the following officers: Chair, First Vice-Chair, Second Vice-Chair, Treasurer and Secretary. It is the express intent of this provision that at all times there shall be a balanced representation among the member governments and governor's appointees as members of the Executive Committee so that there is at least one (1) county or municipal representative from each County. Each member so elected shall serve for one (1) year or until reelected or a successor is elected. It is the intent of the Council that Executive Committee Members shall be advanced in his/her respective positions each year, so long as such Council Member continues to serve as an appointed member, from Secretary to Treasurer, Treasurer to Second Vice-Chair, Second Vice-Chair to First Vice-Chair, First Vice-Chair to Chair, in that order. ~~Effective in January 2001, and following, no member of the Council shall be~~

~~permitted to serve on the Executive Committee for a continuous term or a continuous period exceeding one (1) year in any one (1) Executive Committee position.~~

(2) The newly elected officers shall be declared installed following their election, and shall assume the duties of office.

(a) The Chair shall be responsible for overseeing the organization of the work of the Council; for seeing that all policies of the Council are carried out; for signing any contract or other instrument which the Council deems in its interest; and for presiding over all Council meetings. The Chair, or a designated Council Member, shall be an ex-officio member of all committees. Notwithstanding the above, all renewal contracts can be signed by the Executive Director after review and written approval by General Counsel. Any new contracts can be signed by the Executive Director after review and written approval by the General Counsel, and 48 hours following transmittal to the Chair of the proposed contract which has been approved in writing by the General Counsel.

(b) The First Vice-Chair shall act in the Chair’s absence or inability to act. The First Vice-Chair shall perform such other functions as may be assigned by the Chair or the Council.

(c) The Second Vice-Chair shall act in the Chair’s and First Vice-Chair’s absence or inability to act. The Second Vice-Chair shall perform such other functions as may be assigned by the Chair or the Council.

(d) The Treasurer shall be responsible for general oversight of the financial affairs of the Council and such other duties as may be assigned by the Chair or the Council.

(e) The Secretary shall be responsible for minutes for the meeting, keeping the roll of members, and such other duties as may be assigned by the Chair or the Council.

(3) (a) There shall be an Executive Committee consisting of the Chair, First Vice-Chair, Second Vice-Chair, Treasurer, Secretary and the most recent Past Chair still in continuous service on the Council. ~~If there is no Past Chair still in continuous service, the Council shall elect a member to serve on the Executive Committee until such time as there is a Past Chair still in continuous service.~~ If there is no most recent Past Chair still in continuous service, the Executive Committee may be comprised of five (5) members.

(b) The Executive Committee shall act for and on behalf of the Council and shall take such action as may reasonably be necessary to fulfill the duties, functions and responsibilities of the Council as if a quorum were present. It is the intention of the Council that other members present at a Council meeting where a quorum is not present and where the Executive Committee shall act for and on behalf of the Council, shall be permitted to fully participate in the proceedings and matters then pending before the Council or the Executive Committee.

(c) Where, in the opinion of the Chair of the Executive Committee, an emergency situation exists, the Executive Committee may convene at the ~~principle~~-principal office of the Council, and act in response to the emergency situation. For purposes of this section, an "emergency situation" is defined as an event which is, unforeseen, unexpected, or time sensitive, in which there is not sufficient time for the full Council to meet, or is a sudden or unforeseen natural or manmade

event that necessitates immediate action for and on behalf of the Council. An emergency situation is not a self-created matter by a member or members of the Council. Any meeting and action taken by the Executive Committee in response to the declared emergency situation shall be ratified by the Council at the next regular meeting.

8.0 Meetings

- (1) The annual election of officers shall be held during the January meeting in each year.
- (2) There shall be a Nominating Committee which shall consist of the Immediate Past Chair in addition to two other members of the Council who shall be selected by the Chair not later than December prior to the January meeting at which the annual election of officers shall be conducted. No two (2) members of the Nominating Committee shall reside in the same County.
- (3) Regular meetings shall be held on the days and times established by the Council.
- (4) Special meetings may be called by the Chair at his/her discretion or shall be called when requested by members from two-thirds of the principal member units. Legal Adequate notice shall be given to all Council Members stating the date, hour, and place of the meeting and the purpose for which such meeting is called, and no other business shall be transacted at that meeting. Furthermore, the Executive Director and/or his/her designee shall notify the applicable media within the South Florida Region and shall comply with the applicable provisions of Chapter 286, Florida Statutes, as amended from time to time. However, if a determination to hold a special meeting is reflected upon the record of any Council meeting, no additional notice is necessary.
- (5) The place and time of each regular meeting shall be determined by the membership prior to the adjournment of the previous meeting. In the absence of such determination, the time and place of the meeting(s) shall be determined by the Chair. The Council may establish a regular meeting time and place, in which case no special action by either the Council or the Chair is required, provided the meeting is to be held at the regular time and place.
- (6) Written notice of all Council meetings shall be mailed to each member at the member's address, as it appears on the records of the Council, at least seven (7) days prior to that meeting. The notice shall state the date, time, place and the business to be transacted. Business transacted at all special meetings shall be confined to the subject stated in the notice.
- (7) All official meetings of the Council shall be open to the public as required by the Florida Sunshine Law, Chapter 286, Florida Statutes, as amended from time to time and shall meet the requirements of the applicable sections of the Florida Administrative Procedure Act, Chapter 120, Florida Statutes, as amended from time to time.
- (8) ~~Subject to the provisions of this paragraph, a quorum shall consist of a majority of the voting members.~~ When a quorum has been determined to be present according to §120.525 Florida Statutes (2020) as amended from time to time, a majority of those present may take action on all matters presented at the meeting. Each member present shall vote on each question presented to the Council except in the event

that a member abstains from voting pursuant to the applicable provisions of Section 112.3143, Florida Statutes, as amended from time to time. So long as a quorum is initially present at the commencement of a regular or special meeting, the public business of the Council shall continue, unabated, if a quorum is lost during the course of such regular or special meeting, subject to the condition that a quorum is maintained or reestablished by the Executive Committee. ~~there shall exist at least not less than ten (10) members present which shall include one (1) member from each category of membership as defined in Section 3.0, hereinabove.~~

- (9) Council Members are strongly encouraged to physically attend Council Meetings. However, special circumstances may necessitate a member’s participation via teleconferencing. In the event, the following shall apply:
 - (a) A quorum must otherwise be present at that meeting.
 - (b) An absent member can be present as a voting member via teleconferencing or virtual meeting conducted in accordance with Communications Media Technology (CMT) under Ch.120, Florida Statutes throughout the discussion on a specific matter pending before the South Florida Regional Planning Council ~~as long as such request is approved by the Chair prior to commencement of said meeting.~~ Use of cellular phones while driving is strongly discouraged.
- (10) Members of the public shall be given a reasonable opportunity to be heard by the Council before it takes official action on a proposition. Public participation at the meetings shall be in the following manner:
 - (a) Members of the public may speak only at times designated by the Chair.
 - (b) If a member of the public is designated to speak on an item by the Chair, the member of the public shall step to the floor microphone and state her/his name and address in an audible tone for the record.
 - (c) During public participation any member of the public may speak to any issue under consideration by the Council prior to its adoption.
 - (d) Remarks shall be limited to the question(s) under discussion. Speakers will be limited to three minutes during this time. The Chair may further reasonably limit the time period provided for public comment, as necessary, in order to ensure that all members of the public seeking to speak are afforded an opportunity to do so in a timely manner. Additional time may be added by the Chair.
 - (e) Any individual who causes a disruption or disturbance of a meeting shall be warned by the Chair that their conduct is interfering or disturbing the order of the meeting and shall be given the opportunity to cease the offending conduct. If the individual fails to cease the offending conduct and continues to interrupt or disrupt the meeting, the individual may be requested to leave the meeting by the Chair. Any person making disruptive, impertinent or slanderous remarks, or who shall become boisterous while addressing the Council and refuses to stop may be requested to leave the meeting by the Chair.
 - (f) Persons whose allotted time to speak has expired shall be so advised by the Chair to conclude. Cumulative and repetitive testimony should be avoided on any matter. Persons of the same

position as the previous speaker may simply state their names, address and the positions with which they agree. Members of the public are permitted and encouraged to submit written testimony to the Recording Secretary in advance of a Council Meeting, which shall become part of the official public record.

- (g) Any person who, at a Council or board meeting, willfully interrupts or disturbs the meeting in violation of Section 871.01, Florida Statutes, Fla. Stat., entitled “Disturbing Schools and Religious and Other Assemblies,” is subject to arrest by those law enforcement officers present.
- (h) The public’s right to speak prior to official action being taken by the Council does not apply in the following circumstances:
 - (1) If the Council must take official action to deal with an emergency situation affecting the public health, welfare, or safety, when compliance with the requirements would cause an unreasonable delay in the ability of the Council to act;
 - (2) Official action by the Council involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
 - (3) ~~A meeting that is~~ Any council meeting that is otherwise exempt from the open meeting requirements of Section 286.011, Florida Statutes Fla. Stat.; or
 - (4) Meetings in which the Council is acting in a quasi-judicial capacity. However, this exclusion does not affect the right of a person to be heard as otherwise provided by law.

9.0 Finances

- (1) The work year and fiscal year of the Council shall be the twelve (12) months beginning the first day of October and ending the thirtieth day of September.
- (2) The Council shall adopt a work program and budget for each fiscal year and shall, before August 1, certify the resultant membership fee to the Clerk of the governing body of each principal member unit. Each principal member unit shall include in its annual budget and provide to the Council funds in an amount sufficient to fund its proportionate or minimum share of the Council’s adopted budget.
- (3) The proportionate share of the budget of the Council shall be an amount which bears the same ratio to the local share of the total annual Council budget as the population of each principal member unit bears to the total population of all participatory counties, based upon the most current annual population estimates provided by the State of Florida pursuant to Section 23.019, Florida Statutes, as amended from time to time. The local share is the total annual budget minus funds supplied to the Council under contract with Federal or State agencies.
- (4) The Council, in adopting its annual budget, may establish a reasonable minimum and maximum financial contribution from each principal member unit.
- (5) Assessments shall be due in full on October 1.
- (6) Each principal member government that does not remit the assessed amount by November 1 shall lose all voting privileges, both for representatives from the principal member and other appointees from the county, until payment is made.

- (7) The Council shall, from time to time, designate persons to sign any and all checks issued by the Council which may include any persons serving on the Executive Committee and the Executive Director of the Council in addition to any other member so designated by the Council. Any person serving on the Executive Committee and the Executive Director of the Council are designated to sign all checks issued by the Council. ~~An additional~~ Additional Council ~~Members~~ Member may be designated as signatories ~~signator~~ by the Council to avoid problems associated with time or distance. All checks are to be signed by two (2) of the above designated persons. If the Treasurer is not locally available and able to sign the checks, the check signature request will go to locally available members of the Executive Committee commencing with the Chair.
- (8) The budget and such other changes, amendments or supplements as may be necessary to conduct the fiscal affairs of the Council may be amended from time to time by action of the Council provided, however, that the budget may not be amended to increase the annual per capita contribution by the principal member units.
- (9) The purchase of any single item of either equipment or goods which will require the expenditure of more than twenty thousand dollars (\$20,000) ~~three thousand dollars (\$3,000)~~ must be approved by the Council.

10.0 Powers

The Council has all powers granted to regional planning councils or regional planning agencies by Chapter 23, Chapter 160, Section 163.01, Section 163.3184, Section 403.723, and Chapter 380, Florida Statutes, as amended from time to time.

11.0 Code of Ethics for Public Officers and Employees

Council members are governed by the Code of Ethics for Public Officer and Employees, adopted by the Legislature as Part III of Chapter 112, Florida Statutes, and as amended from time to time, which contains standards of ethical conduct and disclosures applicable to public officers, employees, candidates, lobbyists, and others in State and local government.

12.0 Staff

- (1) The Council shall employ and set the compensation of an Executive Director, who shall serve at the pleasure of the Council.

- (2) The Executive Director shall employ and discharge professional, technical, or clerical staff as may be necessary to carry out the purpose of the Council. The Executive Director may make agreements with other agencies, within or without the geographic boundaries of the region, for temporary transfer, loan, or other cooperative use of staff employees and, with the consent of the Council or pursuant to procedures established by the Council, may acquire the services of consultants.
- (3) The Executive Director shall be responsible to the Council for supervising and administering the work program of the Council, including preparation of a proposed annual budget, for administration and supervision of Council employees, and for acquiring employee benefit coverage.
- (4) The Executive Director shall act as assistant to the Council officers in performing their duties and shall, at the direction of the Secretary, prepare minutes of each meeting and be responsible for distributing copies to members of the Council, and shall perform such other duties and responsibilities as directed by the Council.
- (5) The Executive Director shall act as Agency Clerk.

13.0 Committees

- (1) The Council shall establish and maintain such committees as it deems necessary to carry out the purposes and objectives of the Council. Committees shall be created or discontinued by the Chair as directed by the Council.
- (2) All committees and Chairs thereof shall be appointed by the Council Chair with the approval of a **Majority majority** of the Council, except that when the need arises between regular meetings of the Council ~~when the need arises~~ the Chair may fill vacancies, and/or appoint temporary committee members or Chair thereof. Any person so appointed by the Chair between regular meetings of the Council shall have full and complete authority to vote and carry out the duties of regular committee members until the next regular meeting of the Council or such shorter period of time as the Chair shall determine. The authority of the person appointed by the Chair between regular meetings of the Council may not extend past the next regular meeting unless confirmed by a majority of the Council. If a majority of the Council does not confirm the person appointed for future service on the committee, this shall in no way affect the validity of the actions taken by such person during the period between regular meetings of the Council.
- (3) The Chair shall have the authority to create committees in between Council meetings and appoint members, subject to ratification of the Council at its next regular meeting. All committees created by the Chair shall sunset at the expiration of the Chair's term unless extended by the incoming Chair.

14.0 Plans, Studies, Activities, and Reports

- (1) The Council shall prepare and adopt, pursuant to the requirements of Chapter 186 and Chapter 120, Florida Statutes, as amended from time to time, a Strategic Regional Policy Plan. The Plan may be

adopted in full, or specific elements or portions of the Plan may be adopted separately. The Plan and the elements shall be based on studies of the resources of the Region. The Plan or Plan element, when adopted, shall constitute the basis for the Council's actions when performing its assigned responsibilities of receiving Developments of Regional Impact, Local Government Comprehensive Plans, federally-assisted projects, and other regional overview or comment functions.

- (2) In the event one or more governmental units or public agencies within the Region should desire the staff of the Council to conduct special studies or activities pertaining to a portion of the entire Region, they may make application to the Council by ordinance, resolution, rule or order, wherein the applying entities bind themselves to pay all costs involved in the study or activity. If the Council deems the study or activity feasible, it may enter into a separate contract with the particular entity to conduct same.
- (3) The Council shall prepare an annual report on its activities. Copies of this report shall be provided to the appropriate State entities and all general purpose local governments within the Region. Copies of the report will also be available to interested persons upon payment of the cost to produce the report.
- (4) The Council shall make reports jointly with other regional planning councils to the appropriate legislative committees, as required or requested.
- (5) The Council shall annually prepare an accounting of the receipts and disbursements of all funds received by the Council for its preceding fiscal year. This accounting shall be rendered in accordance with Section 160.02(8), Florida Statutes, as amended from time to time.

~~14.0~~15.0 Agenda Procedure

- (1) For each Council meeting the Agenda shall be set in the following manner:
 - (a) The Agenda shall be set ten (10) days prior to each meeting.
 - (b) The responsibility of setting the Agenda shall be that of the Executive Director. In fulfilling this responsibility, the Executive Director may consult with the Chair. All items requested by the Chair shall be placed on the Agenda.
 - (c) Any member of the Council shall be permitted to add items to the Agenda so long as a request to do so is filed with the Executive Director at least five (5) business days prior to a regular or special meeting.
 - (d) Any additions, modifications, or deletions to the Agenda subsequent to it being set shall be in accordance with the provisions of Chapter 120, Florida Statutes, as amended from time to time. In particular, such additions, modifications, or deletions must be determined to be of a critical or emergency nature. Items to be included within the scope of a critical or emergency nature could be items that would require Council action prior to a subsequent regularly scheduled meeting at which time the item could be considered, and that by delaying consideration the purpose of the Council would not be reasonably achieved.

- (e) Emergency matters may be added to the Agenda of any regular or special meeting to the extent that the majority of the quorum then present of the Council approves of the addition which shall include the finding of an emergency, so as to place the item appropriately before the Council.
- (2) Any person, individual, or organization may request that an item be placed on the Agenda. All requests shall be considered in the following manner:
- (a) All requests for placing an item on the Agenda, except those made by the Chair, shall be made in writing to the Executive Director stating the following:
 - The subject matter to be considered;
 - The purpose in making the request;
 - The action requested of the Council, if any; and
 - The meeting date at which the item would be considered, indicating the reason, if any, for requesting the date.
 - (b) The item requested shall be placed on the Agenda of the next regularly scheduled meeting, provided that:
 - 1) The request is received a minimum of fourteen (14) days prior to the meeting;
 - 2) The Executive Director determines that:
 - a) The subject matter of the request can reasonably be considered to be within the purpose of the Council as set forth in 2.0 of this Statement of Organization; and
 - b) Sufficient staff effort and resources are available to properly prepare a report and recommendation on the requested subject, when necessary.

In making these determinations, the Executive Director may confer with the Chair. All requests which are not placed on the Agenda shall be brought to the attention of the Council by the Executive Director at the next meeting.

- (c) Should a Council Member wish to have an item, previously considered and acted upon by the Council, reconsidered, the Council Member may request, at any regular Council meeting, that the item be placed on the next meeting Agenda. The request must receive a majority vote of the Council Members present to agenda the item.
- (3) Unless otherwise provided by Chapter 120, Florida Statutes, as amended from time to time, provided herein, Robert's Rules of Order, as revised, shall ~~rule-govern in all council proceedings.~~

16.0 Withdrawal and Dissolution

Any principal member unit may withdraw its membership by resolution duly adopted by its governing body, and upon giving at least twelve (12) months written notice of withdrawal to the Chair or chief elected official of the

governing body of each principal member unit. The withdrawal shall only be effective at the close of the fiscal year (September 30), with all funding and contractual obligations of the withdrawing principal member unit continuing until the effective date. All property, real or personal, of the Council on the effective date of such withdrawal shall remain the property of the Council and the withdrawing principal member unit shall have no right thereto.

17.0 Compensation and Expenses of Members

- (1) Members shall receive no compensation for their services but shall be reimbursed by the Council for traveling expenses incurred while engaged in specific, authorized activities on behalf of the Council if requested. Such reimbursement shall be in accordance with the provisions of Chapter 112.061, Florida Statutes, as amended from time to time.
- (2) Each appointing authority shall be responsible for the expense of its appointed members in attending meetings of the Council held within the boundaries of District ElevenTen. The Council will be responsible for any other travel within the boundaries of District ElevenTen and any authorized travel outside of District ElevenTen.
- (3) The Council shall, from time to time authorize travel expenditures for Council Members at either a regular or special meeting called for that purpose. The Council shall, in consultation with the Executive Director, develop a travel policy which will articulate and codify the process and procedure for travel of the Council and its professional staff. The designated representative of the Council for the purpose of authorizing travel expenditures for Council Members shall be the Chair, except that for approval for travel expenditures of the Chair, the First Vice-Chair, the Second Vice-Chair or in their absence the Treasurer or Secretary, shall be the designated representative.
- (4) Authorization requests for travel of Council Members need not be accompanied by a signed statement of any other person prior to approval of such request being granted. Council Members do not have supervisors, as that term is used in Section Florida Statute 112.061(3)(a), Florida Statutes, as amended from time to time; therefore, this requirement is inapplicable.

18.0 Amendments

This Statement of Organization may be altered, amended or added to by vote of the Council, provided that:

- (1) Notice of the proposed changes shall normally contain a full statement of the proposed amendment;
- (2) The proposed amendment is placed on the Agenda of the next scheduled meeting following such presentation;
- (3) The proposed written change shall be mailed to all Council Members at least seven (7) days prior to the meeting at which a vote will be held;

- (4) Council Members may propose relevant changes from the floor to any proposed amendment under consideration on the Agenda;
- (5) The Council adopts the proposed amendment by a three-fourths (3/4) majority vote of the members present at the Council meeting; and
- (6) All proposed amendments will be required to comply procedurally with the requirements of Chapter 120, Florida Statutes, as amended from time to time.

19.0 Gender Neutral

It is the express purpose and intention of the Council that all terms or references to gender in this Statement of Organization shall be gender neutral, as the context may require. All references within this Statement of Organization shall follow and subscribe to the purpose and intent of the designation described herein in all matters affecting the Council.

20.0 Information Requests

- (1) The principal office of the South Florida Regional Planning Council is located at 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020. All official forms, publications, or documents are available for public inspection at the Council's principal office during regular business hours.
- (2) Copies of the Council's forms, publications and official documents prepared for public dissemination are available as follows:
 - (a) Public agencies, defined as those organizations representing the public government agencies situated in the State of Florida, receive Council publications at no charge;
 - (b) Private organizations situated in Florida, individuals, and all parties outside of Florida can receive Council publications-public records, including Council publications, at cost (as prescribed by §119.07, Fla. Stat. Florida Statutes), excluding the initial thirty (30) minutes of staff time, plus fifteen (15) cents per page (single-sided) and twenty (20) cents per page (double-sided) for black and white copies of no more than 8 ½ x 14 inches; and
 - (c) Council publications, out-of-print or forms, and documents are available for public inspection at the Council's principal office. Private organizations situated in Florida, individuals, and all parties outside of Florida wishing photocopies may receive same at cost (as prescribed by §119.07, Fla. Stat. Florida Statutes, as amended from time to time), excluding the initial thirty (30) minutes of staff time, plus fifteen (15) cents per page (single-sided) and twenty (20) cents per page (double-sided) for black and white copies of not more than 8 ½ x 14 inches. Ledger size copies (11 x 17) and color copies are available upon request at an additional cost.

(d) If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both.



MEMORANDUM

AGENDA ITEM #IV.G

DATE: APRIL 26, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: RESOLUTION TCSF #21-01 – CENTRAL AND SOUTHERN FLORIDA FLOOD RESILIENCY PLANNING STUDY

Please find attached TCSF Resolution #21-01 which was reviewed and approved at the March 19, 2021 SFRPC / TCRPC Workshop.

Recommendations

Adopt TCSF Resolution # 21-01.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954-924-3653 Phone, 954-924-3654 FAX
www.sfregionalcouncil.org



RESOLUTION TCSF #21-01

A JOINT RESOLUTION OF THE SOUTH FLORIDA AND TREASURE COAST REGIONAL PLANNING COUNCILS REPRESENTING THE LOCAL GOVERNMENTS OF MONROE, MIAMI-DADE, BROWARD, PALM BEACH, MARTIN, ST. LUCIE, AND INDIAN RIVER COUNTIES, FLORIDA; URGING THE UNITED STATES ARMY CORPS OF ENGINEERS TO CONDUCT THE CENTRAL AND SOUTHERN FLORIDA FLOOD PROJECT RISK MANAGEMENT INFRASTRUCTURE RESILIENCY PLAN STUDY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the South Florida and Treasure Coast Regional Planning Councils' seven county geographical area is comprised of Broward, Indian River, Martin, Miami-Dade, Monroe, Palm Beach, and St. Lucie counties and 122 municipalities, which contain over 6.8 million residents or nearly one-third of the State's population, responsible for generating over one-third of the State's gross domestic product; and

WHEREAS, the Councils are multi-purpose regional governmental entities with policy responsibility in the areas of affordable housing, economic development, emergency preparedness, energy, regional health, natural resources, urban planning, and regional transportation; and

WHEREAS, in 1948, the United States Congress authorized the Central and Southern Florida Flood Control Project ("C&SF Project") to provide flood control, manage water supply, prevent saltwater intrusion, and protect fish and wildlife resources; and

WHEREAS, the United States Army Corps of Engineers ("USACE") has administered the C&SF Project with the help of, among other agencies, the South Florida Water Management District ("SFWMD"); and

WHEREAS, The C&SF Project has resulted in the construction of over 1,000 miles of canals and levees, as well as dozens of water control structures and pump stations, throughout Central and Southern Florida; and

WHEREAS, over the course of decades, the C&SF Project has substantially altered Florida's natural and built environment to allow for development and agriculture and to improve Florida residents' quality of life; and

WHEREAS, a restudy of the C&SF Project was conducted in the 1990s to address the project's adverse environmental impacts considering the significant development that had taken place in Central and Southern Florida since the C&SF Project was authorized in 1948; and

WHEREAS, that restudy led to the creation of the Comprehensive Everglades Restoration Plan ("CERP"), which the United States Congress approved in the year 2000; and

WHEREAS, despite the successes of CERP and the ongoing efforts to implement CERP, sea level rise, development, population growth, and saltwater intrusion, among other factors, have continued to change the environmental conditions under which the C&SF Project operates; and

WHEREAS, governmental entities and stakeholders have therefore advocated for further study of the C&SF Project, a concept which has been termed a "resiliency study," an "update study," or a "restudy;" and

WHEREAS, a C&SF Project resiliency study could identify improvements that need to be made to the C&SF Project and could prioritize the improvements that best meet future C&SF Project objectives, such as flood control, protection of drinking water from saltwater intrusion, and defense against sea level rise; and

WHEREAS, a C&SF Project resiliency study could also be conducted in a manner that is complementary to CERP and incorporates nature-based and natural-infrastructure options; and

WHEREAS, conducting the C&SF Project resiliency study in this manner would help ensure synergy and alignment with the USACE's ongoing effort to restore the Everglades via CERP, which is a critical component of South Florida's environment, economy, and quality of life; and

WHEREAS, the USACE has initiated efforts to qualify for federal funding to conduct a C&SF Project resiliency study, which the USACE is referring to as the C&SF Project Flood Risk Management Infrastructure Resiliency Plan Study ("C&SF Flood Resiliency Study"); and

WHEREAS, in March 2020, the SFWMD agreed to participate as the local sponsor of the C&SF Flood Resiliency Study with the USACE; and

WHEREAS, in May 2020, the Mayors of Broward, Palm Beach, Miami-Dade, and Monroe Counties urged United States Senators Marco Rubio and Rick Scott, as well as the members of the United States House of Representatives who represent districts within the SFWMD boundaries, to support the C&SF Flood Resiliency Study and to ensure that the study would receive federal funding; and

WHEREAS, in October 2020, the Executive Director of the SFWMD urged United States Senators Marco Rubio and Rick Scott to support the C&SF Flood Resiliency Study; and

WHEREAS, in Fiscal Year 2021, the United States Congress allowed for the Corps of Engineers to begin eight (8) new studies in the Investigations Account for the USACE Army Civil Works program, including three (3) flood and storm damage reduction studies; two (2) navigation studies; two (2) environmental restoration studies; and one (1) multi-purpose watershed study to address coastal resiliency; and

WHEREAS, the USACE delivers an annual Work Plan for the Army Civil Works program to the United States Congress that designates eligible new start studies.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH FLORIDA AND TREASURE COAST REGIONAL PLANNING COUNCILS THAT THEY URGE:

Section 1. That the United States Congress allow the United States Army Corps of Engineers to begin an adequate number of new start studies in the Investigations Account for flood and storm damage reduction in the Fiscal Year (“FY”) 2022 Budget; and

Section 2. That the United States Congress provide sufficient funding for the USACE in the FY 2022 budget to conduct the C&SF Flood Resiliency Study; and

Section 3. That the USACE select the C&SF Flood Resiliency Study as a new study and provide it with appropriate funding in the FY 2022 Work Plan for the Army Civil Works program; and

Section 4. That this Resolution shall take effect immediately upon adoption hereof by both Councils.

DULY ADOPTED by the South Florida and Treasure Coast Regional Planning Councils on the dates indicated below.

Mario J. Bailey
Chair, SFRPC

Jeff Hmara
Chair, TCRPC

Adopted April 26, 2021

Adopted April 16, 2021



MEMORANDUM

AGENDA ITEM #VI.A

DATE: APRIL 26, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: SFRPC REVOLVING LOAN FUNDS STATUS REPORT

The South Florida Regional Planning Council Revolving Loan Program has historically served the needs of businesses that are not entirely served by conventional lenders, with an emphasis on applicants who have been denied credit by a conventional lender. As such, the Council's RLF loans are considered riskier than conventional loans. The Loan Administration Board may charge a higher interest rate to a particular borrower depending on the risk factors of that loan. In addition, most loan payments are due on the first day of each month until maturity.

Attached for your review is the Revolving Loan Fund Status Report. In reviewing the attached status report, please note that the borrowers' loan agreements provide a fifteen (15) day grace period in which they can make their payments without a five percent late charge penalty. This status report is generated fifteen (15) days prior to the end of the month. Council staff routinely makes phone calls and sends past due notices to past due accounts after ten (10) and fifteen (15) days.

The Council policy on loan amounts and the structure of the loans for each loan program is:

"Loan amounts may range from \$25,000 to \$500,000. Borrowers seeking more than one loan may not exceed \$500,000 in aggregate. Loans may be used for funding up to 100 percent of a project, provided that bank or conventional financing is unavailable, and that equity is nonexistent or is otherwise needed for cash flow. In cases where limited financing from a private/traditional source is available, loans can be used as supplemental or "second mortgage" funds. Second positions on collateral may be acceptable so long as the prior lien holder is a lending institution."

Please find attached Legal Counsel's South Florida Regional Planning Council ("SFRPC") / Revolving Loan Fund report on legal action that has been taken to collect on delinquent accounts.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954.924.3653 Phone, 954.924-3654 FAX
www.sfregionalcouncil.org

Payment Status Report

Traditional RLF Payment Status Report

Loan	Company /Borrower	Amount	Disbursed	Rate	Last Activity	Last Balance	Paid Thru	Days Late	Last Activity	Loan Date	Maturity Date	Board Action
1008		110,000.00	110,000.00	6.0	1,823.36	52,044.61	03/01/21	0	03/08/21	03/22/02	11/09/25	performing
1022		300,000.00	300,000.00	7.0	2,709.36	318,075.84	02/01/21	30	02/22/21	01/08/04	09/01/39	performing
1023		301,586.50	301,586.50	5.0	350.00	161,715.88	02/01/21	0	03/01/21	07/19/06	05/01/24	performing
1034		300,000.00	300,000.00	5.0	3,000.00	260,365.24	03/01/21	0	03/05/21	12/21/06	12/30/28	performing
1036		330,529.43	330,529.43	5.0	2,200.00	205,243.63	03/01/21	0	03/31/21	02/26/08	08/01/30	performing
1039		125,000.00	125,000.00	5.0	500.00	120,170.87	03/01/21	0	03/15/21	11/24/08	12/31/15	performing
1040		200,000.00	200,000.00	5.0	1,472.32	99,566.16	03/01/21	0	03/01/21	02/02/09	08/01/28	performing
2005		100,000.00	100,000.00	5.0	500.00	10,617.80	12/01/20	27	03/11/21	09/27/01	06/01/21	performing
3024		189,043.88	189,043.88	0.0	500.00	113,445.87	03/01/21	0	03/08/21	07/26/99	12/01/16	In Litigation - Judgment
4008		300,000.00	300,000.00	5.0	750.00	182,978.45	03/01/21	0	03/12/21	07/31/09	07/31/16	performing
4018		150,000.00	150,000.00	6.0	(465.00)	144,598.41	12/01/15	1885	10/22/20	07/12/13	08/01/20	In Litigation - Mediation
4022		43,000.00	43,000.00	0.0	0.02	42,687.48	07/01/16	1672	12/10/18	03/04/14	04/01/21	Default final judgment/bankruptcy
4024		235,000.00	235,000.00	5.0	1,577.00	183,532.23	03/01/21	0	03/01/21	04/16/14	05/01/26	performing
4027		149,500.00	149,500.00	5.0	400.00	86,446.28	03/01/21	0	03/08/21	12/15/15	05/01/21	performing
4028		75,000.00	75,000.00	0.0	765.03	74,994.72	04/01/19	669	04/12/19	11/17/16	12/15/25	Default - collateral workout
4029		75,000.00	75,000.00	0.0	803.02	75,000.00	04/01/19	669	04/12/19	12/14/16	09/30/18	Default - collateral workout
4031		332,972.82	332,972.82	6.5	1,000.00	321,849.33	03/01/21	0	03/01/21	09/28/17	09/30/18	performing
4032		300,000.55	300,000.55	7.0	3,577.27	262,857.91	03/01/21	0	03/12/21	10/24/18	12/31/28	performing
4033		254,999.57	254,999.57	7.0	4,078.55	204,440.68	03/01/21	0	03/01/21	10/25/18	11/01/28	performing
4034		84,506.66	84,506.66	7.0	150.00	71,412.80	11/01/20	89	12/23/20	01/03/19	10/25/25	Delinquent

Loan	Company /Borrower	Amount	Disbursed	Rate	Last Activity	Last Balance	Paid Thru	Days Late	Last Activity	Loan Date	Maturity Date	Board Action	
4035		248,684.03	248,684.03	7.0	1,450.00	203,017.14	03/01/21	0	03/01/21	03/05/19	01/03/26	performing	
4036		149,223.30	149,223.30	7.0	870.00	127,540.44	03/01/21	0	03/01/21	03/05/19	04/01/26	performing	
4037		173,904.64	173,904.64	5.0	1,750.00	163,016.34	03/01/21	0	03/01/21	03/28/19	04/01/26	performing	
4038		99,885.78	99,885.78	7.0	1,500.00	86,756.11	03/01/21	0	03/01/21	03/28/19	03/28/26	performing	
4039		200,000.00	200,000.00	7.0	150.00	196,815.27	11/01/20	89	12/23/20	03/12/20	04/01/24	Delinquent	
4040		400,000.00	400,000.00	7.0	2,000.00	398,643.06	03/01/21	0	03/01/21	09/23/19	04/01/27	performing	
4043		200,000.00	-	4.5	-	-	-	-	-	-	-	-	pending - closing 5/2021
4044		130,000.00	130,000.00	4.5	18.00	130,000.00	03/18/21	0	03/18/21	03/22/21	03/01/31	performing	
4045		212,074.18	135,701.83	7.0	0.00	135,701.83	03/01/21	0	03/18/21	07/18/19	08/01/24	performing	
Totals			5,769,911.34	5,493,538.99		33,428.93	4,433,534.38						

LIST OF COMMITTED EDA FUNDS
March 31, 2021

Loan #	Company Name	Committed	Commitment Date	Disbursed	Remaining Commitment	1st Disbursement		2nd Disbursement		3rd Disbursement		4th Disbursement	
4043		200,000	2/16/2021	\$ -	\$ 200,000.00								
4045		212,074	7/15/2019	\$ 135,701.83	\$ 76,372.35	7/18/2019	\$ 62,558.60	12/3/2019	\$ 21,499.65	6/2/2020	\$ 21,820.50	9/30/2020	\$ 20,749.50
TOTAL		\$412,074		\$ 135,701.83	\$ 276,371.35								

Cash Available to Lend			
Bank Balance as of	3/31/2021		\$ 970,371.91
Committed Funds			
Unfunded Loan Commitmen	\$ 276,371		
Administrative Fees	19,031.02		
Total Committed Funds			\$ 295,402.37
Total Uncommitted Funds			\$ 674,969.54

Kerry L. Ezrol
kezrol@GorenCherof.com



**GOREN CHEROF
DOODY & EZROL P.A.**
ATTORNEYS AT LAW

April 6, 2021

VIA E-MAIL (isabelc@sfrpc.com)

Isabel Cosio Carballo, MPA, Executive Director
South Florida Regional Planning Council
Oakwood business Center
One Oakwood Boulevard, Suite 250
Hollywood, FL 33320

Re: South Florida Regional Planning Council ("SFRPC") / Revolving Loan Fund Status Report

Dear Ms. Carballo:

Below please find the status of the Revolving Loan Fund cases which have been brought on behalf of the SFRPC. This shall confirm that once a judgment is obtained and recorded, our office has been instructed to take no further action, other than to re-record specified judgments, as requested, in a timely fashion. We have therefore removed all of the "Closed Cases" from this list. In the future, once a judgment is obtained and recorded relative to cases appearing on this list, they will be removed from this list.

1. SFRPC (SFRPC Account #4018) v. Angela Dawson, P.A. (Our File No. 9940547)

Complaint filed with the Court on May 7, 2018. Dawson filed a motion to recuse (remove) the judge, so litigation was delayed. Dawson filed an Answer and Counterclaim, which SFRPC moved to strike. Order entered approving our Motion to Strike Dawson's Affirmative Defenses and our Motion to Dismiss Dawson's Counterclaim. Dawson's Amended Counterclaim and Amended Answers and Affirmative Defenses were due on April 26, 2019. Dawson failed to file the pleadings by the deadline, and SFRPC filed a Motion for Summary Judgment. The hearing on the Motion for Summary Judgment was scheduled, and then reset at Dawson's request for October 23, 2019. A Motion for Judicial Default against Dawson was filed on October 25, 2019.

SFRPC requested an Amended Complaint for foreclosure. A Motion to Amend Complaint was filed and there have been two (2) hearings on the motion. Both times, the court has delayed a ruling on the motions, pending mediation.

A Motion to Strike Defendants First Amended Affirmative Defenses was filed on November 13, 2019. A Motion to Dismiss Dawson's Counterclaim was filed on December 19, 2019. On June 15, 2020 a hearing was set for the court to hear SFRPC's Motion for Judicial Default, Motion for Leave to File Amended Complaint, Motion to Strike Defendants' First Amended Affirmative Defenses and Motion to Dismiss Counterclaim. Dawson filed a new Counterclaim and new Answer and Affirmative Defenses just prior to the hearing, which the court accepted in place of the defective pleadings. SFRPC's motions were denied due to the court accepting the replacement pleadings. Dawson filed various additional pleadings, including an Affidavit of Excusable Neglect and an Affidavit from Ed McGann. Dawson filed a Request for Production on June 8, 2020, requesting a significant volume of documents which are unrelated to the pending litigation. Objection to the discovery request filed on July 8, 2020.

Litigation of this matter has been extended and complicated by the volume of pleadings filed by Ms. Dawson; each pleading requires a response from SFRPC. Mediation occurred on October 29, 2020 before Judge Lynch. The parties

Isabel Cosio Carballo, Executive Director

Page 2 of 2

April 6, 2021

were not able to reach a settlement at mediation. As a follow-up to mediation, on November 3, 2020 and January 27, 2021, SFRPC sent a written settlement offer to Dawson and her attorney; we are awaiting a response. SFRPC followed up again with written settlement offer to Dawson and her attorney on March 8, 2021. Counteroffer received from Dawson and transmitted to SFRPC on March 12, 2021.

2. SFRPC (Account No. 3024) v. Broadway Place, Inc. & Cuthbert H. Harewood, Jr. (File No. 0801590)

Default Final Judgment entered on March 14, 2011. Defendant filed a motion for rehearing on March 14, 2011. On April 19, 2011 the Court entered an order deferring ruling on Defendant's motion and ordered mediation. On June 14, 2011 the Court entered an Agreed Final Order Approving Settlement. Per the settlement, the Judgment was ratified. However, so long as the Defendant makes payments of \$500.00 per month beginning June 1, 2011, (for 23 months) and then \$1,000 per month, recording and execution of the judgment is withheld. Judgment Lien Certificate filed with the Florida Department of State/Division of Corporations on May 13, 2014. Default Final Judgment filed with Miami-Dade County on May 16, 2014. Payment received on June 30, 2020 in the amount of \$500.00.

Foreclosure Complaint filed on May 17, 2019. Clerk's Default entered against Broadway Place, Inc. on June 25, 2019. Order granting Judicial Default entered against Broadway Non-Stop Production, LLC on November 5, 2019. Motion for Substitution of Parties filed on September 11, 2019. Order granting Substitution of Parties on September 18, 2019. Estate of Zoila Alvarez filed Motion to Dismiss the Complaint. Estate of Alvarez's Motion to Dismiss was denied. Estate of Alvarez filed an Answer to the Complaint on May 27, 2020. Motions for Judicial Defaults were filed against unknown tenants on June 2, 2020. SFRPC's Motion to Strike Estate of Zoila's Affirmative Defenses was granted. SFRPC's Motion for Judicial Default on Tenants 7 and 8 on parcel 2 was granted. SFRPC's Motion for Summary and Default Final Judgment was filed on November 5, 2020. Defendant, Broadway filed a Motion to Vacate Default and to Quash Service of Process and a Motion to Cancel the Foreclosure Sale on January 8, 2021. A hearing on both motions was set for January 15, 2021. Broadway's Motion to Cancel Sale and Motion to Vacate Default and to Quash Service of Process was granted. Broadway filed their Answer and Affirmative Defenses on February 3, 2021. SFRPC's Motion to Strike Broadway's Answer and Affirmative Defenses is in the process of being drafted. On February 6, 2021, Estate of Alvarez file an Amended Answer and Affirmative Defenses. On February 16, 2021, SFRPC filed a Motion to Strike the Estate of Alvarez's Amended Answer and Affirmative Defenses. On March 10, 2021, SFRPC filed a Motion for Extension of Time to respond to Broadway's Answer and Affirmative Defenses.

Should you have any questions, please feel free to contact me.

Sincerely yours,

/s/ Kerry L. Ezrol

Kerry L. Ezrol

KLE:mls

cc: Samuel S. Goren, General Counsel (via e-mail & hard copy)
Alisha Lopez (via e-mail)
Steve Foreman (via e-mail)
Manny Cela (via e-mail)
Jeffrey Tart (via e-mail)
Kathe Lerch (via e-mail)



MEMORANDUM

AGENDA ITEM # VI.B

DATE: APRIL 26, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: SFRPC CARES ACT RLF STATUS REPORT

The U.S. Department of Commerce's Economic Development Administration is partnering with the South Florida Regional Planning Council (SFRPC) to oversee and administer a new \$5.90 million CARES ACT Business Revolving Loan Fund program that will alleviate sudden and severe economic dislocation caused by the coronavirus in Monroe, Miami-Dade, Broward and Palm Beach counties. Designated a U.S. Department of Commerce Economic Development District in 1994, the SFRPC welcomes this new program into its lending portfolio as it continues to expand its economic development activities.

The initiative/focus is to initially conduct financial assessments of vital and essential South Florida small businesses to evaluate financial and resiliency capacity with the focus on maintaining ongoing operations. Once assessed, the SFRPC along with its coalition partners will determine an applicable loan program to meet the financial needs of the small business in order to maintain its vital operations. This supplemental financial assistance award will help support critical small business operations for the long-term within industries that are essential in South Florida.

Since the program was launched on August 5, 2020, the SFRPC has received approximately 180 prospects inquiring into the loan program from Palm Beach, Broward, Miami-Dade and Monroe counties. Initial loan program funding is available for up to 2 years or until all loan funds are disbursed. As the program is revolving in nature, after all initial funds are deployed, new businesses will have an opportunity to seek financial support as loan proceeds are repaid from former borrowers.

To date, loan administration has approved fifteen (15) new CARES ACT RLF loans totaling \$3,228,000.



CARES ACT RLF FUNDING UPDATE

AS OF: 03/31/2021

APPLIED GRANT AWARD: 08/05/2020:	\$5,380,000.00
TOTAL FUNDED:	\$2,828,000.00
AVAILABLE TO LEND:	\$2,552,000.00

Loan #	LOAN AMOUNT	COUNTY	CITY
1	\$25,000.00	Monroe	Key Largo
2	\$30,000.00	Monroe	Islamorada
3	\$500,000.00	Broward	Pompano Beach
4	\$85,000.00	Palm Beach	Palm Springs
5	\$300,000.00	Miami- Dade	Miami
6	\$35,000.00	Broward	Hollywood
7	\$210,000.00	Broward	Miramar
8	\$150,000.00	Monroe	Key West
9	\$500,000.00	Monroe	Key West
10	\$500,000.00	Miami- Dade	Miami Beach
11	\$50,000.00	Broward	Hollywood
12	\$150,000.00	Broward	Davie
13	\$50,000.00	Broward	Lauderhill
14	\$243,000.00	Broward	Sunrise

TOTAL FUNDED: **\$2,828,000.00**

CARES ACT REVOLVING LOAN FUND

PAYMENT STATUS REPORT

Loan	Company /Borrower	Amount	Disbursed	Pmts	Rate	Pay/Yr	Normal Pay	Last Activity	Last Balance	Paid Thru	Days Late	Last Activity	Next Pay Due	Loan Date	Maturity Date	Board Action
5100		25,000.00	25,000.00	60	3.5000	12	454.79	454.79	22,650.15	03/20/21	0	04/01/21	05/01/21	10/20/20	11/01/25	performing
5101		30,000.00	30,000.00	60	3.5000	12	545.75	545.75	27,180.17	03/20/21	0	04/01/21	05/01/21	10/20/20	11/01/25	performing
5102		500,000.00	500,000.00	60	3.5000	12	1,458.33	1,458.33	500,000.00	04/01/21	0	04/01/21	05/01/21	11/11/20	01/01/31	performing
5104		85,000.00	85,000.00	84	3.5000	12	1,142.39	1,142.39	80,326.08	04/01/21	0	04/01/21	05/01/21	11/24/20	01/01/31	performing
5107		300,000.00	300,000.00	120	3.5000	12	2,966.58	2,966.58	288,979.77	04/01/21	0	04/01/21	05/01/21	11/20/20	11/01/30	performing
5108		35,000.00	35,000.00	60	3.5000	12	636.71	636.71	33,442.77	04/01/21	0	04/01/21	05/01/21	12/22/20	01/01/31	performing
5109		400,000.00	400,000.00	120	3.5000	12	4,944.29	4,944.29	388,125.57	04/01/21	0	04/01/21	05/01/21	01/14/21	01/01/31	performing
5110		150,000.00	150,000.00	120	3.5000	12	1,483.29	1,483.29	146,706.80	04/01/21	0	04/01/21	05/01/21	01/13/21	01/01/31	performing
5111		210,000.00	210,000.00	120	3.5000	12	2,076.60	2,076.60	205,635.94	04/01/21	0	04/01/21	05/01/21	12/31/20	01/01/31	performing
5112		500,000.00	500,000.00	120	3.5000	12	4,944.29	4,944.29	489,707.14	04/01/21	0	04/01/21	05/01/21	12/28/20	01/01/31	performing
5113		50,000.00	25,000.00	60	3.5000	12	454.79	25,000.00	25,000.00	03/01/21	0	02/25/21	05/01/21	02/25/21	03/01/26	performing
5114		150,000.00	150,000.00	120	3.5000	12	1,483.29	1,483.29	149,056.29	04/01/21	0	04/01/21	05/01/21	02/24/21	02/01/31	performing
5115		50,000.00	50,000.00	60	3.5000	12	909.59	909.59	48,479.92	04/01/21	0	04/01/21	05/01/21	02/02/21	02/01/26	performing
Totals		2,485,000.00	2,460,000.00				23,500.69	48,045.90	2,405,290.60							

**RLF CARES ACT APPLICATION TRACKING REPORT
PROSPECTS**

NAME OF APPLICANT/BUSINESS	INITIAL DATE	REQUESTED AMOUNT	BUSINESS TYPE	REFERRED BY	COUNTY
	10/26/20	\$100,000	water well drilling	n/a	Palm Beach
	12/04/20	\$250,000	gas company	City of Belle Glade thru TCRPC	Palm Beach
	01/11/21	\$50,000	chiropractor	n/a	
	01/27/21	\$100,000	telecommunications	n/a	Miami-Dade
	02/12/21	\$100,000	medical equipment	n/a	Broward
	02/22/21		construction	n/a	Broward
	02/24/21	\$25,000	trucking	FWLBC / Sandra Peart	Palm Beach
	02/25/21	\$25,000	n/a	n/a	n/a
	02/25/21	n/a	freight	n/a	n/a
	02/26/21	\$500,000	construction	Carlos Alamilla	Miami-Dade
	03/08/21	n/a	hurricane windows	n/a	Miami-Dade
	03/08/21	n/a	non-profit	survey	Miami-Dade
	03/08/21	n/a	shipping	survey	Miami-Dade
	03/08/21	n/a	??	survey	Miami-Dade
	03/09/21	n/a	child healthcare	survey	Miami-Dade
	03/09/21	n/a	restaurant	survey	Miami-Dade
	03/09/21	n/a	hotel	survey	Miami-Dade
	03/12/21	\$100,000	quartz countertop	SBA website	Miami-Dade
	03/12/21	\$200,000	flight training	n/a	Broward
	03/17/21	\$75,000	trucking	survey	Miami-Dade
	03/17/21	\$5,000	design	survey	Miami-Dade
	03/17/21	\$100,000	medical equipment	survey	Miami-Dade
	03/22/21	\$50,000	furniture	survey	Miami-Dade
	03/25/21	\$25,000	IT assistance	survey	Miami-Dade
	04/04/21	\$50,000	pediatric therapy	Anastasia (LearnOrb)	Miami-Dade
	03/31/21	\$50,000	transportation	survey	Miami-Dade
	03/28/21	\$25,000	n/a	survey	Miami-Dade
	04/05/21	\$100,000	medical	n/a	Miami-Dade

**RLF CARES ACT APPLICATION TRACKING REPORT
APPLICATIONS**

NAME OF APPLICANT/BUSINESS	INITIAL DATE	REQUESTED AMOUNT	BUSINESS TYPE	REFERRED BY	COUNTY
	02/26/21	\$500,000	govt agency	Carlos Alamilla	Miami-Dade
	04/05/21	\$394,000	medical	n/a	Palm Beach

CARES ACT Revolving Loan Fund
**SOCIAL MEDIA
 OUTREACH**

1st survey = 30 days
 03/03/2021 – 04/02/2021

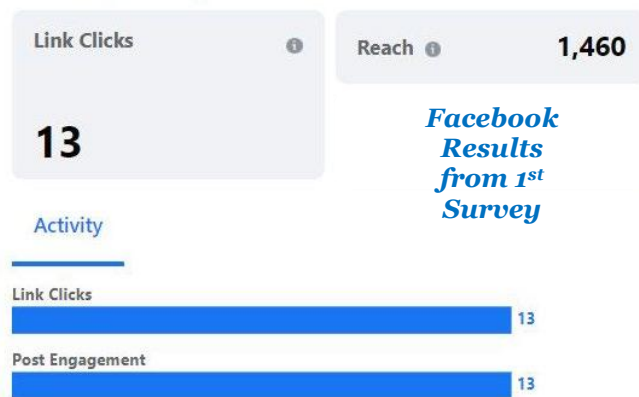
- Reached: 1,460 people
- Link Clicks: 13

2nd survey = 6 months
 03/29/2021 – 09/25/2021

- Reached: 1,339 people (as of 04/07/21)
- Link Clicks: 9



AND LOTS OF EMAILS!



Question #1:
 Please select which topics you would find beneficial to developing or helping your business recover from the COVID-19 Pandemic:

Building Business Credit	42.8%
Budgeting and Forecasting	19.6%
Strategic Planning	25.0%
Importance of an updated Business Plan	17.8%
SBA Loan Programs	69.6%
Other (View all)	5.3%



“Long term funding will help us focus more on recovering and building back up our business. Our business came to a halt due to Covid after we were building momentum. Currently, work has been trickling in, however with long term financing we will be able to improve our working capital and increase our marketing.”

“My business has been impacted by COVID-19 and my business can utilize a longer term financing option to help further stabilize and support a longer term business to operate. I am established staffing agency that can best uplift my community during these challenging times.”

“This funding can be used to fuel the necessary growth for the business by accessing resources that are out of reach due to the current financial situation. This growth could in terms help the community by creating employment opportunities and a give back initiative.”



MEMORANDUM

AGENDA ITEM #VII.A

DATE: APRIL 26, 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: ATTENDANCE FORM

Information only.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
954.924.3653 Phone, 954.924-3654 FAX
www.sfregionalcouncil.org

2020 - 2021 ATTENDANCE RECORD

COUNCILMEMBERS	6/22/20 Virtual	7/27/20 Virtual	9/21/20 Virtual	10/19/20 Virtual	11/23/20 Physical / Virtual	1/27/21 Physical / Virtual	2/22/21 Physical / Virtual	3/19/21 * Virtual
ASSEFF, Patricia Governor's Appointee	P	P	P	*	*	VP	–	–
BAILEY, Mario, Chair Governor's Appointee	P	P	P	P	P	P	P	VP
COLDIRON, Michelle Mayor, Monroe County	P	*	P	P	VP	VP	VP	*
CORRADINO, Joseph Mayor, Village of Pinecrest	*	*	*	*	VP	*	*	*
DIAZ, José (Pepe) Miami-Dade Co. Commission	A	*	*	*	A	*	–	–
FURR, Beam, Treasurer Broward County Commission	P	*	P	P	P	P	P	*
GARCIA, René Miami-Dade Co. Commission	–	–	–	–	–	–	VP	VP
GELLER, Steve, First Vice Chair Mayor, Broward County	P	P	P	P	VP	VP	P	VP
GILBERT, III, Oliver Miami-Dade Co. Commission	–	–	–	–	–	–	A	VP
GOLDBERG, Cary Governor's Appointee	P	P	A	P	VP	*	VP	VP
KAUFMAN, Samuel, 2nd Vice-Chair Commissioner, Key West	P	P	P	P	VP	VP	VP	VP
LEONARD, Jordan, Secretary Councilmember, Bay Harbor Islands	P	A	P	P	VP	P	VP	VP
MARTÍNEZ, Eddie Monroe County Commission	–	–	–	–	–	–	P	*
MONESTIME, Jean Miami-Dade Co. Commission	P	*	*	P	VP	VP	*	*
RICE, David Monroe County Commission	*	*	*	A	A	A	–	–
ROSS, Greg, Immediate Past Chair Mayor, Cooper City	P	P	P	*	P	P	P	VP
UDINE, Michael Broward County Commission	P	P	P	P	VP	VP	VP	VP
ZIADÉ, Ana M. Mayor, North Lauderdale	–	–	–	–	P	P	VP	VP

2020 - 2021 ATTENDANCE RECORD

EX-OFFICIO MEMBERS	6/22/20 Virtual	7/27/20 Virtual	9/21/20 Virtual	10/19/20 Virtual	11/23/20 Physical / Virtual	1/27/21 Physical / Virtual	2/22/21 Physical / Virtual	3/19/21 * Virtual
ANDREOTTA, JASON Florida Dept. of Environmental Protection	*	*	P	*	*	*	*	*
CORRY, Laura South Florida Water Management District	P	*	P	P	VP	VP	VP	VP
HUYNH, DAT Florida Dept. of Transportation	P	D	P	P	VP	VP	VP	VP
Department of Economic Development	-	-	-	-	-	-		-

P = Present

VP = Virtually Present

A = Absent

D = Designee Present

* = Excused Absence

- = Not Yet Appointed

CC = Via Conference Call

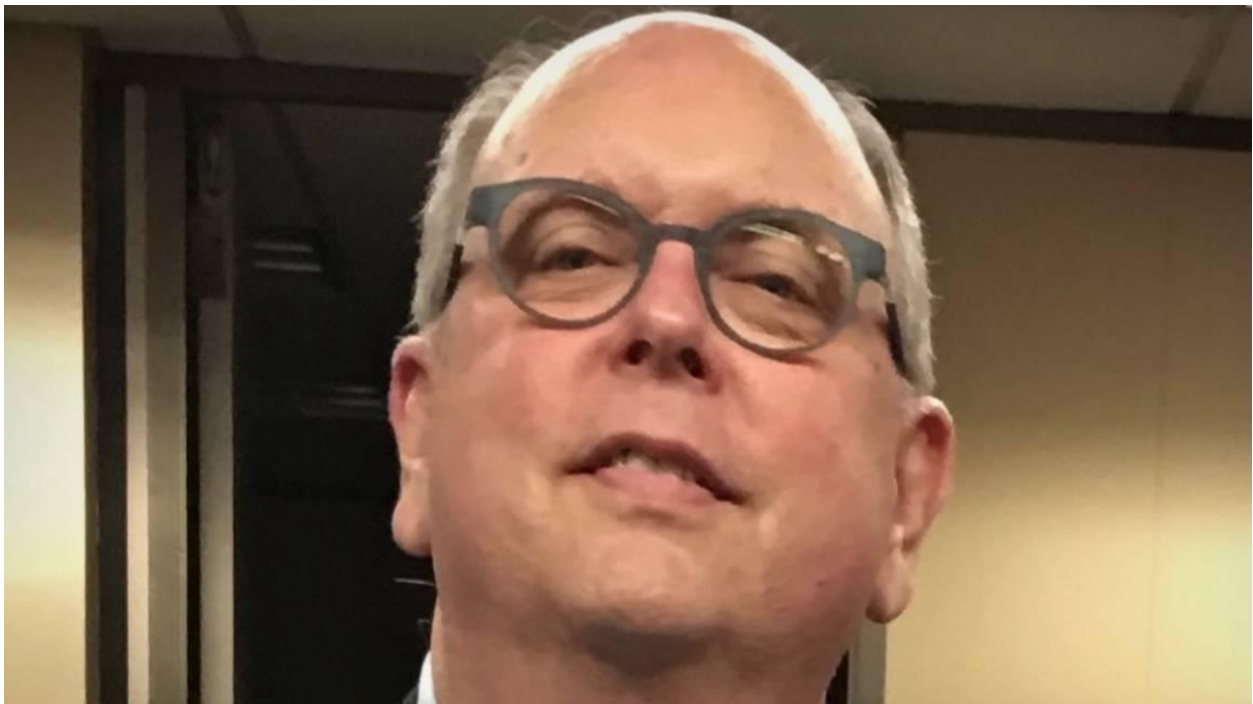
There were no meetings in February, March, April, August, or December of 2020

** Joint Meeting March 19, 2021*

[HTTPS://WWW.MIAMIPHERALD.COM/NEWS/LOCAL/OBITUARIES/ARTICLE250401156.HTML](https://www.miamiherald.com/news/local/obituaries/article250401156.html)

[LOCAL OBITUARIES](#)

Jack Osterholt, deputy mayor in Miami-Dade and county manager in Broward, dies at 71



Jack Osterholt, a former deputy mayor in Miami-Dade County and county administrator in Broward, died on Friday, April 2, 2021. OSTERHOLT FAMILY

BY DOUGLAS HANKS

APRIL 03, 2021 01:29 PM,

UPDATED APRIL 05, 2021 04:10 PM

Jack Osterholt, a [veteran public administrator](#) in South Florida who worked at the top of two county governments, died Friday, April 2. He was 71.

An urban planner, Osterholt landed a senior job in the office of Gov. Bob Graham in 1979, followed by a career in South Florida government and consulting that spanned five decades.

He ran Broward County's government in the 1990s as county manager, presiding over a string of land acquisitions and construction projects, including deals that led to the creation of the county's current performance hall, hockey arena and homeless shelter.

TOP ARTICLES

His consulting business included the city of Miami as a client in the 2000s, when he worked for Carlos Gimenez, then city manager. When Gimenez was elected Miami-Dade mayor in 2011, he recruited Osterholt as a deputy mayor, a position Osterholt held until Gimenez left office in November.

DEPUTY MAYOR UNDER CARLOS GIMENEZ IN MIAMI-DADE

“He was a visionary — always positive, can do. That’s what everyone loved about him,” Gimenez, now a Republican member of Congress representing Florida’s 26th District, said of Osterholt, a lifelong Democrat with a rescue dog he named Clinton. Osterholt “was a good friend.”

Coworkers described Osterholt as the one in the room most likely to lighten the mood during a tense meeting. “No matter how bad things were,” said Ed Marquez, a fellow deputy mayor under Gimenez, “he would always find a way to make a wisecrack that had us laughing.”

At a 2014 hearing, a county commissioner was complaining about intransigence at the county’s Division of Environmental Resources Management, which Osterholt supervised. His response: “We’ve gotten them so they don’t *always* say no.”

Born April 9, 1949, in Louisville, Kentucky, Bernard John Osterholt was the son of Bernard John and Ann Bauer Osterholt. He graduated the University of Louisville with a political science degree in 1970, and with a master’s in city planning from Georgia Tech three years later.

His family owned a Chevrolet dealership in Kentucky, which Osterholt briefly ran when his father died in the late 1970s. Osterholt rode a motorcycle as a teen and was a lifelong car aficionado. His favorite: a white Porsche he fixed up after finding it in a Kentucky barn, sharing the space with some chickens. When Osterholt got the job with Gimenez in Miami, he switched to a hybrid vehicle to conserve fuel on the commute.

For years, Osterholt was a weekend guitar player and owned dozens of the instruments. Some decorated his 29th Floor office at County Hall.

Early last year, Osterholt and his wife, Lynn Hawke, headed to the Golden Cockatoo store in Deerfield Beach to buy a parrot named Mimo, who joined the four dogs at their home in Hollywood.

“As long as Jack was busy, he was happy,” Hawke said. “He just loved his job, and did not want to stop working, for sure.”

WORKED FOR GOV. BOB GRAHAM

Osterholt began his career in land-planning positions at government agencies in Louisville and then in South Florida. He then joined the Graham administration, where he worked on policy and budgetary issues, including overseeing a staff of 130 as deputy director of the Office of Planning and Budgeting.

Those posts led to Osterholt’s first big job in the Miami area: director of the [South Florida Regional Planning Council](#). He led the agency from 1986 to 1991, when the board held approval powers for large developments from Monroe County to Broward. One of the projects that won final approval under Osterholt was Joe Robbie’s plans [for a new Miami Dolphins stadium](#) in what was then unincorporated land in northern Dade County.

Broward commissioners appointed him county administrator in 1991, a post he held for six years. The relationship eventually soured — Osterholt resigned under pressure in 1997 — but his tenure included approvals for landmark expansions of county facilities.

LEFT BROWARD AFTER SWERDLOW DEAL

That included a new homeless shelter in Fort Lauderdale that faced fierce neighborhood resistance, agreements that led to construction of the Broward Performing Arts Center, the arena where the Florida Panthers hockey team play, and a \$120 million land deal [with developer Michael Swerdlow](#) for property near Port Everglades.

That deal, which included swaps for county land and accusations [Broward paid too much](#), led to Osterholt’s break with some commissioners and his departure to become a government consultant. “He was bold enough not to worry about the risk of doing what he believed was right,” said Ron Book, a longtime lobbyist in Florida whose clients included Swerdlow and who was Osterholt’s friend.

Looking back, admirers say the 1997 agreement secured the future for Port Everglades, even if Broward ended up paying top dollar for the land.

“When you know that your future cargo activity requires dockside land, you have to get it. And we did. He did it,” said Bertha Henry, Broward’s current county administrator who was first

hired by Osterholt in the 1990s. “After that, we were able to become a real player in the cargo business.”

After Gimenez left office, Osterholt wasn’t retained as a top deputy by the new mayor, [Daniella Levine Cava](#). She moved him to the position of resilience plan and policy manager, and put one of his deputies, Lourdes Gomez, as director of Regulatory and Economic Resources, the department Osterholt ran while also serving as deputy mayor.

‘HE HAD A KIND HEART’

In a statement, Gomez said Osterholt was someone with a “gifted mind, wonderful sense of humor, and above all, he had a kind heart.”

“He always saw the big picture,” she said, “and challenged all of us to think differently.”

Along with his wife, Osterholt is survived by a son, John Perrin Osterholt, of New York; and a stepson, Ryan Hawke, of Lebanon Township, N.J. His sister, Lynne Osterholt, died in 2019. Osterholt’s first wife, Darlene Smith Osterholt, died in 2007.

No public services are planned for Osterholt, who had been hospitalized in recent days for a long-term heart condition. His son said Osterholt would want any donations in his name to go to Broward County nonprofits that were important to him.

“One of my father’s proudest accomplishments was working on developing the Broward County Homeless Assistance Center,” he said, referring to a facility now run by the [Broward Partnership](#). “The [Broward County Humane Society](#) was also important to him as it is where his dog of 13 years, Clinton, was adopted.”

Close-Up

By Rick Bowers
Herald Staff Writer

New director of planning walks tightrope

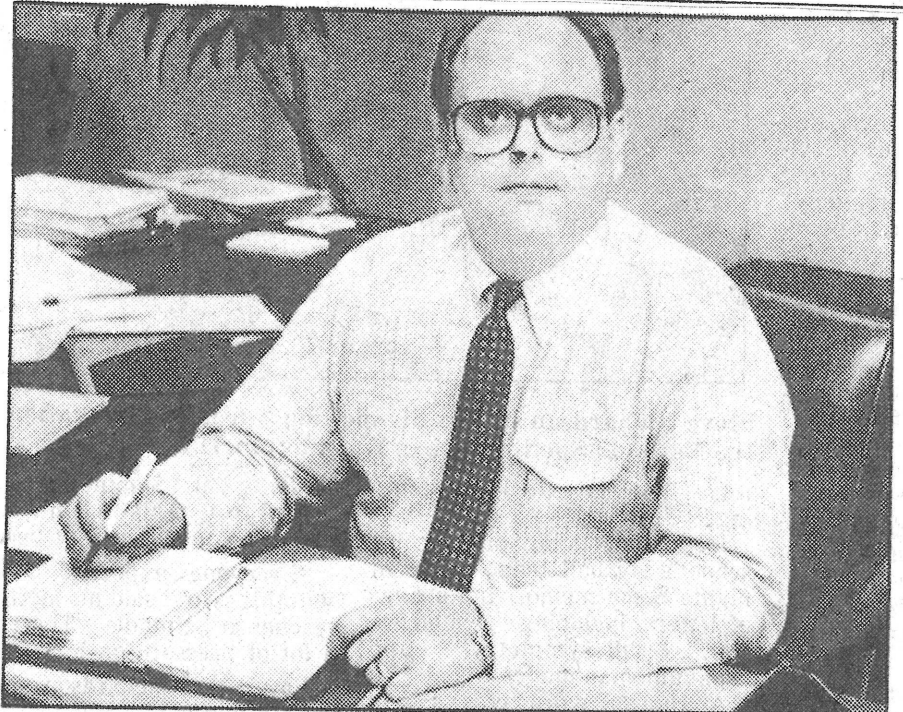
Pines complex OKd / 5BR

By RICK BOWERS
Herald Staff Writer

On one side will be the developers, who most likely will view him as a costly burden.

On the other will be the environmentalists, who most likely will take him to task for helping to destroy South Florida's remaining open land.

When B. Jack Osterholt moves into the Hollywood office of the South Florida Regional Planning Council on April 14, he'll be stuck in the middle. As executive director he'll answer to the developers, environmentalists and his real bosses — a committee of politicians



Associated Press

B. Jack Osterholt: 'My style is to work things out with people.'

from three often-divided counties.

"South Florida is certainly a growing, dynamic area. You're dealing with one of the most fragile environments in North America," said Osterholt, currently the deputy director of the governor's Office of Planning and Budget.

"The economic environment is vital, too. This is one of the fastest-growing

parts of the country," Osterholt said. "Our job will be to make sure growth occurs in the areas where it's appropriate."

The South Florida Regional Planning Council is made up of 19 officials and gubernatorial appointees from Broward, Dade and Monroe counties. The panel,

Please turn to **OSTERHOLT / 4BR**

Osterholt: Man on a tightrope

New planning director must walk a fine line

OSTERHOLT / from IBR

which approves major development projects and advises local governments, is hoping that a new executive director, broader vision and a less confrontational approach will make the agency an effective force for managing growth.

Barry Peterson resigned as executive director in November after a long-running battle with Miami Dolphins owner Joe Robbie over plans for a 73,000-seat football stadium on 432 acres near Lake Lucerne in North Dade. Robbie complained loudly that Peterson wanted him to pay too large a share of the project's road improvements.

Osterholt, 36, a native of Louisville, Ky., with a master's degree in city planning from the Georgia Institute of Technology, started his career as a planner with the regional council in 1974. He worked his way up to become one of Peterson's deputies before moving to the governor's office in 1978.

"Barry was a real professional. Make no mistake about that," Osterholt said during a visit to Hollywood on Monday. "But Barry's style and my style are different. My style is to work things out with people."

A former colleague thinks Osterholt will be able to walk the line between developers, environmentalists and politicians.

"I don't think you can put a label on him. I don't think he's in a position where he has to favor one side or the other," said John DeGrove, head of the Florida Atlantic University/Florida International University Joint Center for Environmental and Urban Problems and until last summer the state's top planning official. "There's a vacuum at the council and he's going to fill it. The whole region is crying out for leadership."

For years, developers have contended that the council subjects projects to unreasonable scrutiny and exacts excessive road improvements and services in exchange for its approval.

The council came under fire a year ago after

Cordis Corp., one of South Florida's biggest high-technology firms, threatened to leave the state because the council recommended that Cordis pay \$600,000 of the \$157 million in road improvements needed in West Dade.

County officials finally agreed to pay most of the cost to keep the company from moving away.

"There's been some chaos. We really need to pull things together," said Frank Callahan, a council member and former chairman.

The council also has butted heads with environmentalists, who often charge that it permits development in ecologically fragile areas. Much of the criticism has come from the Florida Keys, where officials and activists press the agency to draw the line against "overdevelopment."

Brenda Marinace, coordinator of the private, nonprofit Environmental Coalition of Broward County, said the leadership change at the council reflects the growing clout developers have over the agency.

An effective regional planning agency is one that views South Florida's natural resources as an interrelated ecosystem, she said. "The environment doesn't end just because there is a change in the county line," she said.

Council members also say that development pressures make effective regional planning essential.

South Florida, especially Southwest Broward County, is facing massive growth as development follows the new Interstate 75 and Sawgrass Expressway to areas that are fast becoming ripe for shopping malls, office buildings and housing developments.

The council's 15-member staff currently is reviewing 27 major development proposals, 13 from Broward. And at least five of those are concentrated in the southwest section of the county.

The council's major challenge, Osterholt said, will be to ensure sound development takes place in areas that can stand the environmental stress and where sensitive water supplies, wetlands and beaches won't be

endangered.

As council director, Osterholt will ultimately be responsible for the review of each development plan to come before the agency.

He will oversee the analysis of each project and sign off on the staff's final recommendations. Osterholt will answer directly to council members, who hired him for the \$65,000-a-year job.

Osterholt also will complete a regional master plan for South Florida, defining areas that can stand growth and those that may be too sensitive. The plan will also identify regional environmental resources that should be protected.

Osterholt will hire two or three new planners to help with the growing workload, council members said. Peterson's assistant, Sharyn Dodrill, was the only staffer to leave the agency with the former executive director.

DeGrove said Osterholt's knack for walking a tightrope between developers and environmentalists should bring badly needed stability to the council and help to promote a regional approach.

Council critics point out that the agency still suffers from past setbacks, particularly a decision by Palm Beach County to pull out of the pact a decade ago. They say that county should be part of the council because it is part of the growing South Florida region. Palm Beach County now is a part of the Treasure Coast Regional Planning Council.

Council Chairman Scott Cowan said that with the new director coming aboard and development pressures increasing, the council finally may begin to view South Florida as a unified whole.

"We've been very parochial. Dade has watched out for Dade, Broward for Broward and Monroe for Monroe," said Cowan, a Broward County commissioner. "We have to become more regional. We have to realize that we're all inextricably attached."

"If the regional council can lead the way, it would be great," Cowan said.



Executive Committee

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Hon. Steve Geller, 1st Vice Chair
Hon. Samuel Kaufman,
2nd Vice Chair
Hon. Quentin “Beam” Furr,
Treasurer
Hon. Jordan Leonard, Secretary
Hon. Greg Ross,
Immediate Past Chair

Councilmembers

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Hon. Joseph M. Corradino
Hon. René García
Hon. Oliver Gilbert, III
Cary Goldberg
Hon. Eddie Martínez
Hon. Jean Monestime
Hon. Michael Udine
Hon. Ana M. Ziade

Ex-Officio Members

Jason Andreotta, DEP
Laura Corry, SFWMD
Dat Huynh, FDOT

Executive Director

Isabel Cosío Carballo, MPA

Legal Counsel

Samuel S. Goren, Esq.
Goren, Cherof, Doody &
Ezrol, P.A.

April 6, 2021

The Honorable Marco Rubio
State Senator - Florida

The Honorable Rick Scott
State Senator - Florida

The Honorable Brian Mast
U.S. Representative, 18th District

The Honorable Lois Frankel
U.S. Representative, 21st District

The Honorable Ted Deutch
U.S. Representative, 22nd District

The Honorable Debbie Wasserman Schultz
U.S. Representative, 23rd District

The Honorable Rep. Frederica Wilson
U.S. Representative, 24th District

The Honorable Mario Diaz-Balart
U.S. Representative, 25th District

The Honorable Carlos Gimenez
U.S. Representative, 26th District

The Honorable Maria Salazar
U.S. Representative, 27th District

Dear Senators and South Florida Members of Congress:

On March 19, 2021 the South Florida and Treasure Coast Regional Planning Councils, representing the seven counties of Southeast Florida consisting of Monroe, Miami-Dade, Broward, Palm Beach, Martin, St. Lucie, and Indian River counties and more than 6.8 million people, met in a Joint Workshop and discussed the serious potable water, sewer, and stormwater drainage issues facing the Southeast Florida region. A key component of the meeting was a conversation about the Central and South Florida Flood Control Project and Resilience Study (C&SF) and the urgent need to address flooding and other related risks to vulnerable communities due to changed conditions, including sea level rise, weather patterns, land development, and population growth.

As you know, the C&SF Project was authorized by Congress in 1948 – more than 70 years ago – and has served as an invaluable contributor to the economic success of south Florida, particularly Miami-Dade, Broward, and Palm Beach counties. However, it was designed to deliver flood protection for 2 million residents, not the 11 million it currently serves nor the estimated 15 million people who will live in the region in 30 years.

Today, the C&SF system is under substantial stress due to changes in the physical environment, especially increased rainfall intensity and rising sea levels. Stormwater severely strains the system and sea level rise significantly threatens project operations.



Extreme high tide events already preclude operation of many of the flood control gates in the system. In 2009, a study performed by the South Florida Water Management District (SFWMD) determined that 18 flood control structures of the C&SF system were within six inches of their design capacity, meaning that stormwater discharges to tide will be hindered by an additional six inches of sea level rise, which we may reach before 2030. Despite significant local investment in resilience from land use to design standards and infrastructure improvements, these local efforts remain dependent upon the effective functioning of the C&SF Project.

Significant progress has been made to support the C&SF restudy effort. First, the Governing Board of the SFWMD agreed in March 2020 to be the local sponsor of the feasibility study. Second, the USACE in March 2020 completed an Initial Appraisal Report (IAR) for the study, conducted under Section 216 of the Flood Control Act of 1970, showing "there is Federal interest in proceeding to the feasibility phase of this study to further analyze and evaluate improvements to the C&SF project." Third, in May 2020, the South Atlantic Division approved the IAR, thereby making the restudy eligible for federal funding.

Without a functioning flood control system, more of south Florida's citizens, economy, and broader environment will be at risk. It is essential that the C&SF Project be reviewed to evaluate these external changes to the landscape and propose solutions to address the challenges. We urge Congress to fund the C&SF restudy in the FY 2022 Appropriations process and appreciate your attention to this issue.

Thank you for in advance for your consideration and continued support of the C&SF restudy and this funding request.

Sincerely,



Mario J. Bailey
Chair

encl. SFRPC / TCRPC Board Lists

cc Mr. Taylor N. Ferrell, Acting Assistant Secretary of the Army, Civil Works
General Scott A. Spellmon, Chief of Engineers and Commanding General, USACE
Colonel Jason E. Kelly, Commander, South Atlantic District, USACE
Colonel Andrew Kelly, Commander, Jacksonville District, USACE
The Honorable Steve Geller, Mayor, Broward County
Mr. Chauncey Goss, Chairman, SFWMD
Mr. Drew Bartlett, Executive Director, SFWMD
SFRPC Council Members

SOUTH FLORIDA REGIONAL PLANNING COUNCIL COUNCILMEMBERS, EX OFFICIOS

February 23, 2021

Mario J. Bailey, (Chair), Governor's Appointee Miami-Dade County

Steve Geller, (First Vice Chair), Mayor, Broward County

Samuel Kaufman, (Second Vice Chair), Commissioner, Key West

Quentin "Beam" Furr, (Treasurer), Commissioner, Broward County

Jordan Leonard, (Secretary), Bay Harbor Islands

Greg Ross (Immediate Past Chair), Mayor, Cooper City

Michelle Coldiron, Mayor, Monroe County

Joseph Corradino, Mayor, Village of Pinecrest

René García, Commissioner, Miami-Dade County

Oliver G. Gilbert, III, Vice Chair and Commissioner, Miami-Dade County

Cary Goldberg, Governor's Appointee Broward County

Eddie Martínez, Commissioner, Monroe County

Jean Monestime, Commissioner, Miami-Dade County

Michael Udine, Vice Mayor, Broward County

Ana M. Ziade, Mayor, North Lauderdale

Isabel Cosio Carballo, Executive Director

Sam Goren, Legal Counsel

Ex Officio Members

Jason Andreotta, Florida Department of Environmental Protection

Laura Corry, South Florida Water Management District

Dat Huynh, Florida Department of Transportation, District Six

**Treasure Coast Regional Planning Council Members, Alternates, Ex-officios
February 2021**

Officers

Jeff Hmara (Chair) - Vice Mayor, Royal Palm Beach
Cathy Townsend (Vice Chair), Commissioner, St. Lucie County
Douglas Bournique (Secretary/Treasurer), Gubernatorial Appointee, Indian River County

Palm Beach County

Maria Marino, Commissioner, Palm Beach County
Melissa McKinlay, Commissioner, Palm Beach County - Alternate
Mack Bernard, Commissioner, Palm Beach County
Robert Weinroth, Vice Mayor, Palm Beach County - Alternate
Gregg K. Weiss, Commissioner, Palm Beach County
Dave Kerner, Mayor, Palm Beach County - Alternate
Anne Gerwig, Mayor, Village of Wellington
Joseph Peduzzi, Commissioner, City of West Palm Beach - Alternate
Jeff Hmara, Vice Mayor, Village of Royal Palm Beach
Regina Bohlen, Commissioner, City of Pahokee - Alternate
Robert Gottlieb, Vice Mayor, Town of South Palm Beach
Kristine de Haseth, Mayor, Town of Orchid - Alternate
Abby Brennan, Mayor, Village of Tequesta
John Linden, Commissioner, Town of Lake Park - Alternate
David Norris, President Pro Tem, Village of North Palm Beach
Chelsea Reed, Councilmember, City of Palm Beach Gardens - Alternate
Michael Davis, Gubernatorial appointee, Palm Beach County
Mark Llano, Gubernatorial appointee, Palm Beach County

Indian River County

Peter O'Bryan, Commissioner, Indian River County
Joseph Earman, Commissioner, Indian River County - Alternate
Susan Adams, Commissioner, Indian River County
Laura Moss, Commissioner, Indian River County - Alternate
Ed Dodd, Mayor, City of Sebastian
Honey Minuse, Councilmember, City of Vero Beach - Alternate
Brian T. Foley, Councilman, Indian River Shores
Patti Oertle-Phaneuf, Councilmember, Town of Orchid - Alternate

St. Lucie County

Sean Mitchell, Commissioner, St. Lucie County
Chris Dzadovsky, Commissioner, St. Lucie County - Alternate
Frannie Hutchinson, Commissioner, St. Lucie County - Alternate
Gregory Oravec, Mayor, City of Port St. Lucie
David Pickett, Councilman, City of Port St. Lucie - Alternate
Curtis Johnson, Jr., Commissioner, City of Fort Pierce
Thomas Perona, Commissioner, City of Fort Pierce - Alternate
Reece J. Parrish, Gubernatorial appointee, St. Lucie County

**Treasure Coast Regional Planning Council Members, Alternates, Ex-officios
February 2021**

Martin County

Doug Smith, Commissioner, Martin County
Harold Jenkins, Commissioner, Martin County - Alternate
Stacey Hetherington, Commissioner, Martin County
Edward Ciampi, Commissioner, Martin County - Alternate
Eula Clarke, Mayor, City of Stuart
James W. Campo, Vice Mayor, Town of Sewall's Point - Alternate
Michael Houston, Gubernatorial appointee, Martin County

Ex-Officio Members

Lois Bush, Florida Department of Transportation
Kathy LaMartina, South Florida Water Management District
Jason Andreotta, Florida Department of Environmental Protection
Loraine Kelly-Cargill, South Florida Regional Transportation Authority



Mayor Steve Geller

Broward County Commissioner, District 5

115 S Andrews Avenue, Room 413 • Fort Lauderdale, Florida 33301 • 954-357-7005

Colonel Andrew D. Kelly
Commander, Jacksonville District, USACE
701 San Marco Blvd
Jacksonville, FL 32207-8175

Drew Bartlett
Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

April 15, 2021

Dear Colonel Kelly and Executive Director Bartlett,

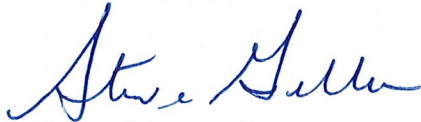
I am writing with respect to pending updates to the Lake Okeechobee System Operating Manual (LOSOM) incorporating soon to be operational infrastructure intended to provide additional flexibility and seasonal storage for the benefit of flood protection, environmental, water supply, recreation, and navigational purposes, including: Herbert Hoover Dike rehabilitation, Kissimmee River Restoration Project, C-43 West Basin Storage Reservoir, and C-44 Reservoir and Stormwater Treatment Area.

Broward County has been actively engaged in this process, with agency representation in scoping meetings, plan formulation and review of alternatives, and as a recipient of invited presentations before the Water Advisory Board and its Technical Advisory Committee. We commend the U.S. Army Corps of Engineers (USACE) and the South Florida Water Management (SFWMD) for the robustness of this process and the engagement opportunities provided.

As the USACE and SFWMD prepare to finalize the model runs to be used for additional iteration in final development of a balanced plan, Broward County requests that additional emphasis be placed on delivering equitable environmental and societal benefits, consistent with the SFWMD's April 8, 2021 presentation and statement regarding characteristics of a balanced LOSOM plan. The County further endorses an operation schedule that enhances wet season storage with the ability to reduce to harmful estuarine discharges while augmenting water availability for dry season water deliveries.

We look forward to engagement in the next several months as the tentative selected plan is finalized and will be eager to see these benefits prioritized in this process. As always, thank you for your efforts and consideration.

Sincerely,

A handwritten signature in blue ink that reads "Steve Geller". The signature is fluid and cursive, with the first name "Steve" being more prominent than the last name "Geller".

Mayor Steve Geller

Cc: Broward County Board of County Commissioners
Bertha Henry, Broward County Administrator
Monica Cepero, Deputy County Administrator
Leonard Vialpando, Director, BC Environmental Protection and Growth Management
Dept. (EPGMD)
Dr. Jennifer Jurado, Deputy Director, BC EPGMD
Alan Garcia, Director, BC Water and Wastewater Services
Walter Wilcox, Section Administrator, SFWMD

From: [Isabel Cosio Carballo](#)
To: [Staff](#)
Subject: FW: Governor Ron DeSantis Announces More Than \$63.5 Million in Awards to South Florida Communities for More Resilient Infrastructure
Date: Friday, April 16, 2021 1:07:54 PM

From: Florida Department of Economic Opportunity <donotreplydeoinfo@deo.myflorida.com>
Sent: Friday, April 16, 2021 1:02 PM
To: Isabel Cosio Carballo <isabelc@sfrpc.com>
Subject: Governor Ron DeSantis Announces More Than \$63.5 Million in Awards to South Florida Communities for More Resilient Infrastructure



Governor Ron DeSantis Announces More Than \$63.5 Million in Awards to South Florida Communities for More Resilient Infrastructure

TALLAHASSEE, Fla. - Today, Governor Ron DeSantis announced that more than \$63.5 million has been awarded to South Florida communities through the Florida Department of Economic Opportunity's (DEO) Rebuild Florida Mitigation General Infrastructure Program. The program, administered by the Department, allows local governments to develop large-scale infrastructure projects to make communities more resilient to future disasters.

"My administration remains committed to providing the resources necessary for Florida communities to build back stronger and be more resilient to future storms," **said Governor DeSantis**. "This transformational mitigation funding will go a long way in helping Florida's communities invest in their futures through critical infrastructure improvements."

The funds are allocated to the state through the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant – Mitigation (CDBG-MIT) Program formed in response to the 2016 to 2017 presidentially declared disasters.

"Governor DeSantis continues to prioritize making our state more resilient to future storms," **said DEO Executive Director Dane Eagle**. "The Rebuild Florida Mitigation General Infrastructure Program provides communities with the opportunity to invest in more resilient infrastructure to better protect our state from future storms."

DEO is awarding the following communities funding through the Rebuild Florida Mitigation General Infrastructure Program:

- **Broward County (\$6,250,000)** – to construct an interconnect between the Broward County Reuse Facility and the City of Pompano Beach's OASIS Reuse facility.
- **City of Doral (\$1,000,000)** - to reduce the frequency and severity of stormwater flooding by providing a positive-gravity drainage outfall discharging into the NW 58th Street canal.
- **City of Fort Lauderdale (\$10,500,000)** – to replace aging and undersized stormwater infrastructure with new infrastructure systems that help with neighborhood flooding issues and provide better water quality treatment prior to releasing into the intracoastal waterway.
- **City of Key West (\$3,099,159)** – to install tide valves at 40 stormwater outfall points of discharge to address saltwater flooding of roadways, sidewalks, and low-lying properties caused by high tides.
- **City of Key West (\$6,336,165)** – to design and construct a pump-assist injection well to address flooding in a low-lying area that collects significant runoff.
- **City of Lauderhill (\$3,125,215)** – to complete water and sewer line improvement projects.
- **City of Miami (\$13,497,843)** – to retrofit portions of existing seawall, construct new sea wall sections, and other coastal resiliency improvements.
- **City of Miami (\$1,216,963)** – to implement roadway resiliency improvements to NW 17th Street, between NW 27th Avenue and NW 32nd Avenue. Improvements include the installation of a drainage system, exfiltration trench, storm inlets, accessibility ramps, and swales.
- **City of North Miami Beach (\$6,000,000)** – to implement system-wide improvements to the sewer collection system that protects public health and natural water resources.
- **City of North Miami Beach (\$11,700,000)** - to enhance the water transmission and distribution system to improve water quality, fire flow capacity, reliability, and resiliency.

With a total allocation of \$475,000,000, the Rebuild Florida Mitigation General Infrastructure Program will provide two additional rounds of funding in the future to [communities](#) designated by HUD or the state as Most Impacted and Distressed (MID) by Hurricanes Hermine, Matthew, and Irma. Individuals who would like to receive updates about future mitigation funding opportunities may sign up [here](#).

The Department is the governor-designated state authority responsible for administering all U.S. Department of Housing and Urban Development (HUD) long-term recovery funds

awarded to the state. Rebuild Florida uses federal funding for Florida's long-term recovery efforts from the devastating impacts of natural disasters. For more information, visit RebuildFlorida.gov.

For more information about the \$150 million in Rebuild Florida Infrastructure awards, click [here](#).

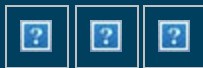
About DEO

The Florida Department of Economic Opportunity combines the state's economic, workforce and community development efforts, expediting economic development projects to fuel job creation in competitive communities and promote economic resiliency. For more information, including valuable resources for employers and job seekers, please visit www.FloridaJobs.org.

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President Biden Announces His Intent to Nominate Key Administration Leaders on Climate and Transportation

APRIL 14, 2021 • STATEMENTS AND RELEASES

WASHINGTON – Today, President Joe Biden announced his intent to nominate 10 members of his Administration to lead on climate and transportation matters across key agencies, including the Department of Energy, Department of the Interior, Environmental Protection Agency, and Department of Transportation.

The President has tapped Tommy Beaudreau for Deputy Secretary of the Interior, Department of the Interior, Meera Joshi for Administrator, Federal Motor Carrier Safety Administration, Department of Transportation, Faisal Amin for Chief Financial Officer, Environmental Protection Agency, Christopher Coes for Assistant Secretary for Transportation Policy, Department of Transportation, Shannon Estenoz for Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, Radhika Fox for Assistant Administrator for Water, Environmental Protection Agency, Michal Freedhoff for Assistant Administrator for Chemical Safety and Pollution Protection, Environmental Protection Agency, Jill Hruby for Under Secretary for Nuclear Security and Administrator for of the National Nuclear Security Administration, Department of Energy, Winnie Stachelberg for Assistant Secretary for Policy, Management, and Budget, Department of the Interior, Department of the Interior, and Tanya Trujillo, Nominee for Assistant Secretary for Water and Science, Department of the Interior.

Tommy Beaudreau, Nominee for Deputy Secretary of the Interior, Department of the Interior

Tommy P. Beaudreau is an attorney and former Chief of Staff for the U.S. Department of the Interior under Interior Secretary Sally Jewell. During his nearly seven years with the Interior

Department, he also served as the first Director of the Bureau of Ocean Energy Management and as Acting Assistant Secretary for Land and Minerals Management. Beaudreau was born in Colorado and raised in Alaska. He currently is a lawyer in private practice in the Environment, Land and Resources Department at Latham & Watkins, LLP and was a non-resident fellow with Columbia University's Center for Global Energy Policy. Beaudreau is a graduate of Yale University and the Georgetown University Law Center. He resides in Washington, DC with his wife and two children.

**Shannon Estenoz, Nominee for Assistant Secretary for Fish and Wildlife and Parks,
Department of the Interior**

Shannon Estenoz is the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks for the Department of the Interior. Prior to being appointed to her current position, Shannon served as the Chief Operating Officer and Vice President of Policy for The Everglades Foundation. Previously, Shannon served as the US Department of the Interior's Director of Everglades Restoration Initiatives and the Executive Director of the South Florida Ecosystem Restoration Task Force. Her previous professional roles also include Executive Director of the Environmental and Land Use Law Center, Everglades Program Director of the World Wildlife Fund, Sun Coast Regional Director of the National Parks Conservation Association and three terms as the National Co-Chair of the Everglades Coalition. Estenoz's public service includes appointments to Florida Governor Lawton Chiles' Commission for a Sustainable South Florida, Governor Jeb Bush's Commission for the Everglades, the Governing Board of the South Florida Water Management District, the Water Resources Advisory Commission and the Broward Water Resources Task Force.

Estenoz is a fifth generation native of Key West, Florida. She holds degrees in International Affairs and Civil Engineering from Florida State University.

From: Kimco Realty <noreply@kimcorealty.com>

Sent: Friday, April 16, 2021 11:26 AM

To: Isabel Cosio Carballo <isabelc@sfrpc.com>

Subject: Kimco & Weingarten Strategic Merger

Kimco Realty Corporation

Dear Valued Tenant:

I am writing to share exciting news with you. Kimco has entered into a definitive agreement to merge with Weingarten, which will create the preeminent open-air shopping center and mixed-use real estate owner in the country. This strategic transaction combines two highly complementary open-air retail real estate platforms resulting in an unparalleled national portfolio of 559 high-quality assets. These properties comprise over 100 million square feet of gross leasable space and are primarily concentrated in the nation's top metropolitan markets.

By joining forces with Weingarten, we are creating an even stronger company that is poised to benefit from increased scale in key Sun Belt markets. This will enable us to offer you even greater options when it comes to advancing your real estate objectives. Importantly, this merger reflects our conviction in grocery-anchored shopping centers and advances our strategy of providing our tenants and shoppers with greater last-mile fulfillment opportunities.

We expect the transaction to close during the second half of 2021, subject to shareholder approvals and other customary closing conditions. Until then, it remains business as usual with Kimco and Weingarten continuing to operate as separate and distinct companies. Once the transaction closes, Kimco's management team will lead the combined company. We expect a smooth integration process with no interruption to our day-to-day operations.

It's important to note that today's news in no way affects our existing lease agreements.

Know that we remain committed to your business and value our relationship. If you have any questions, please reach out to our national call center at 1-833-800-4343 or directly to your Kimco point of contact. All of us at Kimco are very excited about this transaction and the opportunities it will create for all our stakeholders over the long-term.

Sincerely,
David Jamieson

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Commercial Real Estate

Oakwood Plaza in Hollywood could have up to 3,800 residential units under new zoning



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The rezoning of Oakwood Plaza in Hollywood could pave the way for residential development.

KIMLEY HORN & ASSOCIATES

COMPANIES IN THIS ARTICLE

Kimco Realty Corp.
New Hyde Park, NY

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Kimley-Horn
Raleigh, NC
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By **Brian Bandell** - Senior Reporter, South Florida Business Journal
4 hours ago

The Oakwood Plaza retail center in Hollywood could be rezoned to allow for thousands of residential units, and perhaps hotels.

The city's Planning and Development Board will consider the application by Oakwood Plaza LP and Oakwood Business Center LP, both affiliates of New Hyde Park, New York-based Kimco Realty Corp. (NYSE: KIM) for the 112.5-acre

property April 13. It's located at 2700 Stirling Road, on the east side of Interstate 95 between Stirling Road and Sheridan Street.

The property owner wants to change the land use from "general business" to "Oakwood Activity Center," which would expand the type of development allowed there.

Oakwood Plaza currently has 953,771 square feet of retail and 85,689 square feet of office. The maximum development under the current zoning is 1.64 million square feet of retail and 3.28 million square feet of office. Given how the Covid-19 pandemic has impacted the retail and office markets, such development may not be feasible in the short term.

Under the new zoning, the maximum development at Oakwood Plaza would be 1.2 million square feet of retail, 1.89 million square feet of offices, 3,800 residential units and 625 hotel rooms. The application says portions of the site would be redeveloped to add residential, hotel rooms, more retail and meeting spaces. No site plan has been filed, so it's not clear which portions of the property would be developed. However, Oakwood Plaza has large parking lots and tenants such as Kmart and Sweet Tomatoes have closed.

Officials with Kimco couldn't be reached for comment. It's represented in the application by attorney Dennis D. Mele and planning firm Kimley-Horn.

“The integration of these proposed uses has been shown to create opportunities for shared trip ends between consumers and to provide concurrent opportunities for residents to live and work in the same center, thereby reducing potential traffic impacts to the wider area,” the developer stated in the application. “As an added benefit, the residential component of the amendment site is within comfortable walking distance of the existing transit corridor serving this development.”

At build out, the project would generate 4,525 daily vehicle trips, according to the application.

Tenants in Oakwood Plaza include Home Depot, Marshalls, HomeGoods, Dave & Busters, Ross Stores, Michaels, PetSmart, BJ’s, and Regal Cinemas. Kimco acquired 100% ownership of Oakwood Plaza in 2016.

This would continue the trend of multifamily and hotel being added to retail centers. Kimco developed Dania Pointe in neighboring Dania Beach with both apartments and a hotel.

<https://www.sun-sentinel.com/news/environment/fl-ne-sea-level-rise-threatens-florida-roads-20210319-lcheqk6p4rcb5ivprpzfgg3wfg-story.html>

Miles of Florida roads face 'major problem' from sea rise. Is state moving fast enough?

By MARIO ARIZA (SOUTH FLORIDA SUN SENTINEL) AND ALEX HARRIS (MIAMI HERALD)

FLORIDA CLIMATE REPORTING NETWORK |

MAR 19, 2021 AT 7:00 AM

The impact of sea level rise on thousands of miles of South Florida roads.

After years of ignoring or denying climate change, Florida has begun assessing the threat that sea rise poses to a sprawling transportation network essential to the state's economy.

But [the risks](#), like the water, are rising fast.

One 2018 Department of Transportation study already has found that a 2-foot rise, expected by mid-century, would imperil a little more than 5% — 250-plus miles — of the state's most high-traffic highways. That may not sound like a lot, but protecting those highways alone could easily cost several billion dollars. A Cat 5 hurricane could be far worse, with a fifth of the system vulnerable to flooding. The impact to seaports, airports and railroads — likely to also be significant and expensive — is only now under analysis.

While simply acknowledging the risk represents [a sea change in government](#) leadership in Florida, there are already questions if the state has started too late and whether it can move fast enough to keep up with the rising water.

"My concern, on a scale of one to ten, is about eight," says [Leonard Berry, a professor emeritus of geosciences at Florida Atlantic University](#) and the lead author of a 2012 study that first analyzed the vulnerability of Florida's roads to the rising seas and found the single most at-risk stretch in an unexpected place: Dania Beach.

(Story continues after illustration.)

How much of your street will be underwater?

As sea levels rise, Florida's roads are at risk of flooding. The state has only just begun analyzing how climate change will affect the thousands of miles of roads that crisscross the state, in part thanks to a tool developed by the University of Florida that displays different levels of sea rise on the state road system. This adaptation of the tool shows how sea rise is expected to affect coastal roads in your neighborhood under the NOAA intermediate high sea level rise projection, the estimate most commonly used by infrastructure designers in Southeast Florida.

To look up an address, select a county below first.

Bay County

Decade

2040 2060

Percent underwater

1-20%

20-40%

40-60%

60-80%

80-100%

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Map by [Aric Chokey](#)

Source: [University of Florida Geoplan Center](#)

If you can't see the interactive map above, [click here to view it.](#)

But it is only now, nine years later, that FDOT is starting to design roads with climate change in mind. And the shift in practice, interviews and public records reveal, has as much to do with a different administration in Tallahassee as it does with pressure on the state from coastal municipalities with flooded roads.

That lost time, Berry says, means money. "We are postponing investments now that will cost us five to 10 times more in the future."

While state transportation and environmental agencies say they are confident that Florida has the resources and expertise to address the threats without disrupting daily travel or business in the years to come, they can't yet answer some key questions, starting with how much it will cost to adapt roads — let alone protect obviously high-risk commerce centers like seaports.

With the focus on major roads, the state has not yet calculated the broader impact to state and local roads, but a South Florida Sun Sentinel and Miami Herald analysis, conducted using data from the state's own sea level rise planning tool, found that the potential toll is significantly higher.

By 2040, some 445 miles of roads in the state would likely be flooded. By 2060, that number more than triples to almost 1,600 miles of roads.

State Sen. Shervin Jones, a Broward County Democrat who sits on the Florida Senate's transportation committee, calls the climate threat a "ticking time bomb."

[RELATED: Floridians are underpaying for flood insurance, study finds. Get ready for costs to rise »](#)

"We can't keep pushing it off to the next session" Jones said of the threat the changing climate poses to the state's roads. "One session will be the last session where we push it off and we're going to have a major problem."

Republican Florida House member Vance Aloupis shares Jones' concern, but he also credits Gov. Ron DeSantis for the progress the state has made in addressing its transportation vulnerabilities.

"We're not at the place where our living rooms are getting flooded like on Miami Beach, but it's only a matter of time," Aloupis said of his Coral Gables district.

Where we are going, we don't need roads

At a Jan. 12, 2021, meeting of the Florida Senate Transportation Committee, FDOT secretary Kevin Thibault began his presentation to legislators by quoting Doc Brown from the 1985 film "Back to the Future."

"Roads? Where we are going, we don't need roads," said Thibault, the head of an agency with a \$10 billion annual budget. No one laughed.

Included in the presentation was a breakdown by Will Watts, the agency's chief engineer, of the work FDOT has been doing in the last few years to prepare Florida for the climactic changes set to rock the state in the coming decades.

[RELATED: Florida senators, in bipartisan unison, support plan to fight sea level rise »](#)

The primary focus, he said, was on evaluating the impact of climate change on its most important highways, a network that Florida transportation planners poetically term the "strategic intermodal system." Like a cardiologist examining a middle-aged patient for circulatory issues, FDOT has set about trying to figure out just how vulnerable chunks of its strategic intermodal system really are and what should be operated on first.

To do so, Watts said, they helped fund a sea level prediction tool built by researchers at the University of Florida. They also ordered up a risk assessment — an analysis of how vulnerable a road or bridge might be — of the entire strategic intermodal system.

"Phase one, which looks at highways, is complete," Watts told the senators. Phase two, which looks at ports and airports, was still ongoing. FDOT, he said, was still working on its "action plan" for how to adapt. The department plans to release that plan in the next few months.

The study Watts referenced was commissioned in 2018 and completed by Cambridge Systematics. It found that "the regional transportation network is significantly vulnerable to storm surge and sea level rise."

It found that a 2-foot rise in sea levels, which experts forecast by 2050, would imperil "a total of 252 centerline miles of the total SIS highway system," or about 5.5% of the state's critical highways. Storm surge projection from a Category 5 storm could flood a fifth of those roads.

The findings, for the most part, identified the same risks that the FAU study highlighted six years earlier in 2012. But it also pointed to even more problems.

[RELATED: Eta left South Florida's poor neighborhoods struggling in the floodwaters »](#)

In that analysis, Berry, along with engineers from FDOT, published a peer reviewed paper that year that looked at all the roads in Florida — not just the critical high-traffic highways the state analyzed in 2018. He found that up to 10% of Southeast Florida's roadways were potentially vulnerable to a 3-foot, 2-inch rise in sea level.

Across the state, 5% of all roadways may be in peril — led by a stretch in coastal Broward County.

"We found that the lowest state roadway in the entire system is Dania Beach Boulevard," said Fred Bloetscher, a professor of civil engineering at Florida Atlantic University who worked on the 2012 study alongside Berry.



View of the eastbound Dania Beach Boulevard. As Florida has just started looking into the impact of sea level rise on its thousands of miles of roads, a study from Florida Atlantic University in 2012 found that the lowest-lying state road in Florida was Dania Beach Boulevard. (Pedro Portal/Miami Herald)

Their paper also pointed out that flooded roads snarled traffic and eventually became structurally unsound.

That more recent FDOT study, along with an April 2020 memo Thibault sent to DeSantis confirming that the agency will "continue to identify risks" from sea level rise and storms, point to a major shift in the politics of climate change for longtime Florida transportation watchers like Janet Bowman.

Bowman, a senior policy adviser for the Nature Conservancy, just finished her third stint working on the team overhauling the state's Transportation Plan Update, a process that happens every five years.

"The first time it was very difficult to have any discussion of resilience or climate, and certainly, that's changed," she said. "I think this time there really was no resistance to talking about it and developing policy."

The road ahead

Despite the challenges and still-unknown but likely massive price tags for projects, state leaders say they are confident the state was prepared to adapt thousands of miles of roads before they're soaked by rising seas.

"It is a critical issue to address and plan for and take seriously," Noah Valentstein, head of Florida's Department of Environmental Protection and the state's chief resilience officer, said in an interview with the South Florida Sun Sentinel and Miami Herald.

The most daunting unknown may be cost. The best estimates come from places where road raising — one of the main strategies to keep streets dry — is already underway.

In Monroe County, recent estimates indicate that raising just half of the county's 300 miles of road at risk before 2060 could cost \$1.8 billion. That price tag is lower in places like Miami Beach, where the water drained from higher roads doesn't have to be cleaned to such a high standard as the Keys. Miami Beach's first residential road raising project, which elevated about 3 miles of road, cost \$40.9 million.

Valenstein pointed to Gov. Ron DeSantis' recent proposal for a billion-dollar bond to help local governments adapt to sea level rise as a sign of the state's financial commitment.

[RELATED: Sea-level rise: the defining issue of the century | Editorial »](#)

Thibault, who participated in the same interview as Valenstein, said the department of transportation plans to work the cost of resilience into its regular budget process and tackle it on a project-by-project basis.

"There is no set-aside number that we've identified as a resiliency number. It's part and parcel of how we do business. It's a continuous process," he said.

Another key problem: How high should they build the road? That depends on how much sea level rise you expect.

Lots of organizations from NOAA to the Army Corps of Engineers, have different estimates of when all the water will show up. A lower estimate would call for a lower road, and less money spent to build it — but it may end up with the road being swamped.

Neither secretary offered a direct answer on how the state will go about choosing which sea level rise estimate is most appropriate for each project.



The intersection of Dania Beach Boulevard and U.S. 1 As Florida has started looking into the impact of sea level rise on its thousands of miles of roads, a study from Florida Atlantic University in 2012 found that the lowest-lying state road in Florida was Dania Beach Boulevard. (Pedro Portal/Miami Herald)

Valenstein pointed to the work the state is doing to develop a tool for choosing the right projections for state-funded coastal construction, a process kick started by the lone climate change bill passed in 2020 sponsored by State Sen. Jose Javier Rodriguez.

Perhaps in a nod to that process, Thibault said that if there's a range of seasonal high water marks for an area, DOT will pick the highest one to better protect the road.

"We tend to side on the conservative in the data we build in our system," he said.

But when asked about a possible process for abandoning roads that are too expensive to keep dry under future flood conditions, something the Keys are considering, Thibault said the topic "has never come up."

Local government led the way

In its turn toward resilience, the state's department of transportation is following the lead of local governments, particularly in South Florida.

Jennifer Jurado, the chief resilience officer for Broward County, credits the state for a “positive evolution” in the way it thinks about the implications of sea level rise.

Before the change in attitude, Jurado says, “there was a severe reliance on receptiveness of individuals in order to have informed conversations about how projects need to be evaluated.” Some of those individuals appear to have listened.

In a recent training session for planners on how to use the UF tool that shows sea level rise’s impact on roads, a policy planning leader at FDOT shared that her district had learned how to estimate the right amount of future sea rise from Jurado herself.

But it’s clear that the newfound camaraderie between state and local officials was hard won, and that could signal new hurdles ahead when it comes to making tough decisions about height and costs of future roads.

In Miami Beach, the first city in the state to dramatically elevate roads in response to rising seas, leaders agree it was a challenge to get FDOT on the same page at first.



The Dania Beach Boulevard bridge. A study from Florida Atlantic University in 2012 found that the lowest-lying state road in Florida was Dania Beach Boulevard. (Pedro Portal/Miami Herald)

“Over the years we’ve not always seen exactly eye to eye but we’ve agreed on the engineering concepts behind these things,” said Eric Carpenter, deputy city manager of Miami Beach.

When the state did work on a section of Alton Road a few years back, they were not interested in raising the road as high as the city wanted. But partway through the project, engineers discovered that the city’s alarms about how close saltwater was to the bottom of the road were true, and FDOT switched to a newer, more salt-resistant material. City officials point to that switch, and the state’s decision to significantly elevate the next portion of Alton Road they work on, as a sign of Miami Beach’s influence on the agency.

“Our city has definitely blazed trails in examining what elevation criteria would be the most protective for now and the future,” said Amy Knowles, chief resilience officer for Miami Beach.

Like in Miami Beach, a DOT project in Hollywood was also gummed up when the state agency realized partway through that high sea levels posed more of a threat than anticipated.

Jorge Camejo, the executive director of the Hollywood Community Redevelopment Agency, said it took the department three years to finish what should have been an 18-month project reconstructing a portion of State Road A1A between Sheridan Street and Hollywood Boulevard — because of tidal flooding.

“It made them realize that this is a serious condition that makes this segment of A1A no longer just another roadway project. It’s a challenging situation,” he said. “This isn’t just putting asphalt down anymore; you have to figure out what to do with the water.”

Camejo says plans to address the flooding issue involve putting in stormwater pumps and installing one-way valves that allow water to drain away from the road but stop it from flooding back in when tides rise. They’re also looking into raising roads, but that poses a major challenge.

“We could raise A1A by as much as a foot, which might make a big difference in the flooding, but what does that do to the harmonization between A1A and existing properties?” he said.

Much in the same way that Miami Beach discovered that water flows downhill after raising roads in the Sunset Harbor neighborhood in 2016 and accidentally flooded adjacent businesses, Camejo worries about the spillover effects from road raising.

No matter which option the state chooses, Camejo said he’s grateful the conversation has moved past the “milestone” of acknowledging the risks of rising seas.

“At the highest policy level of state road construction we now have their attention, and that’s the first step to coming up with a solution,” Camejo said.

South Florida Sun Sentinel data reporter Aric Chokey contributed to this report.

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This story was produced in partnership with the [Florida Climate Reporting Network](#), a [multi-newsroom initiative](#) founded by the Miami Herald, the South Florida Sun Sentinel, The Palm Beach Post, the Orlando Sentinel, WLRN Public Media and the Tampa Bay Times.