



DRAFT AGENDA

MONDAY, MAY 24, 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

SFRPC Council Meeting May 24, 2021

Mon, May 24, 2021 10:30 AM - 1:00 PM (EDT)

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

<https://global.gotomeeting.com/join/158674909>

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Access Code: 158-674-909

I. Pledge of Allegiance and Roll Call

II. Approval Council Agenda

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

“Resiliency Initiatives and Programs at DEP” – Alex Reed, Director, Office of Resilience and Coastal Protection, Florida Department of Environmental Protection

IV. Action Items

A. Minutes of Previous Meeting

April 26, 2021 Minutes

May 7, 2021 Minutes



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

- B. Financial Report
- C. Consent: Comprehensive Plan Amendment Reviews

Proposed

- City of Aventura 21-01ESR
- City of Doral 21-01ESR
- City of Doral 21-02ESR
- City of Florida City 21-01ESR
- City of Homestead 21-01ESR
- City of North Miami 21-02ESR
- Town of Southwest Ranches 21-02ESR
- City of Sweetwater 21-01ESR

Adopted

- Broward County 21-03ESR
- Monroe County 21-03ACSC
- City of Hallandale Beach 21-01ESR
- City of Miami 20-02ESR
- City of Pompano Beach 20-04ESR

Public Hearing

- D. Regional Issues: Comprehensive Plan Amendment Review – None
- E. Clean Cities Update / Board Membership
- F. American Rescue Act / Regional Funding Priorities

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
- D. Council Highlights

VII. Announcements and Attachments

- A. Attendance Form
- B. Correspondence and Articles
- C. Upcoming Meetings

- 1) Monday, June 28, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)

- 2) Monday, July 26, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)
- 3) August – No Meeting (Summer Recess)

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://sfregionalcouncil.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.



Welcome!!

**Lorraine Mayers
Senior Regional Representative
South Florida Water Management District**

Ex-Officio Member, SFWMD



Lorraine began her career with the SFWMD's Broward Service Center in 1996 as a Senior Administrative Resource Associate responsible for development and implementation of budget and daily business operations. She now serves as the SFWMD's Regional Representative for Broward County as a liaison between local communities and its headquarters in West Palm Beach. Previously, she worked at the City of Fort Lauderdale's Fire Rescue Department.

She has a Bachelor of Science Degree in Business Management from the University of Central Florida, certificates of distinction in Front Office Management and Hospitality Management from Mid-Florida Technical College and certification from the Project Management Institute. She is a volunteer with Broward Meals on Wheels program, the Miami Dolphins Foundation, and the U.S. Miami Open Tennis. She resides in Broward County.



Special Guest

Alex Reed

**Director, Office of Resilience & Coastal Protection
Florida Department of Environmental Protection**

~ Resiliency Initiatives and Programs at DEP ~



Alex Reed was appointed as Director of the FDEP's Office of Resilience and Coastal Protection (ORCP) in November 2019, to focus the agency's multi-faceted approach to addressing coastal-related activities. ORCP oversees conservation efforts of 5.3 million acres of coastal and aquatic managed resources, protection and restoration of Florida's Coral Reef, comprehensive oversight of beach and inlet management activities, implementation of ecosystem restoration programs and preparation of Florida's coastal communities and state-managed lands for resilience to the effects of sea level rise, coastal flooding, erosion and future storms.

Alex has been with the department since 2009, serving in a variety of roles and most recently as the Director of the Division of Water Resource Management. Alex earned a B.S. in geology from Florida State University.

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

APRIL 26, 2021

The South Florida Regional Planning Council met virtually and in-person on this date. Chair Bailey called the meeting to order at 10:30 a.m., reminded everyone of the meeting's procedures, and led the Pledge of Allegiance. Chair Bailey requested a moment of silence for the passing of past Executive Director Jack Osterholt and Congressman Alcee Hastings.

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

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

The following Ex-Officio Members were virtually present:

John Moore representing Jason Andreotta, from the Florida Department of Environmental Protection
Dat Huynh, representing the Florida Department of Transportation, District VI

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

Chair Bailey recognized former Councilmembers Patty Asseff, David Rice, and Ex-Officio Member Laura Corry for their commitment and public service. Chair Bailey first recognized Councilmember Asseff. She stated that she had enjoyed her time at the SFRPC, loved being involved in the Clean Cities and Revolving Loan Programs, learned and gained a lot of insight being a Councilmember and from working with the various Executive Directors. She thanked the Council for this recognition. Mrs. Cosio Carballo stated that former Councilmember Asseff has been on the Council since 2000, in which she was Chair twice, and was a member of and Chair of the Southeast Clean Cities Coalition and the Revolving Loan Programs. The Council is indebted to Councilmember Asseff for her service at the Council, as a City of Hollywood Commissioner, and as Member and President of the Broward League of Cities. Mrs. Cosio Carballo stated that Councilmember Rice could not be present today. He served on the Council from 2003 to 2006, then again in 2014 to 2021. Ex-Officio Member Laura Corry joined the Council in 2013 and retired in April 2021. Ms. Corry gave a brief summation of her time at the Council, SFWMD, and the counties she represented. She thanked everyone, stated that she enjoyed serving on the Council, and that the Council is doing great work under Mrs. Cosio Carballo's leadership. She has known many of the Councilmembers over 20 - 25 years. The Councilmembers acknowledged and thanked both Councilmember Asseff and Ex-Officio Member Corry for their contributions to the Council and their affiliations.

Chair Bailey stated that Councilmember Asseff was an amazing resource of information. As a member of FRCA, he realized how well-respected Councilmember Asseff is across the state. He acknowledged her dedication to the RLF Program and that she will be missed at the Council. He thanked Ex-Officio Member Corry for the SFWMD partnership, her dedication, and resources to the Council. He stated that Councilmember Rice was also an excellent resource for the Council. He thanked them all for their service. Councilmember Asseff thanked Ex-Officio Corry and Councilmember Rice. She reminisced when she first started at the SFRPC 21 years ago when no one even thought of electric vehicles; we have come a long way.

Mr. Goren, Legal Counsel, explained the voting procedures for the Action Items.

II. Approval of Council Agenda

Motion was carried by unanimous consent.

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

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

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

IV. Action Items

A. Minutes of Previous Meeting

Councilmember Ziade stated that she was virtually present at the February Meeting. The Minutes will reflect the change.

Councilmember Ross moved to approve the Minutes of the Previous Meeting with the correction of Councilmember Ziade’s presence. Councilmember Geller seconded the motion, which carried by a unanimous vote.

B. Financial Report

Finance Manager, Leo Braslavsky Soldi explained the Financial Report in detail. There were no questions.

Councilmember Geller moved to approve Agenda Item IV.B Financial Report. Councilmember Ziade 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

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

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

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

Public Comment

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

Mrs. Cosio Carballo explained the transmittal cycle of the Amendment numbers.

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

D. Regional Issues: Comprehensive Plan Amendment Review – None

E. Auditor Selection & Oversight Committee

Chair Bailey noted that the Finance Committee selection was removed, and the Council will create an Auditor Selection and Oversight Committee. Mr. Goren explained the proposal and process in creating a three- to five-member Auditor Selection & Oversight Committee. Discussion ensued on the Auditor terms.

Councilmember Geller motioned an auditor could serve two consecutive five-year terms. Councilmember Ross seconded the motion.

Public Comment

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

Councilmember Geller amended the motion that an auditor could serve for two consecutive five-year terms. If the current firm had served two terms, they would be allowed to have one additional five-year term. Councilmember Ross seconded the motion.

The amended motion was discarded.

Councilmember Geller motioned an auditor could serve for two consecutive five-year terms. Councilmember Ross seconded the motion. Roll was called and the approval carried by a unanimous vote.

Chair Bailey requested the following Councilmembers to be part of the Auditor Selection & Oversight Committee in which they all agreed.

The Auditor Selection & Oversight Committee Members:

Councilmember Ziade
Councilmember Coldiron
Councilmember Martinez
Councilmember Garcia
Councilmember Udine

Public Comment

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

Councilmember Geller moved to approve the Auditor Selection & Oversight Committee Members. Councilmember Ross seconded the motion. Roll was called and the approval carried by a unanimous vote.

F. Statement of Organization Review and Update

Chair Bailey stated that the Statement of Organization Review Committee was comprised of the former past Chairs: Councilmember Geller, Councilmember Ross, and himself. Councilmember Geller summarized and explained the updates to the Statement of Organization. There were no comments from the Councilmembers.

Public Comment

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

Councilmember Ross moved to approve Agenda Item IV.F. Statement of Organization Review and Update. Councilmember Furr seconded the motion. Roll was called and the approval carried by a unanimous vote.

G. Resolution TCSF #21-01 – Central and Southern Florida Flood Resiliency Planning Study

Chair Bailey summarized Resolution TCSF #21-01 that was presented at the Treasure Coast and South Florida Regional Planning Councils' Workshop.

Public Comment

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

Councilmember Geller moved to approve Agenda Item IV.G. Resolution TCSF #21-01 – Central and Southern Florida Flood Resiliency Planning Study. Councilmember Ross seconded the motion. Councilmember Furr did not approve, and the item was passed by majority vote.

V. Discussion Items

A. Executive Director's Report

Mrs. Cosio Carballo updated the Councilmembers on the completion of the FDOT, District 6, Biscayne Bay Study, and the office technology for staff and the conference room. The FRCA Summer Meeting is scheduled for July 27, 2021, for SFRPC representatives, Chair Bailey, Councilmember Udine, and Councilmember Leonard. The Annual Report is being finalized, a Welcome Package will be sent to the Councilmembers for review, the Comprehensive Economic Development Study is being updated, in which Councilmember Geller was nominated as the lead point contact for the Council. Mrs. Cosio Carballo is available to the Councilmembers with any of their requests.

B. Legal Counsel Report

Mr. Goren thanked the Councilmembers for their collaboration on the Statement of Organization. He explained the reasoning behind having a Statement of Organization and some of the changes that were made. He thanked everyone.

Mrs. Cosio Carballo thanked Finance Manager Leo Braslavsky Soldi for the technological upgrades in the Conference Room. She announced that he has taken over all the technology responsibilities. There was applause.

C. Councilmembers Report

Councilmember Furr stated that he had a call from Martin County Commissioner / Treasure Coast Regional Planning Council Councilmember Doug Smith. They have worked together on many issues but mainly the Coral Reef issues. Over the last few years, they have been discussing biosolids, outfalls, water treatment, etc., and they believe this is a matter in which all 7 counties / TCSF RPCs can collaborate together. He suggested a TCSF Joint Meeting for a discussion on this issue. Mrs. Cosio Carballo spoke to TCRPC Executive Director, Tom Lanahan and discussed having a publicly noticed meeting on May 7, 2021. Chair Bailey stated that the Department of Environmental Protection's (DEP) Secretary Valenstein has been invited to speak at the May Council Meeting. He stated that DEP has a program with funding that addresses flooding and resiliency issues. He thinks the SFRPC should become involved and submit a plan. It was decided that both subjects be presented at the Council Meeting on May 7th. Chair Bailey would like to have a survey sent to the counties on their priorities and try to evaluate common issues. Mrs. Cosio Carballo stated that the American Recovery Act Fund will be coming into the region for the state, counties, and municipalities. The TCRPC's suggestion is that this is an opportunity to take some of that money and put it towards a regional project and work together. Councilmember Geller suggested the meeting take place later in the month, this way our Council has time to gather information from the counties. Mrs. Cosio Carballo clarified that the May 7th meeting will be to discuss the broader issues effecting the counties and prioritize them for a Joint Meeting. There was discussion on the date of the meeting and regional issues to be considered. It was decided that May 7th would be a meeting for an internal discussion and then Mrs. Cosio Carballo will coordinate with Mr. Lanahan on a Joint Meeting. She thanked Councilmember Coldiron and Monroe County's accomplishment on their Flood Policy discounts. The Council will feature Councilmember Coldiron and her staff at an upcoming regional webinar organized by the Council. Invitations have been extended to the Treasure Coast.

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

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

Chair Bailey gave a brief introduction and thanked Mr. Alfaro for his presentation. Mr. Alfaro thanked Chair Bailey and introduced Ross Ashley, who helped coordinate today’s presentation. They spoke with various Florida entities to focus on their priorities. One priority item is for local and state levels to be prepared for a quick response to the federal opportunity. He explained the funding for resiliency, water, water quality, a front and center for government. The presentation illustrated the American Rescue Plan’s (ARP) funding estimates to the State of Florida and to the local government entities. Mr. Alfaro informed the Council of the distinct funding areas to address pandemic related needs for response, recovery, revenue replacement, and the specific restrictions associated with the funding for both new and existing programs. The PowerPoint showed the funding amounts for state agencies and capital projects, counties, cities, and non-counties. He explained the financial aspects of the funding: application deadline, payment information, deadline for fund spending, etc. When looking at this ARP, he suggested that you do not look at just the local government’s allocations. There is a lot of funding flowing through the State. Every facet of government will be covered, and the ARP requires close attention to the competitiveness of some of these grants, the coordination, having the data resources, and other requirements and compliance. He stated that given the limited time, a lack of coordination and a lack of action will lead to a lot of confusion. They focused on education and transportation / infrastructure and described in detail funding and the needs at all levels of government. The application process was explained noting its length and requirements. The applications received before June 30th (deadline) will be reviewed first, funded more easily, and funded more. Once the requirements are met, funding eligibility is next, and then compliance becomes the focus. The government expects that if the efforts exceed your capacity, then a nonprofit can be involved but with that also comes the requirement and responsibility to monitor and oversee the recipient of these funds. Mr. Alfaro stated that you have to be quick to react, that some applications are already open and may be closing in mid-summer, and explained the ongoing compliance requirements, etc. Chair Bailey stated that at the May 7th Meeting, the various projects will be discussed and prioritized, and then hopefully be adopted at a Joint Meeting with Treasure Coast Regional Planning Council. Mr. Alfaro noted the various programs the Governor is planning to create, and the funding being distributed to the various Florida Agencies. Chair Bailey thanked Mr. Alfaro for his presentation.

C. Councilmembers Report - continued

Councilmember Coldiron stated that Monroe County (designated as an area of critical state of concern) was given an unfunded mandate fifteen years ago to go from septic to sewer. The County is almost finished with those projects. At one point, Monroe County thought they would be reimbursed with Mayfield Grant money, but then learned they were not allowed to use it for reimbursement. So, the County is always extremely careful. She looks forward to hearing what Miami-Dade County is doing with their infrastructure and how their funds were used and their disbursement.

Monroe County has always been looking at infrastructure and roads. They are in the process of completing a county-wide study. She will ask her staff to come up with a quick list of what they would like to do in collaboration with the other counties. Monroe County will be part of a program (May 11, 2021 from 1:30 to 3:00) describing how their residents were able to receive a discount on their flood insurance due to the improvements in making their community more resilient. Chair Bailey thanked Councilmember Coldiron.

D. Ex-Officio Reports – None

VI. Program Reports and Activities

A. SFRPC Revolving Loan Funds Status Report

Jeff Tart, Senior Loan Officer, thanked newly appointed RLF Board Members Councilmembers Kaufman and Goldberg for their leadership. He thanked Patty Asseff for guiding the RLF Board over the years, and wished her the best of luck. He stated that she will be missed. The RLF Program continues to perform with over 29 loans. He also thanked Mr. Goren and his office for their input and guidance with the problem loans.

B. SFRPC CARES Act RLF Status Report

Mr. Tart gave a brief history of the funding and expectations of the RLF CARES Act. Details were noted on the loans processed and the amount of funds left to lend. He asked the Councilmembers to continue to communicate within their respected counties. Advertisement information is available in Spanish and Creole. With the help of our Communications Director, the RLF Program is on social media (Facebook, Instagram, etc.) and has been successful.

Councilmember Ross requested more information on Angela Dawson's Loan. Mr. Tart explained that she is a client from the previous administration who unfortunately stopped verbally communicating with the Council or providing required information. He thanked Legal Counsel for their help and support, and explained her loan is secured with real estate properties and gave the specific details regarding the legal process to reach a settlement. Councilmember Ross recommended moving full force and to disregard the settlement. He mentioned that an additional option is to notify the Bar. Kerry Ezrol, Legal Counsel for the RLF Program stated that is what is being recommended. Mr. Ezrol was present for the legal proceedings regarding Ms. Dawson.

C. Development of Regional Impact Status Report – None

Public Comments – 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 28, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)
- 3) Monday, July 26, 2021, 10:30 a.m. TBD - (SFRPC, Hollywood)

Chair Bailey stated that now that the country has opened, he would like to travel to Miami-Dade and Monroe counties.

VIII. Adjournment

The meeting was adjourned at 12:03 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 April 26, 2021 Meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 24th day of May 2021.

Jordan Leonard, Secretary

Date

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

MAY 7, 2021

The South Florida Regional Planning Council met virtually and in-person on this date. Chair Bailey called the workshop meeting to order at 9:30 a.m., reminded everyone of the meeting's procedures, and Councilmember Geller led the Pledge of Allegiance.

I. Pledge of Allegiance and Roll Call

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

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

The following Ex-Officio Members were virtually present:

Jon Moore representing Jason Andreotta, from the Florida Department of Environmental Protection
Shereen Yee Fong representing Dat Huynh, from the Florida Department of Transportation, District VI

Chair Bailey announced that this workshop is being held in preparation for a future Joint Meeting of the South Florida and Treasure Coast Regional Planning Councils (TCRPC) to discuss whether there are potential joint funded projects that the South Florida and Treasure Coast Regional Planning Council local government members may want to support using American Rescue Plan funding. In preparation for this workshop Mrs. Cosio Carballo reached out to Monroe, Miami-Dade, and Broward counties to request their input on two funding priorities of regional impact related to infrastructure and resiliency. Today's format will have Miami-Dade and Broward counties present their regional priorities. Monroe County will present their regional priorities at a later date. Once presented, a final vote will be processed at the end of the presentations.

Councilmember Geller asked Legal Counsel if the public meeting notice placed by the Council for this workshop also extends to him and other members of the Broward County Commission. Stated another way, there is no need to have a separate public meeting notice placed by Broward County. Legal Counsel affirmed that the public meeting notice placed by the Council is sufficient.

II. Approval Council Agenda

Motion was carried by unanimous consent.

III. The American Rescue Plan and Priority Regional Needs in Southeast Florida

Mrs. Cosio Carballo stated that she sent an attachment to the Councilmembers called the American Rescue Act / Priority Regional Needs in Southeast Florida in advance of the workshop based on input received from Miami-Dade and Broward counties. Miami-Dade County's Chief Operating Officer Jimmy Morales presented two proposals meeting the criteria of regional impact / benefit and whose cost is so large that it is difficult to accomplish. One is an infrastructure project, the other is a resilience project. The resilience project is related to water quality and sea level rise. In South Florida, an issue is the septic to sewer conversions and the negative impact that failing septic systems, along with sea level rise, have on Biscayne Bay. The County estimates that it will cost \$700 million to address the 13,500 septic systems that need to be replaced by 2040. The County cannot use utility funds for this type of infrastructure. The other projects are related to regional transportation. Both, the North-East and North Corridors are priorities and part of the SMART Plan. The North-East Corridor (Tri-Rail Coastal Link) would run up the old FEC rail line into Broward County. The North Corridor rail line, a more western line, would run up NW 27th Avenue connecting to Broward County. Chair Bailey thanked Mr. Morales for his presentation. Discussion ensued on ocean outfalls, advanced water treatment (AWT), and deep well injection in Miami-Dade County. Mr. Morales stated the county has a very aggressive outfall capital program that is looking at treatment and deep well injection. Miami-Dade County Resilience Manager, Debbie Griner explained the details of the injection wells, waste-water treatment wells that are under construction, industrial injection wells, and the requirements that need to be met. The water quality issues: the ocean, the bays, the canal systems, are a regional issue. We all contribute to it with the nutrients and other substances into the water.

Councilmember García agreed with Mr. Morales on the subject of septic to sewer. He stated that although it is a Miami-Dade County land specific issue, but when those nutrients go into the Bay, they enter water currents and effect Palm Beach to Monroe counties. This is top priority to him and the well-being of South Florida. He stated that this should be a consolidated effort to make all our communities have clean water. If the reefs are damaged and the water is polluted, South Florida loses the tourism.

Councilmember Kaufman, Key West Commissioner, supports septic to sewer. He requested a workshop on advanced water treatment and the prospects for the future, and suggested Councilmember Furr chair the workshop. Chair Bailey thanked Councilmember Kaufman and stated this is an important conversation and looks forward to having this type of workshop.

Councilmember Geller agreed with Councilmember García.

PUBLIC COMMENTS - None

Councilmember Furr brought up the issue of biosolids that are being transported to Palm Beach, Martin, and other northern counties. Where we put our biosolids and the class of biosolids is an issue. If Miami-Dade County has the same issue this could be addressed regionally. This is the end result of septic to sewer. Chair Bailey requested Councilmember Furr create a list of specific questions for a workshop. Ms.

Griner stated that Miami-Dade County has similar issues. Miami-Dade County would welcome a workshop discussion on biosolids.

Mr. Morales and Mrs. Cosio Carballo agreed that there is a very large list of regional issues to consider.

Councilmember Furr stated that Broward County's priorities are the C&SF Project Resilience Study and the Coastal Link, although there are other issues that are also very important. Councilmember Geller stated the importance of the Restudy. It is not just the Study figuring out a solution, but the planning and the construction.

Chair Bailey thanked Mrs. Cosio Carballo for putting this all together on such short notice and it is appreciated.

PUBLIC COMMENTS - none

Chair Bailey stated that he would like to have a motion to select the two projects from Miami-Dade and Broward Counties and include Monroe County's submissions, once presented, as one.

Mr. Goren stated that this meeting is being conducted as an Executive Committee and will need the recommendation of the full Board or as a workshop basis adopting a consensus decision. Mr. Goren stated the intention of the Executive Committee is to, by consensus, adopt the proposals that are offered by the participants this morning as a recommendation from the Executive Committee to the full Board. The full Board can embrace the decision at the next meeting, so that it will be part of the record today.

Councilmember Geller stated that he is not comfortable voting on Monroe County's submission without knowing their proposal.

Chair Bailey stated there is a consensus to adopt Broward and Miami-Dade Counties' priorities, and have Monroe County present their priorities at the May 24th Meeting.

Mrs. Cosio Carballo stated this is the first conversation of many. The conversation will continue at the May 24th Council Meeting. She announced that Tom Lanahan (TCRPC), Carolina Maran (SFWMD), and Whitney Grey (DEP) are among the guests joining us today.

Chair Bailey welcomed Mr. Lanahan. Mr. Lanahan is thrilled with this regional conversation. There are certainly infrastructure projects that seem local but are regional. The issues related to the reef, the Restudy, and the Coastal Link are important.

Councilmember Geller motioned to accept Broward and Miami-Dade counties' priorities. Councilmember Ross seconded the motion, which carried by a unanimous vote.

IV. Announcements and Attachments

A. 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)

V. Adjournment

The meeting was adjourned at 10:33 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 May 7, 2021 Meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted the 24th day of May 2021.

Jordan Leonard, Secretary

Date



MEMORANDUM

AGENDA ITEM #IV.B.2

DATE: MAY 24 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: FINANCIAL REPORT

Attached is a Financial Report comparing the months of February 2021 through April 2021 for your review and approval.

Recommendation,

Approve the Financial Report.



South Florida Regional Planning Council
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020
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**SOUTH FLORIDA REGIONAL PLANNING COUNCIL
COMPARATIVE BALANCE SHEET**

April 30, 2021
(unaudited)

	Feb-21	Mar-21	Apr-21	Last month's Increase (Decrease)
<u>General Fund</u>				
Assets:				
Cash	1,355,608	1,365,391	1,265,200	(100,191)
SBA- Investment Account	11,182	11,182	11,183	1
Accounts Receivable	12,002	8,107	7,279	(828)
Due from Fed, State & Local Projects	341,399	62,453	55,844	(6,609)
Prepaid Expenses/Deposits	15,477	15,477	15,477	-
Total Assets	1,735,667	1,462,610	1,354,983	(107,627)
Liabilities and Fund Balance:				
Liabilities	57,604	66,047	3,665	(62,382)
Fund Balance	1,678,063	1,396,563	1,351,318	(45,245)
Total Liabilities and Fund Balance	1,735,667	1,462,610	1,354,983	(107,627)
<u>Federal, State, and Local Projects</u>				
Assets:				
Accounts Receivable	26,245	19,624	35,951	16,327
Total Assets	26,245	19,624	35,951	16,327
Liabilities and Fund Balance:				
Liabilities	16,838	16,838	16,838	-
Due to General Fund	341,399	62,453	55,844	(6,609)
Fund Balance	(331,991)	(59,667)	(36,731)	22,936
Total Liabilities and Fund Balance	26,245	19,624	35,951	16,327
<u>Revolving Loan Funds</u>				
Assets:				
Cash and Money Market	4,662,125	4,572,298	4,671,423	99,124
Receivables	5,367,836	5,487,158	5,652,141	164,983
Allowance for Loan Losses	(1,227,437)	(1,559,126)	(1,559,126)	-
Total Assets	8,802,525	8,500,330	8,764,437	264,107
Liabilities and Fund Balance:				
Liabilities	815,607	842,048	829,438	(12,609)
Fund Balance	7,986,918	7,658,282	7,934,999	276,717
Total Liabilities and Fund Balance	8,802,525	8,500,330	8,764,437	264,107
<u>Southeast Florida Regional Prosperity Institute</u>				
Assets:				
Cash and Money Market	42,401	41,251	41,251	-
Receivables	-	-	-	-
Total Assets	42,401	41,251	41,251	-
Liabilities and Fund Balance:				
Liabilities	37,079	37,079	37,079	-
Fund Balance	5,322	4,172	4,172	-
Total Liabilities and Fund Balance	42,401	41,251	41,251	-

SOUTH FLORIDA REGIONAL PLANNING COUNCIL

April 30, 2021

(unaudited)

<u>Description</u>	Feb-21	Mar-21	Apr-21	Fiscal Year to Date	% Realized	Annual Budget	% of Budget	Remaining Budget
<u>REVENUE REPORT</u>								
Membership Fees	\$ -	\$ -	\$ -	\$ 864,323	100%	\$ 864,323	33%	\$ -
Interest & Other Income	93	105	100	728	16%	4,500	0%	3,772
Local Funded Projects	26,297	2,826	24,789	123,463	56%	221,700	8%	98,237
Federal Funded Projects	93,062	119,082	42,941	423,258	47%	907,313	35%	484,055
State Funded Projects	1,211	10,300	-	61,145	74%	83,027	3%	21,882
Trust Funds	27,869	23,929	38,079	211,342	39%	545,700	21%	334,358
TOTAL Revenues	148,531	156,242	105,909	1,684,258	64%	2,626,563	100%	942,305
<u>EXPENSE REPORT</u>								
<u>Operating Expenses</u>								
Staff Compensation	\$ 98,742	\$ 105,555	\$ 92,477	\$ 772,955	60%	\$ 1,292,861	49%	\$ 519,906
Occupancy Cost	7,853	7,853	-	47,119	52%	91,200	3%	44,081
Utilities Electric/Sanitation	296	325	393	1,983	40%	5,000	0%	3,017
Janitorial Services	-	585	630	3,978	48%	8,295	0%	4,318
Repairs & Maintenance	-	-	285	285	7%	3,897	0%	3,612
Storage	952	476	476	3,332	67%	5,000	0%	1,668
Office Automation	4,191	5,419	5,760	40,179	50%	80,000	3%	39,821
Advertising, Notices, Supplies, Postage	1,926	993	4,687	11,166	72%	15,500	1%	4,334
Travel	140	13	-	153	2%	10,000	0%	9,847
Professional Development	-	-	5,125	16,632	55%	30,000	1%	13,368
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	11%	45,000	2%	40,151
Financial Services	2,023	970	2,164	7,554	16%	46,300	2%	38,746
Professional Consultants	-	2,577	2,147	5,650	45%	12,572	0%	6,921
Capital Expenditures	-	-	-	-	0%	95,000	4%	95,000
Subtotal Operating Expenses	123,507	132,375	114,144	934,517	53%	1,774,408	68%	839,891
Pass Through Expenses:	41,045	52,627	25,316	274,815	48%	572,483	21%	297,668
TOTAL Expenses	164,552	185,002	139,461	1,209,332	52%	2,346,891	89%	1,137,559
<u>OTHER REVENUES</u>								
Recovery of Bad Debt- Brownfields	\$ -	\$ -	\$ -	\$ -	-	\$ -		
Excess (deficit) Revenues over Expenditures	\$ (16,020)	\$ (28,760)	\$ (33,551)	\$ 474,926		\$ 279,672	11%	
RLF CARES Act Funding	\$ 274,593	\$ 21,488	\$ 265,935	\$ 2,963,744	56%	5,318,000	Total RLF CARES Grant	
(1) Additional legal YTD expenses included in "pass-through Expenses"				\$57,109				
<i>Note: Percentage of Fiscal Year lapsed</i>				58.33%				



MEMORANDUM

AGENDA ITEM #IV.C

DATE: MAY 24, 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
City of Aventura 21-01ESR (received 04-12-21)	✓	N/A	05-24-21	04-26-21
<ol style="list-style-type: none"> The proposed amendment to the City of Aventura’s Comprehensive Plan would revise the Future Land Use Element by revising the Business and Office land use categories to permit residential units in the Medical Office (MO) District and Business and Office land use categories, with an associated increase in the maximum floor area ratio, subject to conditional use approval. The intent is to allow a mixed-use development in the northwest corner of the City known as “Aventura North”. The amendment affects the City of Aventura. Council staff recommends that the City revise the amendment in accordance with the Department of Economic Opportunity technical assistance comment to provide clarity and specificity on intensity and density standards. Council staff also notes that the City 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 City’s Work Plan should have been updated and adopted by May 2020. Council recommends working with the South Florida Water Management District (SFWMD) for technical assistance, if needed. 				
City of Doral 21-01ESR (received 05-07-21)	✓	N/A	05-24-21	04-28-21
<ol style="list-style-type: none"> The proposed amendment revises text of the City of Doral’s Comprehensive Plan to reflect the City’s updated 20-Year Water Supply Facilities Work Plan, and incorporates the update to the Green, Infrastructure, Conservation, Intergovernmental Coordination, and Capital Improvement Elements. This amendment affects the City of Doral. Council staff recommends coordinating with the staff of the South Florida Water Management District (SFWMD) to ensure full compliance with all elements of the most recent Lower East Coast (LEC) Water Supply Plan Update approved by the SFWMD District Board. 				
City of Doral 21-02ESR (received 05-07-21)	✓	N/A	05-24-21	04-28-21
<ol style="list-style-type: none"> The proposed amendment revises text of the City of Doral’s Comprehensive Plan with the intent of not permitting schools within the Industrial and Restricted Industrial land use category. This amendment affects the City of Doral. This amendment does not create any adverse impact to state or regional resources/facilities. 				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
City of Florida City 21-01ESR (received 04/12/21)	✓	N/A	05-24-21	12-22-20
<ol style="list-style-type: none"> The proposed amendment amends the City of Florida City's Comprehensive Plan to add a new policy to the Future Land Use Element (FLUE) to create Transit Oriented Development (TOD) districts around the South Miami-Dade Busway (Busway) stations within the City by providing density and intensity incentives. The new FLUE policy provides for a 1000-foot radius around the three existing and planned stations within which residential developments may have a density of up to 36 units per net acre and business, office, and civic development may have a maximum Floor Area Ratio (FAR) of up to 1.0. This amendment affects the immediate area around the three existing and planned Busway stations at Palm Drive, Lucy Street, and Davis Parkway, all within the City of Florida City. Council staff commends the City's efforts to support regional mobility by creating TOD districts within the City, supporting the Miami-Dade County Transportation Planning Organization (TPO) long term plans. Council staff notes that the City 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 City's Work Plan should have been updated and adopted by May 2020. Council recommends working with the South Florida Water Management District (SFWMD) for technical assistance, if needed. 				
City of Homestead 21-01ESR (received 04-29-21)	✓	N/A	05-24-21	04-21-21
<ol style="list-style-type: none"> The proposed amendment revises the City of Homestead's Comprehensive Plan with a text amendment that increases the allowable maximum density of a single residential parcel from twenty (20) to thirty-one (31) dwelling units, provided that all units are reserved for elderly housing. The intent of the amendment is to facilitate the development of mixed-use, multi-family elderly housing in the Southwest Planned Urban Neighborhood of the City, which is supported by the Homestead Community Redevelopment Agency (CRA). This amendment affects the City of Homestead. This amendment does not create any adverse impact to state or regional resources/facilities. Council staff recommends that pedestrian and bicycle facilities in the surrounding area, including crosswalks and sidewalks, be evaluated for safety, and improved, as necessary. Council staff recommends a particular focus on the needs of the elderly with the intent of promoting a walkable and connected community for all. 				
City of North Miami 21-02ESR (received 04-23-21)	✓	N/A	05-24-21	04-13-21
<ol style="list-style-type: none"> The proposed amendment revises the City of North Miami's Comprehensive Plan by updating the City's adopted Water Supply Plan, and incorporating the update into the Future Land Use, Infrastructure, Intergovernmental Coordination and Capital Improvements elements of the Plan. 				

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
<p>2. This amendment affects the City of North Miami.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities. Council staff recommends coordinating with the staff of the South Florida Water Management District (SFWMD) to ensure full compliance with all elements of the most recent Lower East Coast (LEC) Water Supply Plan Update approved by the SFWMD District Board.</p>				
Town of Southwest Ranches 21-02ESR (received 05-04-21)	✓	N/A	05-24-21	04-22-21
<p>1. The proposed amendment revises the text of the Town of Southwest Ranches' Comprehensive Plan to address a land use compatibility issue. The amendment would preclude any change to the Future Land Use Map that would result in a Rural Estates or Estate land use designation, which allows one du/acre, abutting a Rural Ranches or Agricultural Land Use designation, which allows 2 du per net acre.</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>				
City of Sweetwater 21-01ESR (received 04-28-21)	✓	N/A	05-24-21	04-14-21
<p>1. The proposed amendment revises text of the City of Sweetwater's Comprehensive Plan to allow multi-family residential uses in the Commercial land use category. The intent of the amendment is to address the housing needs of the City's workforce and elderly populations.</p> <p>2. This amendment affects the City of Sweetwater.</p> <p>3. This amendment does not create any adverse impact to state or regional resources/facilities. Council staff recommends that pedestrian and bicycle facilities in the surrounding area, including crosswalks and sidewalks, be evaluated for safety, and improved, as necessary. Council staff recommends a particular focus on the needs of the elderly with the intent of promoting a walkable and connected community for all. Council staff also notes that the City 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 City's Work Plan should have been updated and adopted by May 2020. Council recommends working with the South Florida Water Management District (SFWMD) for technical assistance, if needed.</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 21-03ESR (received 05-07-21)	N/A	✓	05-24-21	05-04-21
<ol style="list-style-type: none"> 1. The adopted amendment revises Broward County’s Land Use Plan (BCLUP) within the City of Tamarac, amending the land use designation of 168.7 acres of Commercial Recreation to Low (5) Residential. 2. The amendment affects Broward County. 3. The amendment does not create any adverse impacts to state or regional resources/facilities. 4. The Council reviewed this amendment when proposed as part of Broward County 20-06ESR. 				
Monroe County 21-03ACSC (received 05-04-21)	N/A	✓	05-24-21	04-21-21
<ol style="list-style-type: none"> 1. The adopted amendment revises Monroe County’s Comprehensive Plan’s Future Land Use Element and the Housing Element to establish a new building permit allocation category to accept and award 300 workforce housing early evacuation unit building permit allocations pursuant to the Workforce-Affordable Housing Initiative and establishes specific requirements. 2. This amendment affects Monroe County. 3. This amendment does not create any adverse impact to state or regional resources/facilities. 4. The Council reviewed this amendment when proposed. 				
City of Hallandale Beach 21-01ESR (received 04-12-21)	N/A	✓	05-24-21	02-17-21
<ol style="list-style-type: none"> 1. The adopted amendment revises the City of Hallandale Beach’s Comprehensive Plan to include the updated 10-Year Water Supply Facilities Work Plan. 2. This amendment affects the City of Hallandale Beach. 3. This amendment does not create any adverse impact to state or regional resources/facilities. 4. Council reviewed the amendment when proposed and recommended that the City incorporate all technical comments provided by the South Florida Water Management District (SFWMD) prior to adoption to ensure full compliance with all elements of the most recent Lower East Coast (LEC) Water Supply Plan Update approved by the SFWMD District Board. 				
City of Miami 20-02ESR (received 04-20-21)	N/A	✓	05-24-21	03-25-21

Local Government and Plan Amendment Number	Proposed	Adopted	Council Review Date	Local Government Transmittal or Adoption Public Hearing and Meeting
<p>1. The adopted amendment to the City of Miami’s Comprehensive Neighborhood Plan (MCNP) Future Land Use Map revises the land use designation of 537 parcels to allow for increased density, which reflects a Community Vision Plan that was produced from a yearlong consensus building process. The land use designation would change as follows for the approximate number of parcels and acres.</p> <ul style="list-style-type: none"> • 287 parcels (40.6 acres) would change from Duplex Residential to High Density Multifamily Residential. • 12 parcels (1.8 acres) would change from Duplex Residential to Restricted Commercial. • 6 parcels (1.6 acres) would change from Low Density Restricted Commercial to Restricted Commercial. • 9 parcels (.6 acres) would change from Medium Density Multifamily Residential to High Density Multifamily Residential. • 36 parcels (4.8 acres) would change from Medium Density Multifamily Residential to Restricted Commercial. • 3 parcels (.4 acres) would change from Medium Density Multifamily Residential to General Commercial. • 112 parcels (22.4 acres) would change from Medium Density Restricted Commercial to Restricted Commercial. • 47 parcels (9.2 acres) would change from Medium Density Restricted Commercial to General Commercial. • 21 parcels (3.2 acres) would change from Restricted Commercial to General Commercial. • 4 parcels (3 acres) would change from Major Institutional, Public Facilities, Transportation and Utilities to General Commercial. <p>2. The amendment affects approximately 87.6 acres in total in the Wynwood Norte area, located in the southeast corner of I-95 and I-195 in the City of Miami.</p> <p>3. The amendment does not create any adverse impact to state or regional resources/facilities. Council supports addressing the multi-modal community needs, with a high priority on bicycle and pedestrian safety and connectivity. Council also notes that the City’s Water Supply Facilities Work Plan is overdue for an update and recommends coordination with the South Florida Water Management District (SFWMD).</p> <p>4. The Council reviewed this amendment when proposed.</p>				
City of Pompano Beach 20-04ESR (received 04-19-21)	N/A	✓	05-24-21	03-23-21
<p>1. The adopted amendment revises the text of the City of Pompano Beach’s Comprehensive Plan to remove the unit type restrictions, reduce the amount of commercial use, and add office use designation to the mix of uses permitted in the Local Activity Center (LAC). The changes will have the net effect of adding 96,000 square feet of office use designation and reducing commercial use designation by 27,700 square feet on approximately 65 acres.</p> <p>2. This amendment affects the City of Pompano Beach in an area containing John Knox Village, a seniors’ community situated on the east side of I-95, west of Dixie Road and south of Race Track Road/SW 3rd Street/Pompano Park Place.</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: MAY 24, 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: CLEAN CITIES BOARD MEMBERSHIP

The Clean Cities program began in Florida in 1993 with the creation of the Southeast Florida Clean Cities Coalition by Executive Order of the Governor and the subsequent designation by the U.S. Department of Energy. The role of the Coalition is to provide a fuel-neutral policy direction to maximize the use of vehicles operating on clean, alternative fuels throughout the region of nearly six million people living in Monroe, Miami-Dade, Broward, and Palm Beach Counties.

Staffed by the Council, the Southeast Florida Clean Cities Coalition is a public-private partnership composed of local government representatives and the private sector concerned with alternative fuel technology and programs.

- City Furniture
- Miami Dade County Office of Resilience
- Broward County Transit
- Brickell Energy / Obe Power Networks
- City of Fort Lauderdale
- Palm Tran Connection
- Greener Business Solutions
- Florida Power & Light
- ChargePoint
- Florida Department of Transportation, District 4
- Broward Metropolitan Planning Organization
- Palm Beach County Office of Resilience
- TECO

Since 1993, former Councilmember Asseff represented the Council on the Coalition. With her recent retirement, staff would like to invite a Councilmember to serve as the Council's representative on the Coalition.

Recommendation:

Request a volunteer from the Council Member to serve on the Clean Cities Board.



Clean Cities Highlights

May 2021

LISTENING SESSIONS

The Southeast Florida Clean Cities Coalition (SEFLCCC) hosted two (2) Listening Sessions for the U.S. Department of Energy in December 2020 and January 2021. The Listening Sessions provided the Coalition with comprehensive knowledge on stakeholders needs in South Florida. The Coordinator chose a representation of Compressed Natural Gas (CNG) and Propane end users, local governments, and private alternative fuel companies. The Coalition chose these individuals because of their experience of working with CNG and Propane as alternative fuels. The participants were very vocal when it came to cost savings and educational training. The stakeholders believe that an increase in public safety information will eliminate the concerns of using alternative fuels.

EV RIDE & DRIVE

The Southeast Florida Clean Cities Coalition organized the first virtual EV Ride and Drive with the Southern Alliance for Clean Energy on December 8, 2020. Due to the severity of COVID-19 impact in South Florida, social distance orders were put in place that prohibited gatherings in groups. The event provided an in-depth knowledge of electric vehicles and received positive feedback from all the participants. The Coalition partnered with the Southern Alliance for Clean Energy for an Earth Day Virtual Ride & Drive on April 24, 2021.

FLEET TOUR

The Coordinator participated in a one-on-one fleet tour with City Furniture on December 4, 2020. The site tour allowed the Coalition to highlight a CNG fleet in an entertaining way. The Coalition took an in-depth look at CNG conversion and heavy-duty CNG vehicles focusing on the engine and maintenance. The Coalition showcased the type of media outreach that is necessary to engage typical diesel users on the aspect of converting to CNG as an alternative fuel.

WEBINARS

The Coalition hosted its first webinar of 2021 with the Florida Department of Transportation (FDOT). Tanner Martin, a senior transportation planner, presented Florida's EV Master Plan on April 14, 2021. Stakeholders had the opportunity for a live question and answer session with FDOT regarding the implementation and structure of the Master Plan. On May 13, 2021, the Coalition hosted its first ever Hydrogen Fuel Webinar. The webinar focused on hydrogen fuel technology, cost-sharing opportunities, and coordination with state leadership.

UPCOMING EVENTS!

The Coordinator positioned the Coalition for future events with prominent agencies and other Clean Cities Coalitions. The Coordinator is currently working with Patti Earley, the Fleet Fuel Operations Specialist at FPL, to conduct a tour of the Nuclear Plant and Biodiesel Fleet in June 2021. The Coalition is partnering with Clean Cities Georgia for a regional event on July 15, 2021, which will showcase CNG fleets in both states. The Coalition is planning an electric vehicle car show for National Drive Electric week in September 2021. The Coordinator will work with all EV stakeholders for support and outreach.





**DRAFT UNTIL ADOPTED
BY THE COUNCIL**

MEMORANDUM

AGENDA ITEM #IV.F

DATE: MAY 24, 2021

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: AMERICAN RESCUE ACT / REGIONAL FUNDING PRIORITIES

On May 7th, the South Florida Regional Planning Council Executive Committee held a public Council Workshop via GoToMeeting to discuss projects of regional impact identified by Monroe, Miami-Dade, and Broward Counties. This meeting was held in preparation for a future Joint Meeting of the South Florida and Treasure Coast Regional Planning Councils (TCRPC) to discuss whether there are potential joint funded projects that the South Florida and Treasure Coast Regional Planning Council local government members may want to support using American Rescue Plan funding.

At their April 16th Council Meeting, the TCRPC Board discussed the idea that the American Rescue Plan could provide a unique opportunity to pursue those “long desired and great to do but just too big to afford so they never get done” projects. Among the projects they discussed were closing ocean outfalls in Broward and Miami-Dade, biosolids, U.S. 27, and advanced water treatment.

In advance of the May 7th meeting, Council staff reached out to key elected officials and staff to request their assistance in identifying two top priorities that would require assistance from the state and federal government to complete. Chair Bailey requested that these priorities have regional impact and benefit and be related to infrastructure and resiliency.

Although the notice time was short, the meeting was well attended with representatives from each county and project ideas from Miami-Dade and Broward. Consensus was reached to adopt the projects from Miami-Dade and Broward counties and to invite Monroe County to present their priorities at the May 24th Council meeting. The list of projects that were discussed as well as new projects that have been suggested for consideration since the May 7th meeting follow below. Staff has contacted Monroe County staff and is anticipating their response. This item will be updated to reflect Monroe County’s input when received.



PROJECT NAME	PROPOSED BY	REGIONAL IMPORTANCE	ESTIMATED COST
<p>CS&F Flood Risk Management & Resilience Study</p> <p>CONSENSUS</p> <p><i>SFWMD Flood Protection Level of Service (FPLOS) Program</i></p>	<p>Broward County</p>	<p>Review the CS&F Project to evaluate external changes to the landscape and propose solutions to address the challenges.</p> <p>*****</p> <p>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. The CS&F system is under substantial stress due to changes in the physical environment, including increased rainfall intensity and sea level rise. 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.</p>	<p>\$6 million to start; estimated \$20 million (potentially reimbursable if declared a New Start)</p>
<p>Septic to Sewer Conversion</p>	<p>Broward County</p>	<p>City of Hollywood Sanitary, Lauderdale by the Sea, etc. sewer and septic conversation needs</p>	<p>\$420 million</p>
<p>Tri-Rail Coastal Link</p> <p>CONSENSUS</p>	<p>Broward County</p>	<p>Advancing the Tri-Rail Coastal Link</p>	
<p>Septic to Sewer Conversion</p> <p>Estimated 13,500 that will be impacted by rising groundwater by 2040 with SLR</p> <p>CONSENSUS</p>	<p>Miami-Dade County</p>	<p>Expand sewer service to areas that are lacking sanitary sewer infrastructure and are most vulnerable to septic system compromise or failure from rising groundwater. these systems are located throughout the County, with significant concentrations near canals and rivers that discharge into Biscayne Bay.</p>	<p>\$700 million to expand the sanitary sewer system to connect the most vulnerable parcels will include the installation of wastewater pump stations required to manage the new flow, main lines, plumbing of private parcels, the removal of septic tanks, roadway work, engagement and outreach, and other efforts necessary to achieve connection.</p>

SMART Plan North Corridor	Miami-Dade County	To connect Miami-Dade and Broward County by rail on NW 27 th Avenue	At least \$1.2 billion
SMART Plan Northeast Corridor CONSENSUS	Miami-Dade County	Tri-Rail Coastal Link Connection	Estimated capital cost = \$400 million excluding ROW access fee
SFRPC / TCRPC Regional Priorities CONSENSUS	SFRPC / TCRPC	<ul style="list-style-type: none"> • CS&F Project Flood Resilience Study Update • Water & Wastewater Infrastructure • Florida's Coral Reef • Human Biosolids • Affordable Housing 	
South Florida Risk Reduction Revolving Loan Fund	SFRPC Staff	<p>The new federally approved STORM Act [safeguarding tomorrow through ongoing mitigation] establishes a national loan program to mitigate flooding risk at an authorized level of \$100 million each in fiscal years 2022 and 2023.</p> <p>Given that the financial need for mitigation far surpasses the availability of funding in South Florida. A South Florida regional risk reduction revolving loan fund would help fill that gap.</p> <p>A South Florida Regional Risk Reduction RLF could fund a range of activities proven to reduce flood risk. Projects to be chosen would follow state, county, and municipal code, goals, and guidelines, and could involve a variety of flood mitigation efforts, including elevating or floodproofing homes and businesses; conserving and protecting wetlands, dunes, and other natural areas that can absorb floodwaters; purchasing flood-prone properties; building seawalls to code; and larger-scale projects such as improving stormwater management in neighborhoods and towns.</p>	\$20 Million (?)

Additional Proposals for consideration			
	SFRPC / TCRPC Staff, DEP, Broward County Staff	<p>Update and synthesize Florida’s Coral Reef-related socioeconomic and coastal protection benefit products from NOAA and USGS to capture the full benefit of the reefs and create the blueprint business plan for why and where they should be restored and protected. Where possible integrate seagrass, mangrove, and beach habitat data to ensure restoration is done holistically.”</p> <p>Note: The Socioeconomic Study of the Reefs in Southeast Florida conducted in 2001 by Johns et al. did not include Martin County or areas south of Monroe County. This study, along with an update of the USGS Report of the Value of U.S. Coral Reefs for Risk Reduction which calculates annual value of coastal storm flood reduction benefits in 2010 dollars, should be updated to capture the full benefit of the reefs and why they should be restored and protected.</p>	\$750 K - \$1 Million
Seed Funding for a new Sustainable Coral Reef Restoration Economy	DEP, SFRPC Staff	<p>Florida’s Coral Reef annually provides over \$10 Billion in economic impact from shoreline protection, fisheries habitat, and recreational opportunities. Seed funding is needed for the creation of a new sustainable coral reef restoration economy in Martin, Palm Beach, Broward, Miami-Dade, and Monroe Counties. Funding would support building coral nursery infrastructure, creating a workforce to operate the nurseries, transplanting the corals to the reefs, and maintaining the coral into the future. As the industry grows, voluntourism opportunities will be developed to ensure residents and visitors to South Florida can directly be part of restoring these ecologically, culturally, and economically important ecosystems.</p>	\$25 Million >

Recommendation

Discuss and adopt regional proposals for further consideration.

From: Maran, Ana Carolina
Sent: Thursday, May 13, 2021 12:57 PM
To: 'Isabel Cosio Carballo' <isabelc@sfrpc.com>
Cc: Owosina, Akintunde <aowosin@sfwmd.gov>; Mitnik, John <jmitnik@sfwmd.gov>
Subject: RE: Upcoming SFRPC MeetingRE: Joint RPC meeting

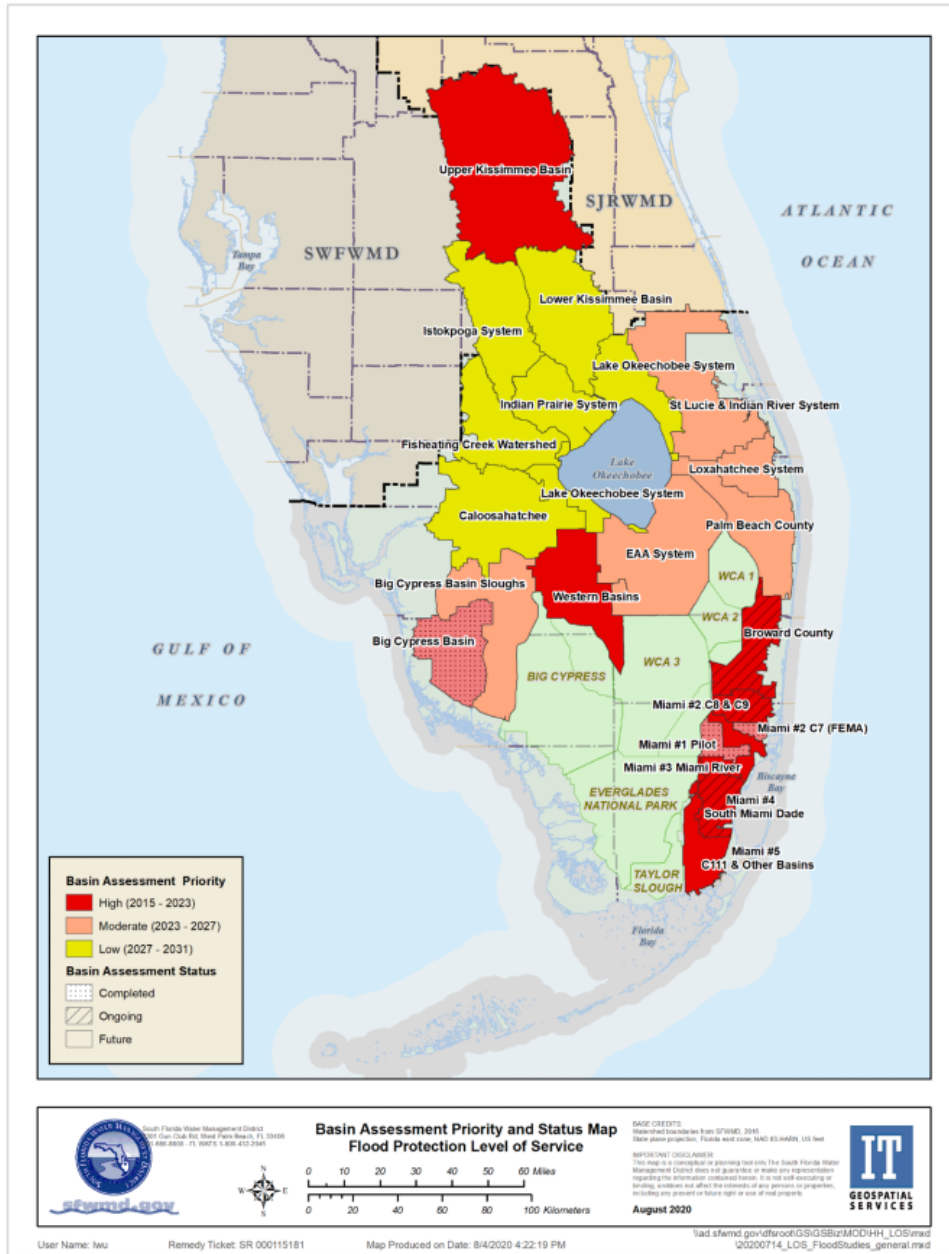
Isabel,

As discussed yesterday, below are the 3 paragraphs about the significant advances in looking at flood resiliency issues in South Florida, through the SFWMD Flood Protection Level of Service Program, and some important next steps.

The South Florida Water Management District is strongly committed to addressing the impacts of climate change, including rising sea-levels, and changing rainfall and flood patterns. As a key part of its resiliency strategy, the District continues assessing the status of its flood control infrastructure and advancing adaption strategies necessary to continue providing flood protection for South Florida, under current and future climate conditions, including sea-level rise. In coordination with FDEP and other State and Federal Agencies, the District is making infrastructure adaptation investments that are needed to successfully implement its mission of safeguarding and restoring South Florida's water resources and ecosystems, protecting communities from flooding, and ensuring an adequate water supply for all of South Florida's needs.

SFWMD, through its Flood Protection Level of Service (FPLOS) Program, is advancing a comprehensive, regional approach to addressing flood risk threats, intensified by sea-level rise, to the Central and Southern Florida Project. The Flood Protection Level of Service Program ensures the regional flood control system provides the desired level of flood protection upstream of the tidal structures in place today, and will continue to do so, with consideration of sea-level rise, as well as more intense rainfall events. This effort is integrated into the District's Capital Improvement Program to ensure its structures, pumps, canals -- all of which are critical in keeping South Florida habitable -- are functioning as designed and will remain operational under future climate conditions. FPLOS Phase I Assessments were completed for a significant portion of the South Florida region, including critical basins in Miami and Broward Counties -- as illustrated in the map below. FPLOS Phase I Assessments in these basins have advanced robust regional hydrologic and hydraulic modeling and compound flooding statistical analysis to properly characterize flood vulnerability of and risks to critical lifelines in these South Florida Communities. In May 2021, SFWMD is initiating FPLOS Phase II Adaptation Studies at C8 and C9 Priority Basins in Broward and Miami Dade Counties. FPLOS Phase II Adaptation Studies will advance identification of key local and regional flood mitigation and adaptation strategies and prioritize projects implementation.

In parallel, the District is seeking to advance a partnership with the U.S. Army Corps of Engineers to initiate the Central and South Florida Flood Resiliency Study, to comprehensively revisit the Central and Southern Florida Project, designed about 70 years ago, and advance a partnership with the Federal Government in advancing flood resiliency strategies for our region. The study is justified by the changed physical conditions already impacting the original project purposes, including land development, population increase, sea-level rise, and climate change. The study, upon funding approval, will leverage FPLOS results and assess which infrastructure is at the highest risk and address flood vulnerabilities, water supply needs, and surge protection.



Thanks for the opportunity to discuss with you and for including a reference to the FPLOS Program among the Regional Priorities – American Rescue Act. We are available to present more detail information about the advances of FPLOS Program and coordination efforts with USACE, in advancing C&SF Flood Resiliency Study, in a specific workshop with SFRPC members

Thanks,

Carolina

Ana Carolina Coelho Maran, P.E., Ph.D.

District Resiliency Officer

Phone 561-682-6868 • Cell 561-779-3763

www.sfwmd.gov/resiliency



Friday, May 7, 2021

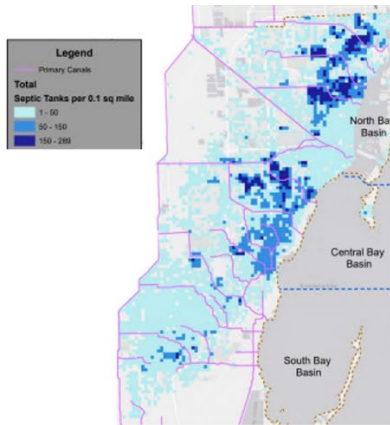
American Rescue Act / Priority Regional Needs in Southeast Florida

Miami-Dade County

Resilience Category

Septic to Sewer Conversions: The proposed project is to expand sewer service to areas that are lacking sanitary sewer infrastructure and are most vulnerable to septic system compromise or failure from rising groundwater. The County has conducted recent studies that indicate there are approximately 9,000 systems currently impacted by groundwater; this number increases to 13,500 systems by 2040 with anticipated sea level rise. As illustrated in the maps below, these systems are located throughout the County, with significant concentrations near canals and rivers that discharge into Biscayne Bay. The compromised and failing systems are suspected of impacting water quality; some systems are impacting the use of certain homes and structures due to plumbing failures. The County proposes to prioritize the conversion of parcels based on the greatest likelihood and impact from septic system failure along with other environmental, social, and economic ranking criteria. The project to expand the sanitary sewer system to connect the most vulnerable parcels will include the installation of wastewater pump stations required to manage the new flow, main lines, plumbing of private parcels, the removal of septic tanks, roadway work, engagement and outreach, and other efforts necessary to achieve connection. Funding for this purpose is critical since the County is unable to use utility revenues to expand the system to non-customers.

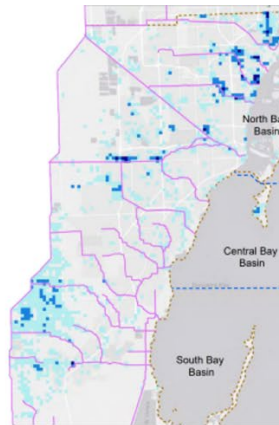
Estimated Cost: To convert 13,500 properties from septic system to sewer service is approximately \$700 Million.



Septic Systems

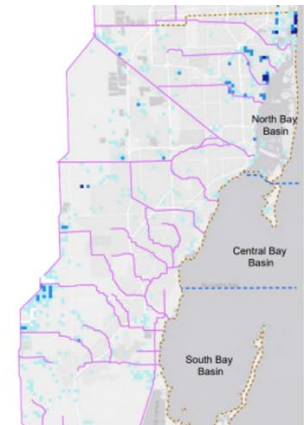
~120,000 Countywide

Approximately 13% of County population served by septic systems



Compromised Septic Systems

Loss of purification



Failing Septic Systems

Partially submerged system

2020: ~ 9,000
2040: ~ 13,500

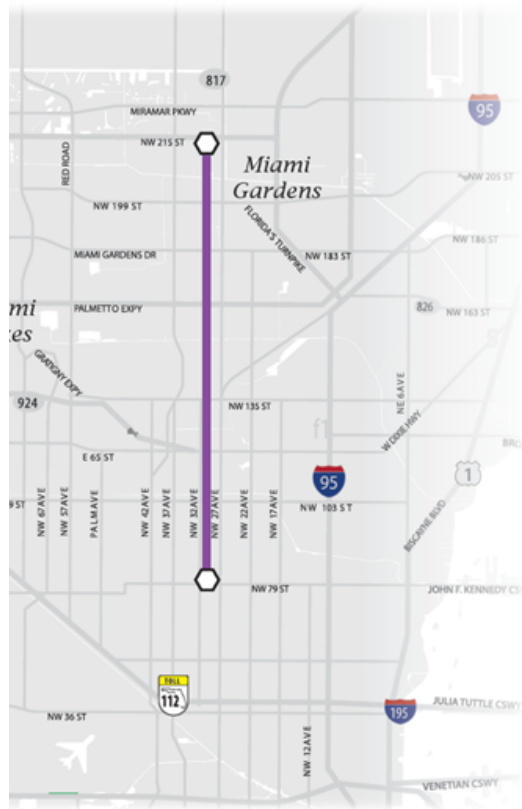
Infrastructure Category

Regional transportation is critical in a regional economy where people and products move across multiple county lines. In our SMART plan for expanding our transit system, we have two projects that could qualify:

- The North Corridor rail line that would run up NW 27th Avenue to the Broward line; or
- The North-East corridor that would run up the old FEC rail line to the Broward border.

SMART Plan North Corridor

Land Use Scenario & Visioning Planning North Corridor Study Milestones



- **Study Advisory Committee (SAC)** include stakeholder representatives from each municipality and agencies. The SAC met five times during the course of the study and their feedback has been invaluable in the progress of this study. The meetings were held on:
 - ✓ Meeting #1 – October 24, 2017
 - ✓ Meeting #2 – February 8, 2018
 - ✓ Meeting #3 – June 28, 2018
 - ✓ Meeting #4 – January 23, 2019
 - ✓ Meeting #5 – June 25, 2019
- **Two Series of Charrettes** were held along the corridor. At each charrette, community members were invited to participate in interactive exercises. The charrettes were held on:
 - ✓ November 4, 2017
 - ✓ November 8, 2017
 - ✓ February 23, 2019
 - ✓ February 27, 2019
- **Study Documentation**
 - ✓ Charrette materials available at bottom of page
 - ✓ Land Use Final Draft Report (October 2019)
 - ✓ Economic Mobility Final Draft Report (Fall 2019)

Estimated cost: At least \$1.2 billion

The North corridor has been a top priority for many years but is the most difficult to finance under the traditional FTA process.

SMART Plan Northeast Corridor

Land Use Scenario & Visioning Planning Northeast Corridor Study Milestones



- **Study Advisory Committee (SAC)** includes stakeholder representatives from each municipality and agencies. The SAC has met four times since the commencement of this study, and their feedback has been invaluable in the progress of this study. Additional meetings will be conducted as the study moves forward. The meetings were held on:
 - ✓ Meeting #1 – December 4, 2017
 - ✓ Meeting #2 – June 7, 2018
 - ✓ Meeting #3 – October 29, 2018
 - ✓ Meeting #4 – May 30, 2019
- **Charrettes** were held along the corridor. At each charrette, community members were invited to participate in interactive exercises. The charrettes were held on:
 - ✓ February 1, 2018
 - ✓ February 10, 2018
 - ✓ November 8, 2018
 - ✓ November 14, 2018
- **Study Documentation**
 - ✓ Charrette materials available at the bottom of this page
 - ✓ Land Use Final Draft Report (2020)
 - ✓ Economic Mobility Final Draft Report (2020)

Estimated cost:

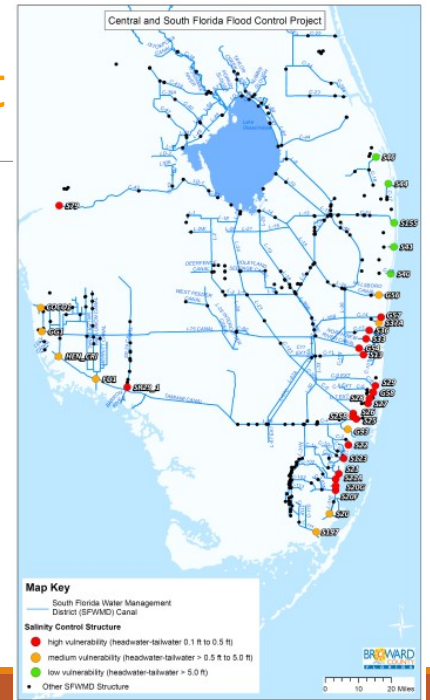
Broward County

Resilience Category

Central & Southern Florida Flood Resiliency Study: Supported by SFRPC / TCRPC, SFWMD, Miami-Dade, Palm Beach

Overview of the C&SF Project

- Designed more than 70 years ago to serve multiple civil works purposes, and includes about 1,000 miles of levees, 720 miles of canals, and almost 200 water control structures.
- Anticipated to service 2 Million residents, today the system services a region of 11 million (2017) and is expected to grow to 15 million in the next 30 years.
- System operated for collective purpose of flood control; water supply; mitigation for saltwater intrusion; natural system water deliveries (Everglades National Park, fish and wildlife resources).
- Changes in the physical environment, especially increased rainfall intensity and rising seas, substantially strain the existing system, both in terms of stormwater conveyance and discharge capabilities.
- Serving as the backbone to Everglades Restoration, update of project to account for these and future conditions is not only core to urban resilience, but Everglades Restoration strategy .



C & SF Project Resilience



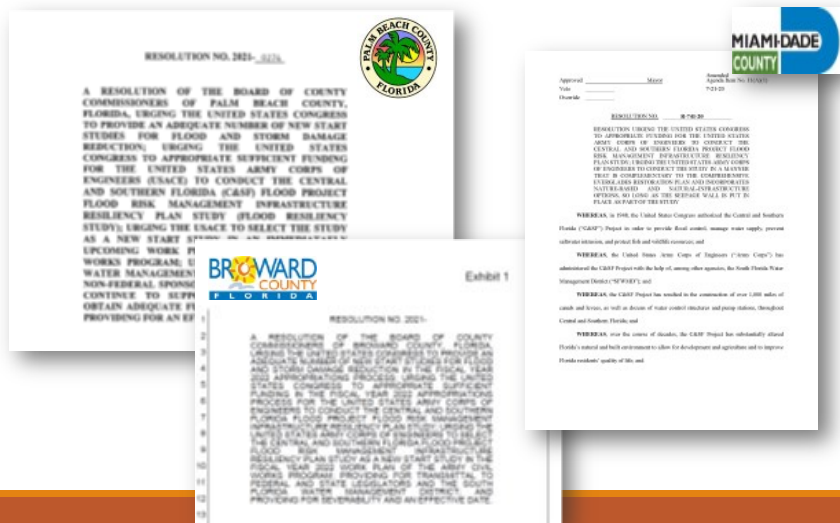
- 2009 analysis by the South Florida Water Management District (SFWMD) identified sea level rise as a significant threat to project operations
- 18 flood control structures identified within six inches of their design capacity
- Implication is that stormwater discharges to the tide would be hindered by an additional six inches of sea level rise
- These structures are concentrated in the tri-county area of Palm Beach, Broward and Miami-Dade.
- This review was undertaken 11 years ago

C&SF Flood Risk Mgmt. & Resiliency Study

Action Needed:

New Start Designation for 216 Study Leading to Construction

Funding appropriation as part of USACE FY 22 Workplan



Estimated cost: \$20 million

Slides courtesy of Dr. Jurado, Broward County

Infrastructure Category:

Estimated Cost of Septic to Sewer Conversion: Hollywood sanitary sewer and septic conversion needs are valued at \$400 Million.

Monroe County

To be determined

South Florida & Treasure Coast Regional Planning Councils

Priority, seven-county regional issue areas identified by the South Florida and Treasure Coast Regional Planning Councils over the last two years are:

- CS&F Project Flood Resilience Study Update
- Water & Wastewater Infrastructure
- Affordable Housing
- Florida's Coral Reef
- Human Biosolids

South Florida Regional Planning Council Staff

Proposal: Create a Risk Reduction Revolving Loan Fund

Background:

A new federally approved STORM Act enacted in January establishes a loan program federally to mitigate flooding risk, but the financial need for mitigation far surpasses the availability of funding in South Florida. A South Florida regional risk reduction revolving loan fund would help fill that gap.

A South Florida Regional Risk Reduction RLF could fund a range of activities proven to reduce flood risk. Projects to be chosen would follow state, county, and municipal code, goals, and guidelines, and could involve a variety of flood mitigation efforts, including elevating or floodproofing homes and businesses; conserving and protecting wetlands, dunes, and other natural areas that can absorb floodwaters; purchasing flood-prone properties; building seawalls to code; and larger-scale projects such as improving stormwater management in neighborhoods and towns.

The fund could be managed under general federal principles of risk reduction and mitigation and tailored to the state and local governments flood risks and priorities. As payments on outstanding loans are returned to the fund, these flood mitigation dollars would “revolve,” becoming available for additional projects. Once established, this program would allow the region to be proactive and prepared. Rather than waiting for congressional appropriations or disaster assistance, communities could make plans and set priorities around a more predictable flow of money to a pipeline of flood mitigation projects. This way, even a modest expenditure can lead to a larger return on investment. It is an enduring commitment to prepare communities before floods strike. Council Staff Christina Miskis, Senior Planner (cmiskis@sfrpc.com)



MEMORANDUM

AGENDA ITEM #VI.A

DATE: MAY 24, 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	50,481.47	04/01/21	0	04/07/21	03/22/02	11/09/25	performing
1022		300,000.00	300,000.00	7.0	5,418.72	315,935.07	04/01/21	30	04/16/21	01/08/04	09/01/39	performing
1023		301,586.50	301,586.50	5.0	350.00	161,715.88	04/01/21	0	04/01/21	07/19/06	05/01/24	performing
1034		300,000.00	300,000.00	5.0	3,000.00	260,365.24	05/01/21	0	04/26/21	12/21/06	12/30/28	performing
1036		330,529.43	330,529.43	5.0	2,200.00	203,788.35	04/01/21	0	04/30/21	02/26/08	08/01/30	performing
1039		125,000.00	125,000.00	5.0	500.00	120,170.87	04/01/21	0	04/15/21	11/24/08	12/31/15	performing
1040		200,000.00	200,000.00	5.0	1,472.32	98,522.53	04/01/21	0	04/01/21	02/02/09	08/01/28	performing
2005		100,000.00	100,000.00	5.0	500.00	10,214.99	03/01/21	29	04/12/21	09/27/01	06/01/21	performing
3024		189,043.88	189,043.88	0.0	500.00	112,945.87	04/01/21	0	04/05/21	07/26/99	12/01/16	In Litigation - Judgment
4008		300,000.00	300,000.00	5.0	750.00	182,978.45	04/01/21	0	04/12/21	07/31/09	07/31/16	performing
4018		150,000.00	150,000.00	6.0	(465.00)	144,598.41	12/01/15	1946	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	1733	12/10/18	03/04/14	04/01/21	Default final judgment/bankruptcy
4024		235,000.00	235,000.00	5.0	1,600.00	182,824.40	04/01/21	0	04/05/21	04/16/14	05/01/26	performing
4027		149,500.00	149,500.00	5.0	400.00	86,406.47	04/01/21	0	04/07/21	12/15/15	05/01/21	performing
4028		75,000.00	75,000.00	0.0	765.03	74,994.72	04/01/19	730	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	730	04/12/19	12/14/16	09/30/18	Default - collateral workout
4031		332,972.82	332,972.82	6.5	1,500.00	321,849.33	04/01/21	0	04/01/21	09/28/17	09/30/18	performing
4032		300,000.55	300,000.55	7.0	3,577.27	261,810.62	04/01/21	0	04/27/21	10/24/18	12/31/28	performing
4033		254,999.57	254,999.57	7.0	4,078.55	201,594.45	04/01/21	0	04/01/21	10/25/18	11/01/28	performing

Loan	Company /Borrower	Amount	Disbursed	Rate	Last Activity	Last Balance	Paid Thru	Days Late	Last Activity	Loan Date	Maturity Date	Board Action
4034		84,506.66	84,506.66	7.0	150.00	71,412.80	12/01/20	119	04/15/21	01/03/19	10/25/25	Non-performing
4035		248,684.03	248,684.03	7.0	1,450.00	202,790.88	04/01/21	0	04/01/21	03/05/19	01/03/26	performing
4036		149,223.30	149,223.30	7.0	870.00	127,439.23	04/01/21	0	04/01/21	03/05/19	04/01/26	performing
4037		173,904.64	173,904.64	5.0	1,750.00	161,968.22	04/01/21	0	04/01/21	03/28/19	04/01/26	performing
4038		99,885.78	99,885.78	7.0	1,500.00	85,771.89	04/01/21	0	04/01/21	03/28/19	03/28/26	performing
4039		200,000.00	200,000.00	7.0	150.00	196,815.27	12/01/20	119	04/15/21	03/12/20	04/01/24	Non-performing
4040		400,000.00	400,000.00	7.0	2,000.00	398,643.06	04/01/21	0	04/01/21	09/23/19	04/01/27	performing
4043		200,000.00	-	4.5	200,000.00	200,000.00	05/01/21	-	04/21/21	04/22/21	04/01/31	performing
4044		130,000.00	130,000.00	4.5	1,347.30	128,880.20	04/01/21	0	04/01/21	03/22/21	03/01/31	performing
4045		212,074.18	135,701.83	7.0	856.16	135,701.83	04/01/21	0	04/01/21	07/18/19	08/01/24	performing
Totals		5,769,911.34	5,493,538.99		238,846.75	4,618,307.98						

LIST OF COMMITTED EDA FUNDS
April 30, 2021

Loan #	Company Name	Committed	Commitment Date	Disbursed	Remaining Commitment	1st Disbursement		2nd Disbursement		3rd Disbursement		4th Disbursement	
						Date	Amount	Date	Amount	Date	Amount	Date	Amount
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		\$212,074		\$ 135,701.83	\$ 76,371.35								

Cash Available to Lend			
Bank Balance as of	4/30/2021		\$ 793,603.62
Committed Funds			
Unfunded Loan Commitmen	\$ 76,371		
Administrative Fees	11,624.19		
Total Committed Funds			\$ 87,995.54
Total Uncommitted Funds			\$ 705,608.08

Kerry L. Ezrol
kezrol@GorenCherof.com



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

May 3, 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
May 3, 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. Per RLF Committee, proceed.

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. Per RLF, recommendation to Board to dismiss the litigation, ensure that parties are responsible for their own attorneys' fee, and also re record Judgment prior to 10 year expiration.

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: MAY 24, 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 190 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 sixteen (16) new CARES ACT RLF loans totaling \$3,622,000.



South Florida Regional Planning Council
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954.924.3653 Phone, 954.924-3654 FAX
www.sfregionalcouncil.org

CARES ACT RLF FUNDING UPDATE

AS OF: 05/01/2021

APPLIED GRANT AWARD: 08/05/2020:	\$5,380,000.00
TOTAL FUNDED:	\$3,222,000.00
AVAILABLE TO LEND:	\$2,158,000.00

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
15	\$394,000.00	Palm Beach	Boca Raton

TOTAL FUNDED: **\$3,222,000.00**

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	22,265.83	05/01/21	0	05/03/21	06/01/21	10/20/20	11/01/25	performing
5101		30,000.00	30,000.00	60	3.5000	12	545.75	545.75	26,718.98	05/01/21	0	05/03/21	06/01/21	10/20/20	11/01/25	performing
5102		500,000.00	500,000.00	60	3.5000	12	1,604.17	1,604.17	500,000.00	05/01/21	0	05/03/21	06/01/21	11/11/20	01/01/31	performing
5104		85,000.00	85,000.00	84	3.5000	12	1,142.39	1,142.39	79,433.59	05/01/21	0	05/03/21	06/01/21	11/24/20	01/01/31	performing
5107		300,000.00	300,000.00	120	3.5000	12	2,966.58	2,966.58	286,912.24	05/01/21	0	05/03/21	06/01/21	11/20/20	11/01/30	performing
5108		35,000.00	35,000.00	60	3.5000	12	636.71	636.71	32,910.10	05/01/21	0	05/03/21	06/01/21	12/22/20	01/01/31	performing
5109		400,000.00	400,000.00	120	3.5000	12	4,944.29	4,944.29	384,388.78	05/01/21	0	05/03/21	06/01/21	01/14/21	01/01/31	performing
5110		150,000.00	150,000.00	120	3.5000	12	1,483.29	1,483.29	145,679.93	05/01/21	0	05/03/21	06/01/21	01/13/21	01/01/31	performing
5111		210,000.00	210,000.00	120	3.5000	12	2,076.60	2,076.60	204,199.10	05/01/21	0	05/03/21	06/01/21	12/31/20	01/01/31	performing
5112		500,000.00	500,000.00	120	3.5000	12	4,944.29	4,944.29	486,286.38	05/01/21	0	05/03/21	06/01/21	12/28/20	01/01/31	performing
5113		50,000.00	25,000.00	60	3.5000	12	454.79	454.79	24,252.41	05/01/21	0	05/03/21	06/01/21	02/25/21	03/01/26	performing
5114		150,000.00	150,000.00	120	3.5000	12	1,483.29	1,483.29	148,036.73	05/01/21	0	05/03/21	06/01/21	02/24/21	02/01/31	performing
5115		50,000.00	50,000.00	60	3.5000	12	909.59	909.59	47,721.16	05/01/21	0	05/03/21	06/01/21	02/02/21	02/01/26	performing
Totals		2,485,000.00	2,460,000.00				23,646.53	23,646.53	2,388,805.23							

**RLF CARES ACT APPLICATION TRACKING REPORT
PROSPECTS**

NAME OF APPLICANT/BUSINESS	INITIAL DATE	REQUESTED AMOUNT	BUSINESS TYPE	REFERRED BY	COUNTY
	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
	03/28/21	\$25,000	n/a	survey	Miami-Dade
	03/31/21	\$50,000	transportation	survey	Miami-Dade
	04/04/21	\$50,000	pediatric therapy	Anastasia (LearnOrb)	Miami-Dade
	04/05/21	\$100,000	medical	n/a	Miami-Dade
	04/08/21	\$500,000	travel	n/a	Miami-Dade
	04/14/21	\$100,000	welding	survey	Miami-Dade
	04/17/21	\$150,000	construction	n/a	Miami-Dade
	04/22/21	\$100,000	medical	survey	Palm Beach
	04/22/21	n/a	n/a	survey	Broward
	04/22/21	\$50,000	catering	survey	Miami-Dade
	04/27/21	\$50,000	computer	survey	Miami-Dade
	04/28/21	n/a	medical	survey	Miami-Dade
	04/29/21	n/a	n/a	survey	Broward
	04/29/21	n/a	elevators	survey	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
	04/10/21	\$300,000	tax planner	Paramount Broadcasting	Broward
	05/03/21	\$140,000	travel media	n/a	Broward



AGENDA ITEM #VI.D

DATE: MAY 24, 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: COUNCIL HIGHLIGHTS

Attached are brief descriptions of some ongoing programs and activities of the Council.

Information only.

MAY 2021



The SFRPC hosted a webinar on Tuesday, May 12, 2021 to share information on how Monroe County achieved a Class 3 [Community Rating System](#) from the National Flood Insurance Program. The new automatic CRS premium discounts of 35 percent will begin April 1, 2022 for Monroe County constituents. Topics discussed included lessons learned, best practices, and how these efforts can benefit communities. The County is also underway with [resiliency planning](#). These efforts include sea level rise modeling, analysis of SLR on capital/critical facilities and infrastructure, roads elevation and drainage study, and creation of SLR adaptation action areas, to govern public infrastructure and private development.

Webinar guests were welcomed by Councilmember Mayor Michelle Coldiron and treated to an expert panel that included Christine Hurley, AICP, Assistant County Administrator; Rhonda Haag, Chief Resilience Officer; Lori Lehr, Community Rating System Consultant; Emily Schemper, Sr. Director, Planning & Environmental Resources; Lisa Tennyson, Legislative Affairs & Grants; and Erin Deady, Attorney. Meeting materials and the webinar audio recording are posted on the Council Website <https://sfregionalcouncil.org/webinars/>





For additional information please contact Christine Hurley, AICP, (hurley-christine@monroecounty-fl.gov); Rhonda Haag (haag-rhonda@monoecounty-fl.gov); and Eralda Agolli, MPA, (eagolli@sfrpc.com), SFRPC Disaster Recovery Coordinator.

THANK YOU TO OUR GUEST PRESENTERS!

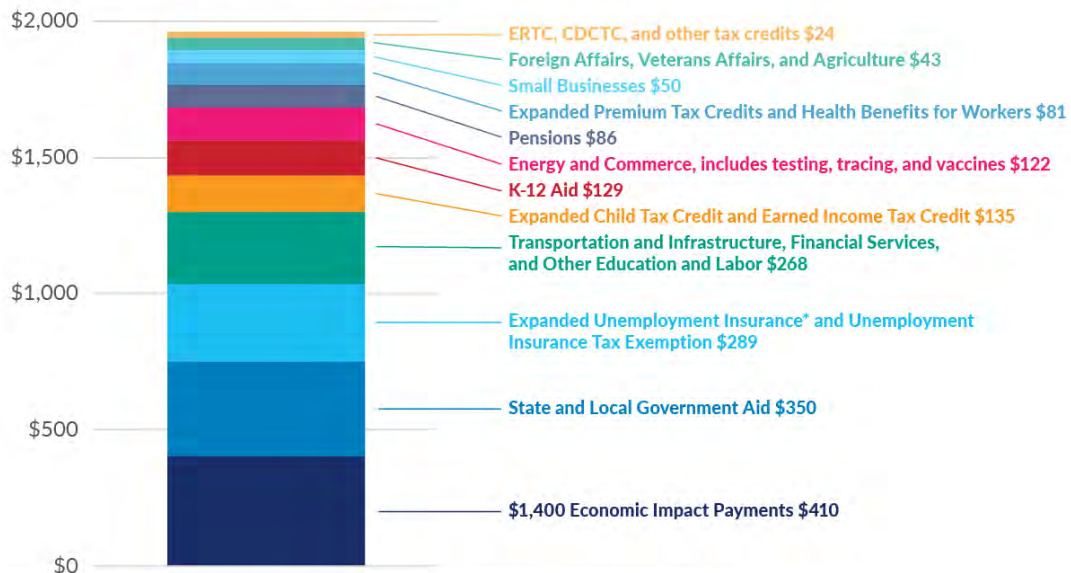
2021 American Rescue Plan Resources

The SFRPC has provided resources regarding the newly released American Rescue Plan Federal Investment Guide issued by the U.S. Conference of Mayors along with summaries from the National Association of Counties and National League of Cities. We hope that these summaries will be helpful to you.

- [Federal Investment Guide](#)
- [Legislative Analysis for Counties](#) – The National Association of Counties
- [Local Allocations in the American Rescue Plan](#) – The National League of Cities

What's in the \$1.9 Trillion American Rescue Plan Act?

Topline summary of relief in Billions of Dollars



Note: *Subject to change pending estimate of Senate version of unemployment insurance expansion.

Source: Joint Committee on Taxation and Committee for a Responsible Federal Budget

Community Engagement in the COVID-19 World: Improving Access at FIU Biscayne Bay Campus Study Update

From June 2020 through February of 2021, the South Florida Regional Planning Council implemented a robust community engagement process for the Florida Department of Transportation District 6 (FDOT) and their consultant team Kimley-Horn as they undertook an update of the 2011 Miami-Dade MPO Improving Access in FIU Biscayne Bay Campus Work Area. Requested by State Senator Jason Pizzo, 38th District, this independent, impartial Study Update sought to identify a road alignment that could be constructed to provide a second ingress and egress point to the Florida International University Biscayne Bay Campus to address safety and mobility concerns while minimizing adverse impacts to the environment, neighboring residents, economy, and private development interests.



In the COVID-19 context, the Council quickly adapted a traditional community engagement process by transferring it effectively and seamlessly to the virtual world. By doing so, the Council ensured a broad community and stakeholder involvement and input for the process that was of paramount interest to the local communities and stakeholders. From September 2 – 23, 2020, five (5) presentations of the initial findings of the July 2020 “Improving Access at Florida International University Biscayne Bay Campus Study Update” were presented to stakeholders including community residents and other members of the public. These virtual meetings consisted of presentations to Miami-Dade County Commissioner Heyman (focus group - 9/2/20), Florida International University (focus group - 9/18/20), Solé Mía (focus group - 9/21/20), Regional Stakeholder Group (focus group - 9/23/20 – 1:30 p.m.), followed by a Public Workshop to gather public input and additional information (Public Workshop - 9/23/20 – 5:30 p.m.) Each subsequent meeting and

opportunity for public input provided greater information and insight as did the additional research and analyses following these meetings. Additionally, the Council, through its Sharepoint, site provided public access to the original study, ongoing study materials, meeting recordings and transcripts, meeting registrants, public comment that was received, and additional meeting materials throughout the process.

A final virtual Public Workshop was held on January 29, 2021, to present additional study updates that were undertaken pursuant to stakeholder input, and FDOT’s recommendation. By quickly adapting to the COVID-19 socially distanced world and effectively engaging the community virtually, the Council not only allowed the process to proceed, but enhanced the community engagement process by broadening the audience and facilitating easier access to public input. **For additional information please contact Christina Miskis, Senior Planner (cmiskis@sfrpc.com).**



Comprehensive Economic Development Strategy (CEDS)



As part of the Council's responsibility to maintain the region's CEDS document, Council Staff is organizing a CEDS Strategy Committee to formulate an approach for revitalizing the economic development strategy of the region and guide economic development investment by identifying the most significant needs of the region and

incorporating the new recommendations from the Economic Development Administration to increase the focus on economic resiliency and Opportunity Zones. The 2022-2027 CEDS document is to be submitted to EDA by September 2022.

For additional information please contact Mark Cassidy, MRP, Economic Development & Research Manager (mcassidy@sfrpc.com).

Southeast Florida Clean Cities Coalition

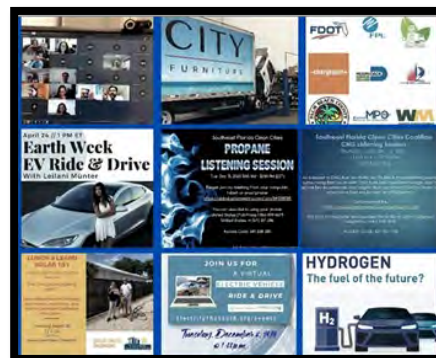
Listening Sessions: The Southeast Florida Clean Cities Coalition (SEFLCCC) hosted two (2) Listening Sessions for the U.S. Department of Energy in December 2020 and January 2021. The Listening Sessions provided the Coalition with comprehensive knowledge on stakeholders needs in South Florida. The Coordinator chose a representation of Compressed Natural Gas (CNG) and Propane end users, local governments, and private alternative fuel companies. The Coalition chose these individuals because of their experience of working with CNG and Propane as alternative fuels. The participants were very vocal when it came to cost savings and educational training. The stakeholders believe that an increase in public safety information will eliminate the concerns of using alternative fuels.



EV Ride & Drive: The Southeast Florida Clean Cities Coalition organized the first virtual [EV Ride and Drive](#) with the Southern Alliance for Clean Energy on December 8, 2020. Due to the severity of COVID-19 impact in South Florida, social distance orders were put in place that prohibited gatherings in groups. The event provided an in-depth knowledge of electric vehicles and received positive feedback from all the participants. The Coalition partnered with the Southern Alliance for Clean Energy for an Earth Day Virtual Ride & Drive on April 24, 2021.

Fleet Tour: The Coordinator participated in a one-on-one [fleet tour with City Furniture](#) on December 4, 2020. The site tour allowed the Coalition to highlight a CNG fleet in an entertaining way. The Coalition took an in-depth look at CNG conversion and heavy-duty CNG vehicles focusing on the engine and maintenance. The Coalition showcased the type of media outreach that is necessary to engage typical diesel users on the aspect of converting to CNG as an alternative fuel.

Webinars: The Coalition hosted its first webinar of 2021 with the Florida Department of Transportation (FDOT). Tanner Martin, a senior transportation planner, presented Florida’s EV Master Plan on April 14, 2021. Stakeholders had the opportunity for a live question and answer session with FDOT regarding the implementation and structure of the Master Plan. On May 13, 2021, the Coalition hosted its first ever Hydrogen Fuel Webinar. The webinar focused on hydrogen fuel technology, cost-sharing opportunities, and coordination with state leadership.



Upcoming Events: The Coordinator positioned the Coalition for future events with prominent agencies and other Clean Cities Coalitions. The Coordinator is currently working with Patti Earley, the Fleet Fuel Operations Specialist at FPL, to conduct a tour of the Nuclear Plant and Biodiesel Fleet in June 2021. The Coalition is partnering with Clean Cities Georgia for a regional event on July 15, 2021. which will showcase CNG fleets in both states. The Coalition is planning an electric vehicle car show for National Drive Electric week in September 2021. The Coordinator will work with all EV stakeholders for support and outreach.

For additional information please contact Alisha Lopez, Clean Cities Coordinator (alopez@sfrpc.com).

Local Emergency Planning Committee (LEPC) Updates



Since 1988, the Council has served as staff to the South Florida Local Emergency Planning Committee (SoFlaLEPC), which encompasses Broward, Miami-Dade and Monroe Counties. The LEPC was established as required by the Emergency Planning and Community Right-To-Know Act (EPCRA), Title III of the EPA Superfund Amendments and Reauthorization Act (SARA). Congress enacted EPCRA in an effort to help local communities protect public health and safety and the environment from chemical hazards.

The LEPC, as established pursuant to Section 301 of Title III, shall:

- prepare regional hazardous materials emergency plans that indicate the facilities that use, produce, or store hazardous substances that are present in the jurisdiction
- serve as the repository for regional reports filed under Title III
- direct regional Title III implementation activities
- perform associated outreach functions to increase awareness and understanding of and compliance with the Title III Program.

The South Florida LEPC prides itself in being able to provide hazardous materials response training at no-cost to public agencies. We are pleased to announce that there are multiple responder training courses that are taking place and being planned this quarter. Once the COVID-19 pandemic took storm, hazardous materials response training ultimately came to a halt. Fortunately, the LEPC was able to work with an instructor to develop a virtual version of a vital training course, the Occupational Safety and Health

Administration's Hazardous Waste Operations and Emergency Response Awareness Course (OSHA HAZWOPER).

The completion of OSHA HAZWOPER Refresher Courses is a requirement for many essential workers that provide us with our everyday services. The list includes environmental protection employees, employees of water treatment plants, and emergency responders. This training course covers a wide range of subjects relating to hazardous materials response, including personal protection equipment and spill mitigation.

The LEPC has collaborated with Broward County Environmental & Consumer Protection to provide OSHA HAZWOPER training to 50 of their employees. The LEPC is also working with Miami Dade's Water and Sewer Department to provide 300 of their employees with OSHA HAZWOPER training, which starts in April 2021. The LEPC is able to provide this training thanks to a grant offered by the Pipeline Safety and Hazardous Materials Safety Administration, distributed by Florida's Division of Emergency Management.

For additional information please contact Jason McMahon, LEPC Coordinator (jmcmahon@sfrpc.com).

EDA CARES ACT Revolving Loan Fund Programs – Social Media Outreach

The EDA CARES Act Revolving Loan Fund Program (RLF) has successfully conducted an outreach program through our social media accounts (i.e. Facebook, Instagram and Twitter). The first survey was run from 03/03/2021 – 04/02/2021 and reached 1,460 people within our Region. After such success, the survey was extended for another 6 months, to end in September 2021. To date, the second survey has reached 1,251. The Council has also received 114 responses, in which our RLF Administrator has filtered through and been able to assist additional borrowers with the necessary funding to help their businesses recover from the COVID-19 Pandemic.

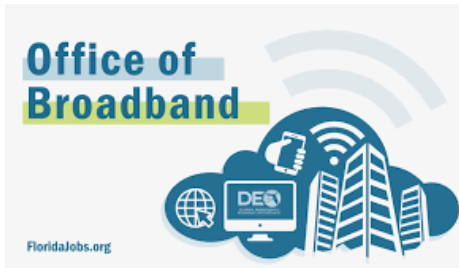
- [Client Testimonials](#)

For additional information please contact Jennie Sullivan, MPA, Communications and Social Media Coordinator (jsullivan@sfrpc.com).

To apply for a business loan, please contact Steve Foreman, EDA CARES Act Revolving Loan Fund Administrator (sforeman@sfrpc.com) or Alisha Lopez, Revolving Loan Fund Specialist, alopez@sfrpc.com.



South Florida Regional Planning Council organizes and hosts Department of Economic Opportunity Regional Broadband Workshop



The South Florida Regional Planning Council, in partnership with the Florida Office of Broadband at the Department of Economic Opportunity (DEO), hosted a workshop on February 9, 2021 that included leaders from various sectors of the region, including Economic Development, Small Business Development, and Community Organizations, Colleges/Universities, K-12 Education, Private Businesses, Local Governments, and Internet Service Providers.

The input gathered during the meeting will help direct the Office of Broadband in understanding the regional availability and accessibility of broadband internet in the region, ultimately assisting in the design of state programs and resources for broadband adoption, deployment, expansion, and resiliency. The information shared during the workshops will also be used in the development of the Florida Strategic Plan for Broadband.

For additional information please contact Mark Cassidy, MRP, Economic Development & Research Manager (mcassidy@sfrpc.com).

Florida Statewide Evacuation Study Program

Council Staff continues working with the Northeast Florida Regional Council and the other eight Florida RPCs to continue the efforts of the RPCs and the Florida Department of Emergency Management (FDEM) in the Statewide Regional Evacuation Study Program. Recent accomplishments of the study include updating baseline demographic and economic GIS data inputs for FDEM's evacuation model, called Transportation Interface for Modeling Evacuations (TIME). Council Staff is coordinating with regional County Emergency Managers to review the inputs and results of the FDEM model and update the region's Operational Scenarios if necessary.



Further, Council Staff is hosting regional County Emergency Managers for a presentation of the draft Behavioral Analysis update, which is led by a consultant team of Cambridge Systematics and the University of Central Florida. Council Staff will continue working with the working group to finalize the Evacuation Study and post the Study information on an online dashboard instead of a long-form report as done previously. The project will conclude June 2022.

For additional information please contact Mark Cassidy, MRP, Economic Development & Research Manager (mcassidy@sfrpc.com).

Miami-Dade Transportation Planning Organization's COVID-19 Travel Behavior Trend Analysis on schedule for completion in June 2021.



Council Staff continues its partnership with the Miami-Dade Transportation Planning Organization with its ongoing COVID-19 Travel Behavior Trend Analysis. In its analysis, the Council is assessing the impact of the COVID-19 pandemic on commuters' travel patterns in the Miami-Dade County by comparing pre-and-post lock down traffic movement for passenger vehicles and freight vehicles, vehicular travel volumes, transit ridership volumes, bicycle and pedestrian movement activity volumes and patterns, hotel bookings, airport enplanements, as well as seaport embarkations/debarkation and other data as available. The goal of the effort is to understand the impact the pandemic has had on travel patterns and the transportation network and project forward how behavior shifts may impact long-term mobility trends in the future. This project will conclude in June 2021.

For additional information please contact Christina Miskis, Senior Planner (cmiskis@sfrpc.com).

South Florida and Treasure Coast Leaders ask Congressional Leaders to support the Central and Southern Florida Project Resilience Update in FY 2022

At its April 26th monthly Council Meeting, the South Florida Regional Planning Council (SFRPC) adopted TCSR #21-01, a Joint Resolution of the South Florida and Treasure Coast Regional Planning Councils, and added its voice once again to that of public, private, and nonprofit leaders throughout the region who have joined together to urge U.S. Senator Marco Rubio, U.S. Senator Rick Scott, and Southeast Florida's congressional leaders to fast track the funding of a Central and South Florida Flood Control Project (C&SF) Resiliency Study as a matter of urgency. This Resiliency Study and update of the C&SF is needed to address flooding and water management objectives (such as water supply) impacted by our substantially altered landscape and changes in environmental conditions relative to conditions observed and predicted 70 years ago when the system was planned and constructed. These include sea level rise, rainfall intensity, land development, and population growth.



The C&SF Project, authorized by Congress pursuant to the Flood Control act of 1948, directed the USACE to design and construct water management infrastructure to serve a population of 2 million people. Its authorized purposes included flood control, water supply, navigation, prevention of saltwater intrusion, and the protection of fish and wildlife resources. Fast forward to 2020, we now have 8.7 million residents in the region, realized sea level rise, more extreme rainfall, and higher groundwater levels. The South Florida Water Management District, USACE, and the region's Resilience Officers have observed alarming signs pointing to the urgent need for a new, comprehensive study to guide resilience improvements to this system. These signs include sunny day flooding, saltwater intrusion into fresh water drinking supplies, and the breaching of critical water control structures.

Despite these realized changes and impacts, the C&SF Project has not been reviewed with consideration of sea level rise, changes in rainfall patterns, and overall higher groundwater and flood elevations. These changing conditions constrain our gravity-controlled drainage system and regularly preclude operation of the flood control gates throughout this important, but increasingly limited, infrastructure network. Despite significant local and state investment in resilience including land use, design standards, and infrastructure improvements, these efforts are dependent upon an updated, functioning C&SF Project.

Experts agree that absent a timely Resiliency Study and accompanying infrastructure investments, South Florida's economic viability and quality of life for residents and visitors alike is in great peril. The good news is that significant progress has been made to support the C&SF Resiliency Study effort. First the Governing Board of the SFWMD agreed in March 2020 to be the local sponsor of the feasibility study. The USACE completed an Initial Appraisal Report for the study in March 2020 stating that "there is a Federal interest in proceeding to the feasibility phase of this study to further analyze and evaluate improvements to the C&SF project." And finally, in May 2020 the South Atlantic Division of the USACE approved the Initial Appraisal Report making the study eligible for federal funding. We urge the region's residents and stakeholders to communicate with your federal elected officials to request their continued support for the C&SF Flood Resiliency Study as a new study under the "New Starts" program of the FY 2022 Work Plan for the Army Civil Works program. We would like to take this opportunity to thank the many dedicated individuals and professionals at the SFWMD; USACE; State of Florida; counties; cities; regional public, private, and nonprofit stakeholders; and residents who have unceasingly advocated for this important regional priority.

For additional information please contact Isabel Cosio Carballo, MPA, Executive Director (isabelc@sfrpc.com).



MEMORANDUM

AGENDA ITEM #VII.A

DATE: MAY 24, 2021
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: ATTENDANCE FORM

Information only.



South Florida Regional Planning Council
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954.924.3653 Phone, 954.924-3654 FAX
www.sfregionalcouncil.org

2020 - 2021 ATTENDANCE RECORD

COUNCILMEMBERS	10/19/20 Virtual	11/23/20 Physical / Virtual	1/27/21 Physical / Virtual	2/22/21 Physical / Virtual	3/19/21 * Virtual	4/26/21 Physical / Virtual	5/7/21 ** Physical / Virtual
BAILEY, Mario, <i>Chair</i> Governor's Appointee	P	P	P	P	VP	P	VP
COLDIRON, Michelle Mayor, Monroe County	P	VP	VP	VP	*	VP	*
CORRADINO, Joseph Mayor, Village of Pinecrest	*	VP	*	*	*	*	*
FURR, Beam, <i>Treasurer</i> Broward County Commission	P	P	P	P	*	P	VP
GARCIA, René Miami-Dade Co. Commission	–	–	–	VP	VP	VP	VP
GELLER, Steve, <i>First Vice Chair</i> Mayor, Broward County	P	VP	VP	P	VP	P	VP
GILBERT, III, Oliver Miami-Dade Co. Commission	–	–	–	A	VP	D	*
GOLDBERG, Cary Governor's Appointee	P	VP	*	VP	VP	VP	*
KAUFMAN, Samuel, <i>2nd Vice-Chair</i> Commissioner, Key West	P	VP	VP	VP	VP	VP	VP
LEONARD, Jordan, <i>Secretary</i> Councilmember, Bay Harbor Islands	P	VP	P	VP	VP	VP	VP
MARTÍNEZ, Eddie Monroe County Commission	–	–	–	P	*	VP	*
MONESTIME, Jean Miami-Dade Co. Commission	P	VP	VP	*	*	A	*
ROSS, Greg, <i>Immediate Past Chair</i> Mayor, Cooper City	*	P	P	P	VP	P	VP
UDINE, Michael Broward County Commission	P	VP	VP	VP	VP	VP	VP
ZIADE, Ana M. Mayor, North Lauderdale	–	P	P	VP	VP	P	P

2020 - 2021 ATTENDANCE RECORD

EX-OFFICIO MEMBERS	10/19/20 Virtual	11/23/20 Physical / Virtual	1/27/21 Physical / Virtual	2/22/21 Physical / Virtual	3/19/21 * Virtual	4/26/21 Physical / Virtual	5/7/21 ** Physical / Virtual
ANDREOTTA, JASON Florida Dept. of Environmental Protection	*	*	*	*	*	D	D
MAYERS, Lorraine South Florida Water Management District	-	-	-	-	-	-	*
HUYNH, DAT Florida Dept. of Transportation	P	VP	VP	VP	VP	VP	D
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 August, or December of 2020

** Joint Meeting March 19, 2021*

*** Exec. Committee/Workshop*

From: Maran, Ana Carolina

Sent: Thursday, May 13, 2021 12:57 PM

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

Cc: Owosina, Akintunde <aowosin@sfwmd.gov>; Mitnik, John <jmitnik@sfwmd.gov>

Subject: RE: Upcoming SFRPC MeetingRE: Joint RPC meeting

Isabel,

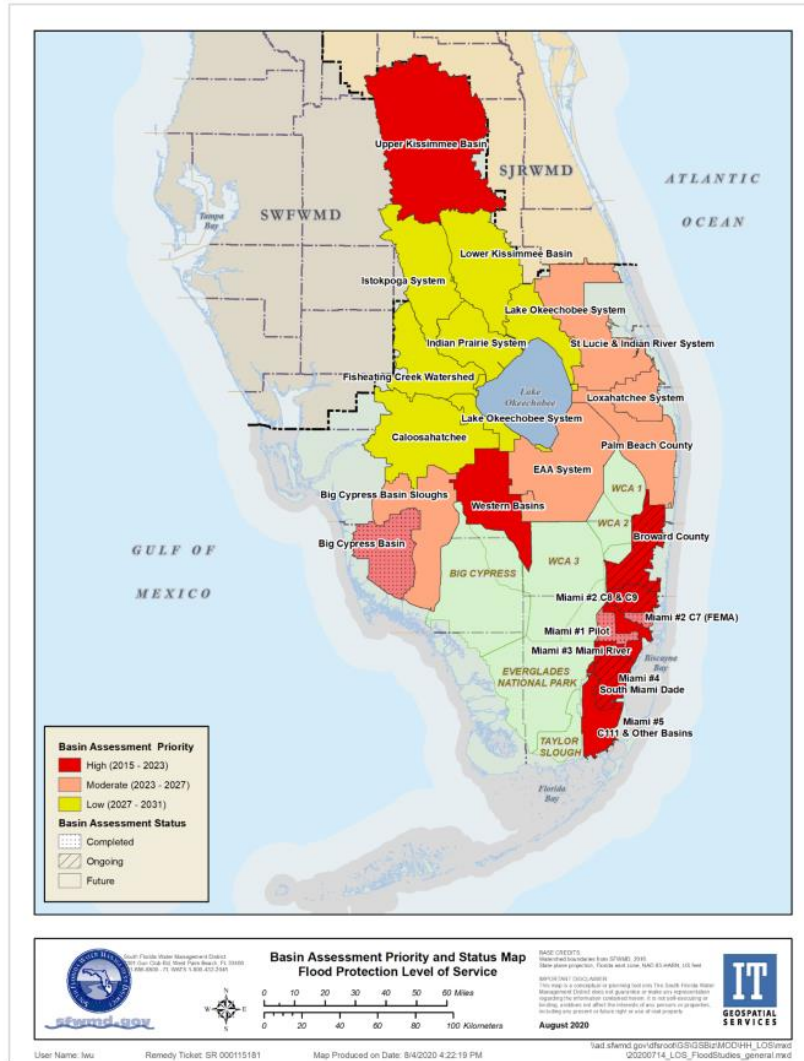
As discussed yesterday, below are the 3 paragraphs about the significant advances in looking at flood resiliency issues in South Florida, through the SFWMD Flood Protection Level of Service Program, and some important next steps.

The South Florida Water Management District is strongly committed to addressing the impacts of climate change, including rising sea-levels, and changing rainfall and flood patterns. As a key part of its resiliency strategy, the District continues assessing the status of its flood control infrastructure and advancing adaption strategies necessary to continue providing flood protection for South Florida, under current and future climate conditions, including sea-level rise. In coordination with FDEP and other State and Federal Agencies, the District is making infrastructure adaptation investments that are needed to successfully implement its mission of safeguarding and restoring South Florida's water resources and ecosystems, protecting communities from flooding, and ensuring an adequate water supply for all of South Florida's needs.

SFWMD, through its Flood Protection Level of Service (FPLOS) Program, is advancing a comprehensive, regional approach to addressing flood risk threats, intensified by sea-level rise, to the Central and Southern Florida Project. The Flood Protection Level of Service Program ensures the regional flood control system provides the desired level of flood protection upstream of the tidal structures in place today, and will continue to do so, with consideration of sea-level rise, as well as more intense rainfall events. This effort is integrated into the District's Capital Improvement Program to ensure its structures, pumps, canals -- all of which are critical in keeping South Florida habitable -- are functioning as designed and will remain operational under future climate conditions. FPLOS Phase I Assessments were completed for a significant portion of the South Florida region, including critical basins in Miami and Broward Counties -- as illustrated in the map below. FPLOS Phase I Assessments in these basins have advanced robust regional hydrologic and hydraulic modeling and compound flooding statistical analysis to properly characterize flood vulnerability of and risks to critical lifelines in these South Florida Communities. In May 2021, SFWMD is initiating FPLOS Phase II Adaptation Studies at C8 and C9 Priority Basins in Broward and Miami Dade Counties. FPLOS Phase II Adaptation Studies will advance identification of key local and regional flood mitigation and adaptation strategies and prioritize projects implementation.

In parallel, the District is seeking to advance a partnership with the U.S. Army Corps of Engineers to initiate the Central and South Florida Flood Resiliency Study, to comprehensively revisit the Central and Southern Florida Project, designed about 70 years ago, and advance a partnership with the Federal Government in advancing flood resiliency strategies for our region. The study is justified by the changed physical conditions already impacting the original project purposes, including land development, population increase, sea-level rise, and climate change. The study, upon funding approval, will leverage FPLOS results and assess which

infrastructure is at the highest risk and address flood vulnerabilities, water supply needs, and surge protection.



Thanks for the opportunity to discuss with you and for including a reference to the FPLOS Program among the Regional Priorities – American Rescue Act. We are available to present more detail information about the advances of FPLOS Program and coordination efforts with USACE, in advancing C&SF Flood Resiliency Study, in a specific workshop with SFRPC members

Thanks,

Carolina

Ana Carolina Coelho Maran, P.E., Ph.D.

District Resiliency Officer

Phone 561-682-6868 • Cell 561-779-3763

www.sfwmd.gov/resiliency



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April 30, 2021

The Honorable Raúl Grijalva
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U.S. House of Representatives
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Washington, DC 20515

The Honorable Jared Huffman
Chairman, Subcommittee on Water, Oceans,
and Wildlife
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The Honorable Bruce Westerman
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
1329 Longworth House Office Building
Washington, DC 20515

The Honorable Cliff Bentz
Ranking Member, Subcommittee on Water,
Oceans, and Wildlife
Committee on Natural Resources
U.S. House of Representatives
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Washington, DC 20515

RE: Please support the Restoring Resilient Reefs Act (H.R. 160 / S. 46)

Dear Chairman Grijalva, Ranking Member Westerman, Chairman Huffman, and Ranking Member Bentz:

On behalf of the nearly 6.8 million people, seven counties, and 122 municipalities of Southeast Florida which are home to the Florida's Coral Reef – the only coral reef system in the continental United States - we write today in **support of H.R. 160, the Restoring Resilient Reefs Act (RRRA)**, introduced in the House by Representative Darren Soto in a bipartisan effort with Representatives Case, Radewagen, Mast, Gonzalez-Colon, and Plaskett. The companion legislation (S.46) has been introduced similarly in a bipartisan effort by Senators Rubio, Scott (FL), Hirono, and Schatz. The legislation is supported by the Florida Department of Environmental Protection and the Florida Fish and Wildlife Commission, among others.

The membership of the South Florida and Treasure Coast Regional Planning Councils consist of county and municipal elected officials, gubernatorial appointees, and ex-officio members from the Florida Department Economic Opportunity, the Florida Department of Environmental Protection, the Florida Department of Transportation, South Florida Regional Transportation Authority (TCRPC), and the South Florida Water Management District. The South Florida Regional Planning Council represents Monroe, Miami-Dade, and Broward counties. The Treasure Coast Regional Planning Council represents Palm Beach, Martin, St. Lucie, and Indian River counties. The Councils support the region's elected leaders and public,

private, and nonprofit stakeholders through regional, collaborative planning and the development and implementation of programs and strategies shaping a better future for Southeast Florida.

As you know, coral reefs in the United States provide many benefits, including biodiversity, coastal protection, improved fisheries, medicine, and critical tourism and recreational opportunities. Florida's Coral Reef runs parallel to our coastline from Monroe County north to Martin County. It is a valuable national resource that protects our shores and beaches by reducing wave energy from storms and hurricanes while providing flood protection valued at over \$675 million per year and over \$1 billion during extreme weather events. Florida's Coral Reef ecosystem provides vital marine habitat for over 6,000 species, including species found nowhere else on earth. Florida's Coral Reef ecosystem is essential to the state's commercial fishing and tourism industries, providing over 71,000 jobs within the region, and generating more than \$6 billion in positive impact annually.

Unfortunately, Florida's Coral Reef is suffering from a tremendous disease outbreak that threatens its survival, with 90 percent of the reef impacted. The Restoring Resilient Reefs Act will modernize the Coral Reef Conservation Act of 2000 and direct a large share of federal funding directly to states and impacted communities so that management priorities and conservation and restoration activities are locally driven; enhance collaboration and provision of technical assistance and expertise to support state and local initiatives; sustain critical research and create opportunities for new partnerships; reform reporting, measurement, and analysis procedures to increase the efficacy of coral reef interventions; and create new avenues for the provision of emergency funds to ensure rapid, effective responses to coral reefs emergencies.

In closing, the Restoring Resilient Reefs Act is the right bill to revive and support thriving coral reef ecosystems across the U.S. We strongly support the Restoring Resilient Reefs Act (RRRA) (H.R. 160 / S. 46), as introduced by Congressmen Soto and Case, as an essential and overdue update to the Coral Reef Conservation Act of 2000 that will meaningfully enhance the protection of these unique ecosystems that underpin significant cultural, social, and economic interests within the United States. Please support this legislation as a matter of urgency. In Southeast Florida, Florida's Coral Reef really can't wait.

Thank you in advance for your time, consideration, and support.

Sincerely,



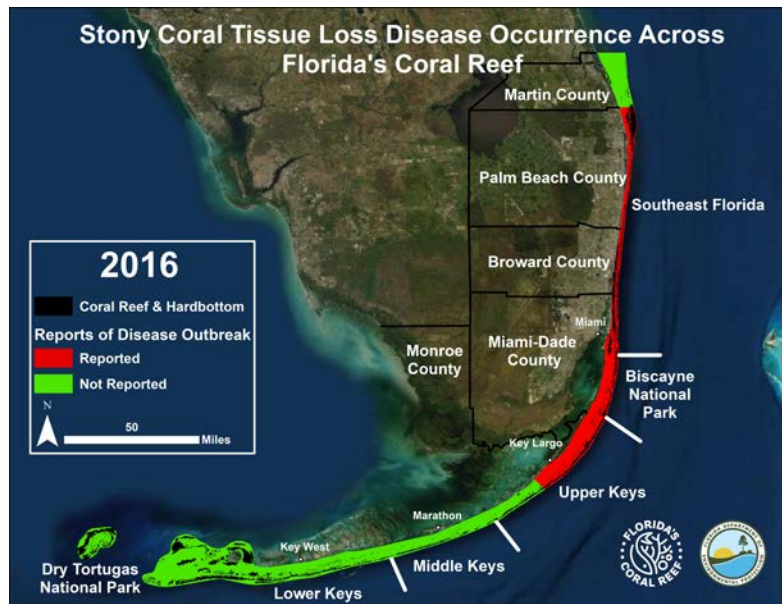
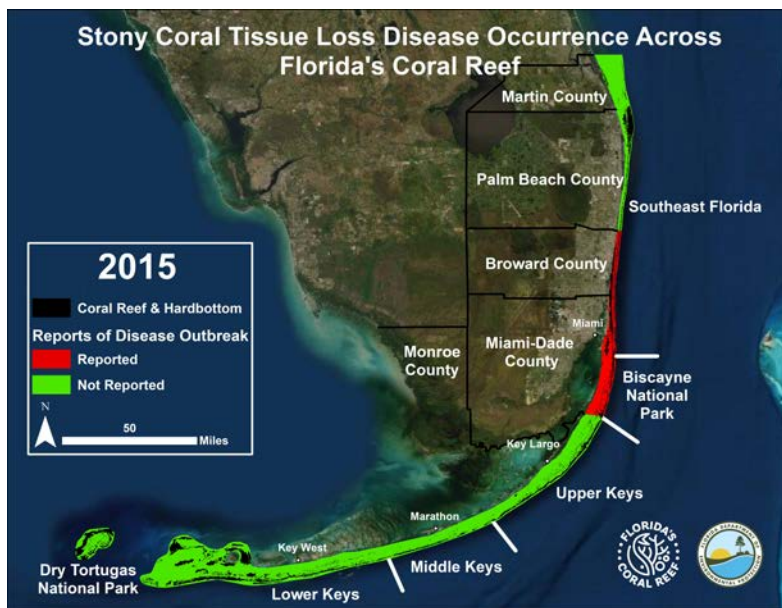
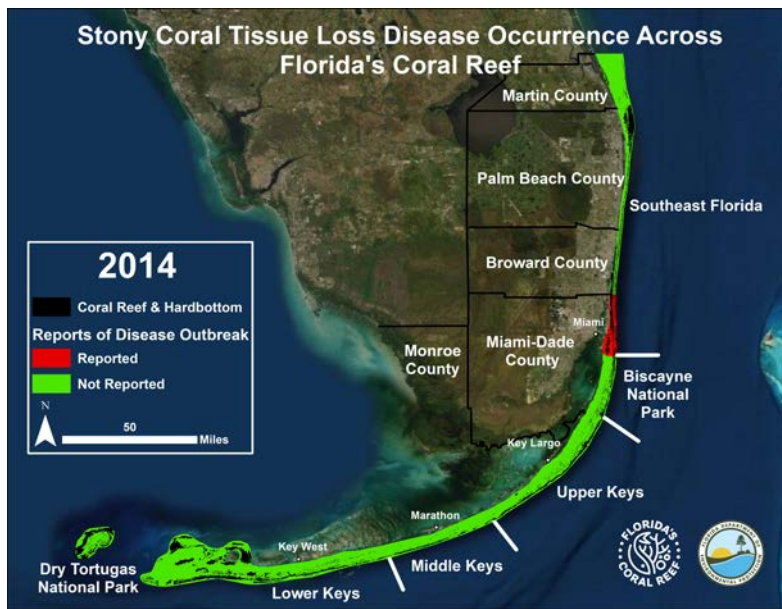
Quentin "Beam" Furr
Broward County Commissioner
Co-Chair, SFRPC / TCRPC
Florida's Coral Reef Working Group



Doug Smith
Martin County Commissioner
Co-Chair, SFRPC / TCRPC
Florida's Coral Reef Working Group

enclosure

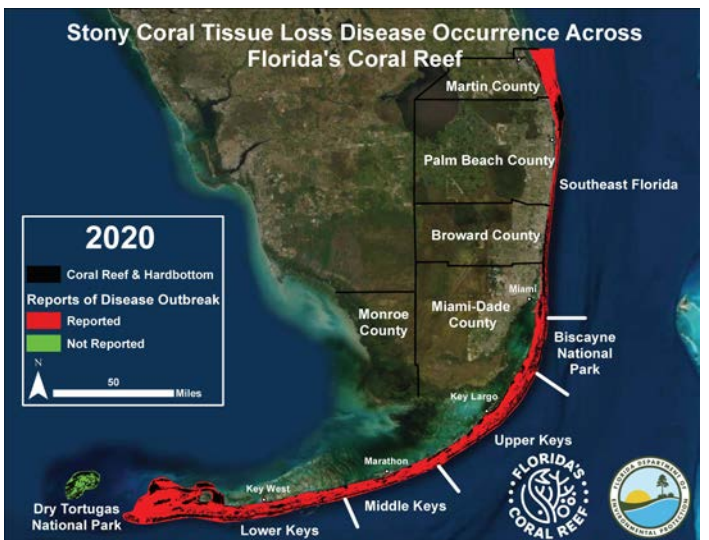
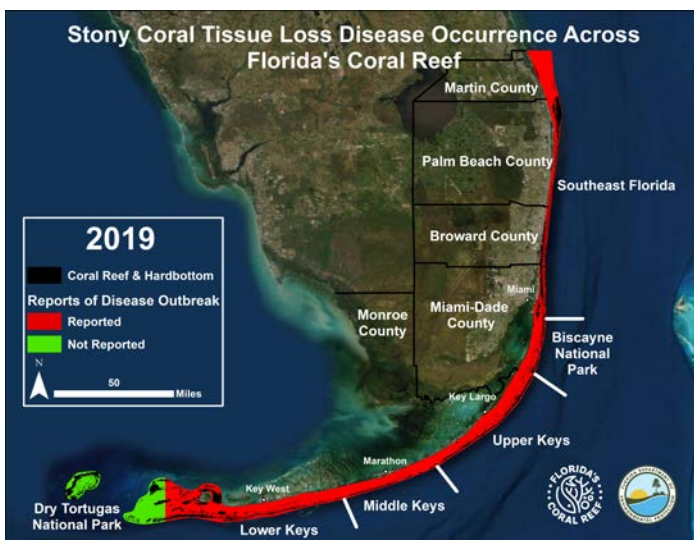
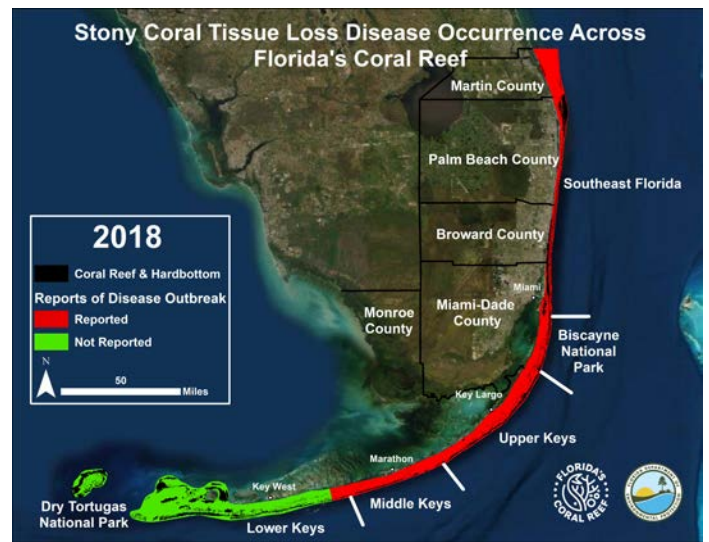
cc The Honorable Darren Soto



Coral Disease Progression on Florida's Coral Reef 2014 – 2020

The accelerating spread of this disease has never been seen in the Florida Reef Tract.

Funding is needed immediately to identify and assess the scale and severity of this outbreak as well as identify any potential primary and/or secondary causes, determine the feasibility of actions needed to remediate or restore the affected resources, begin actions to prevent and restore affected resources, and document any economic impacts to fishing and diving communities as well as small businesses.



For additional information:

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TREASURE COAST REGIONAL PLANNING COUNCIL
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The Honorable Jeff Hmara
Vice Mayor, Royal Palm Beach (Palm Beach County)

VICE CHAIRMAN

The Honorable Cathy Townsend
Commissioner, St. Lucie County

SECRETARY/TREASURER

Mr. Douglas Bournique
Gubernatorial Appointee, Indian River County

TREASURE COAST REGIONAL PLANNING COUNCIL MEMBERS AND ALTERNATES - 2021

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CONGRESS

Lawmakers will vet higher flood insurance rates

Thomas Frank, E&E News reporter

Published: Monday, May 17, 2021



The
Senate
Banking,
Housing,
and
Urban
Affairs

Senate Banking, Housing, and Urban Affairs Chair Sherrod Brown (D-Ohio) will hold a hearing this week on flood insurance. Francis Chung/E&E News

Committee this week plans to hold its first hearing in four years on the federal flood insurance program. The session tomorrow comes amid signs Congress might try to block an administrative plan that would restructure rates and increase premiums for people who have been paying too little.

The hearing is slated to feature testimony from a New York City official who previously has urged Congress to keep flood insurance affordable. The witness, New York City Federal Affairs Director Rebecca Kagan Sternhell, is expected to echo the concern about rate increases voiced by fellow New Yorker, Senate Majority Leader Chuck Schumer (D).

"There's definitely interest in keeping the rates low," said R.J. Lehmann, a flood-insurance expert at the International Center for Law & Economics who is scheduled to testify tomorrow. "Chuck Schumer has been clear about the rate increases."

The hearing also could be a platform for Sen. John Kennedy (R-La.), a Banking Committee member who recently questioned the Federal Emergency Management Agency's authority to implement the new rate structure.

FEMA plans a sweeping restructuring of its National Flood Insurance Program to make premiums reflect more accurately the risk of an individual home being flooded. The overhaul, called Risk Rating 2.0, will cause

sharp premium increases for about 200,000 policyholders, moderate increases for 3.7 million policyholders and decreases for 1 million policyholders.

The new rates are tied to FEMA's increasing use of advanced mapping and analysis to assess more precisely the flood risk for each of the 5 million properties it insures.

But Kennedy has questioned FEMA's move, telling Banking Chair Sherrod Brown (D-Ohio) in a [letter](#) last month, "Congress should oversee and debate any changes to the program, especially substantial changes to the program such as Risk Rating 2.0."

"I have serious concerns about Louisiana families being able to afford flood insurance under the proposed Risk Rating 2.0," Kennedy said.

Although Kennedy called Risk Rating 2.0 "proposed," FEMA said last month that the new rates will take effect on Oct. 1 for people who buy new flood insurance policies. For people renewing policies, the new rates will go into effect starting April 1.

Louisiana policyholders have filed more claims and received more payments from the flood insurance program than residents of any other state, according to FEMA records.

Louisiana residents have filed 461,000 claims and received a total of nearly \$20 billion — ahead of second-place Texas, whose residents have filed 383,000 claims and received \$17 billion.

The Banking Committee hearing is likely to underscore the divisions and unusual coalitions that Risk Rating 2.0 has spawned.

Lawmakers such as Schumer, a Northeastern liberal, and Kennedy, a Gulf Coast conservative, are united in opposing premium increases that would affect tens of thousands of their constituents in flood-prone areas such as Long Island and New Orleans.

Supporting Risk Rating 2.0 are environmentalists who say higher premiums will discourage risky development in flood-prone areas and free-market advocates such as Lehmann, who said in an interview that he would oppose congressional efforts to limit FEMA's ability to increase premiums.

"I'm going to say I don't think that's a good idea and I don't think it's necessary," Lehmann said of a recent proposal in the House Financial Services Committee to restrict premium increases.

Also scheduled to testify tomorrow are Chad Berginnis, executive director of the Association of State Floodplain Managers, and Velma Smith, a flood expert at the Pew Charitable Trusts. Both have supported Risk Rating 2.0, saying it would steer development away from flood-prone areas.

Democrats might use the hearing tomorrow to push for a new program that would subsidize flood insurance premiums for low-income households, and which could assuage concerns about higher insurance rates.

A need-based subsidy program **proposed** recently by House Financial Services Chair Maxine Waters (D-Calif.) is likely to receive support from Senate Democrats and Biden administration officials focused on environmental justice and social equity.

"I expect there will be a serious conversation about whether subsidies should be better targeted to those who actually need them," a Banking Committee staffer said in an interview.

FEMA currently discounts insurance premiums for people who own older homes that were built in flood zones before the flood risk was known.

"There's no appetite among Democrats for existing subsidies to go away. There may be an appetite to supplement them with a need-based subsidy," said the staffer, who asked not to be named. "There will be a lot of conversation around moving flood insurance subsidies."

A fifth witness scheduled to testify tomorrow, Taxpayers for Common Sense President Steve Ellis, supports restructuring subsidies so they target people who need them for financial reasons.

Brown, the committee chairman, could use tomorrow's hearing to push for using the flood-insurance program to address climate change and the financial risk it creates.

Four years ago, Brown joined with Sen. Mike Crapo, an Idaho Republican who was then chairman of the Banking Committee, to sponsor a bill that would have given FEMA more money for projects that mitigate flood risk and for improved mapping of the nation's flood risks.

Brown's office said in a statement to E&E News that Brown would seek this year "to make smart investments in infrastructure and mitigation to make communities more resilient and save taxpayer dollars today and in the future."

Brown's office did not answer a question asking how concerned he is about FEMA's planned increases in insurance premiums.

The senator plans to hold a second hearing on the flood-insurance program at an unspecified date.

This story also appears in E&E Daily.

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May 4, 2021

The Florida Legislature adjourned Sine Die at 2:40 pm on April 30. A total of 3,096 bills were filed including six concurrent resolutions, 98 single chamber resolutions, 1,839 general bills, 52 local bills, 24 joint resolutions, 17 memorials, and 1,060 appropriation projects. Of this, only 275 bills passed both chambers.

Governor DeSantis has begun to receive bills that have passed both chambers. If a bill was sent to the governor during session, he has seven days to act on it. Now that the session has ended, the timeframe for acting increases to 15 days. If you want to follow Governor DeSantis’s bill action, go to flgov.com and click on the icon reading “2021 Bill Actions”.

The following paragraphs summarize the major bills passed by the legislature that APA Florida tracked. However, you are strongly encouraged to read the actual bill language. Also please look at the [bill tracking report](#) to see if there are other bills of particular interest to you that are not discussed below.

(Note these summaries are based on a review of the bill language and legislative staff analysis.)

The following bills of general interest passed the legislature:

- **Abolishing the Constitution Revision Commission:** [SB 204 ER](#) (Sen. Brandes) requires a constitutional amendment to repeal provisions establishing the Constitution Revision Commission be placed on the 2022 General Election ballot.
- **Documentary Stamp Tax Distributions:** [SB 2512 ER](#) (Senate Appropriations Committee) revises the distribution of the documentary stamp tax, reducing the amount that is designated for the housing trust funds to \$209 million and diverting revenue to grant programs to upgrade wastewater treatment and projects related to sea-level rise. The bill does include language that says that funds distributed to the housing trust funds may not be transferred to the general revenue fund in the general appropriations act. (identified effective date of July 1, 2021, only if SB 1954 or similar legislation and SB 2514 or similar legislation are adopted in the same legislative session or an extension thereof and become law.)

- **Protection of Ecological Systems:** [SB 976 ER](#) (Sen. Brodeur) creates the “Florida Wildlife Corridor Act” to create incentives for conservation and sustainable development while sustaining and conserving the green infrastructure that is the foundation of the state’s economy and quality of life (identified effective date of July 1, 2021.)
- **Bicycle and Pedestrian Safety:** [SB 950 ER](#) (Sen. Book) addresses issues related to bicycle and pedestrian safety (identified effective date of July 1, 2021.)
- **Preemption of Local Occupational Licensing:** [HB 735 ER](#) (Rep. Harding) preempts the licensing of occupations to the state and supersedes any local government licensing of occupations with some exceptions (identified effective date of July 1, 2021.)
- **Building Inspections:** [HB 667 ER](#) (Rep Mooney, Jr.) requires local enforcement agencies to allow requests for inspections to be submitted electronically and clarifies that any government entity with authority to enforce the Building Code may perform virtual inspections at the discretion of the government entity (identified effective date of July 1, 2021.)
- **Farming Operations:** [SB 88 ER](#) (Sen. Brodeur) amends the Florida Right to Farm Act to provide stronger liability protections to farms. This bill was signed by the governor on April 29 and becomes effective on July 1, 2021.
- **County and Municipal Code Enforcement:** [SB 60 ER](#) (Sen. Bradley) prohibits county or municipal code inspectors or code enforcement officers from investigating potential violations based on an anonymous complaint unless they have reason to believe that the violation presents an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources (identified effective date of July 1, 2021.)
- **Reclaimed Water:** [SB 64](#) (Sen. Albritton) includes provisions related to elimination of non-beneficial surface water discharge by domestic wastewater utilities, potable reuse projects, and incentives for use of greywater technologies (identified effective date of upon becoming law.)
- **School District Funding:** [HB 827 ER](#) (Rep. Hawkins) provides additional requirements for school districts’ allocation of the AICE bonus funds to school programs (identified effective date of July 1, 2021.)
- **Construction Permits:** [HB 1059 ER](#) (Rep. Fischer) amends requirements for what building permit information must be posted on county websites, provides deadlines for review of county and municipal building permit applications, and identifies fee reductions if deadlines are not met (identified effective date of Oct. 1, 2021.)
- **Department of Transportation:** [SB 1126 ER](#) (Sen. Harrell) is FDOT’s legislative package and, among other things, includes the language also found in SB 100 ER (discussed below) related to arteria highway upgrades, US 19, arterial highway projects and the Florida Turnpike Extension (identified effective date of July 1, 2021.)
- **Transportation:** [SB 1194 ER](#) (Sen. Hooper), among other things, authorizes governing bodies of municipalities and counties to abandon the roads and rights-of-way dedicated in a recorded subdivision and simultaneously convey these roads and appurtenant drainage facilities to a community development district if certain conditions are met (identified effective date of July 1, 2021.) Note that language relating to the preemption of the regulation of maritime commerce in seaports was amended into this bill on the Senate Floor. (see more in the bill discussion in the next section of this update.)
- **Legal Notices:** [HB 35 ER](#) (Rep. Fine), among other things, provides criteria that newspapers must meet in order to be used to publish legal notices, provides for website publication of legal notices and includes criteria for such publication (identified effective date of Jan. 1, 2022.)

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The following bills of note also passed the legislature:

GROWTH MANAGEMENT BILLS

Growth Management: [HB 59 ER](#) (Rep. McClain) requires local governments to adopt a property rights element into their local comprehensive plan. It does the following:

- requires that a comprehensive plan for a newly incorporated municipality that becomes effective after Jan. 1, 2016, and the land development regulations adopted to implement the plan, must incorporate all development orders existing before the plan's effective date, may not impair the completion of development in accordance with existing development orders, and must vest the density and intensity approved by the development orders existing before the plan's effective date without limitation or modification;
- requires local governments to include a private property rights element in their comprehensive plan and provides a model statement of rights which local governments may adopt;
- requires that the property rights element must be adopted by the earlier of the date of adoption of the next proposed plan amendment initiated after July 1, 2021 or the next scheduled EAR;
- if a local government adopts its own property rights element, the element must not conflict with the model;
- allows a party or its designated successor in interest to a development agreement and a local government to amend or cancel the agreement without the consent of other property owners whose property was originally subject to the agreement, unless the change directly modifies the allowable uses or entitlements of such owners' property;
- requires the Florida Department of Transportation, when disposing of property it no longer needs, to provide a right of first refusal to the property's prior owner and provides a process for implementing this right of first refusal. The right of first refusal may not be required for the disposal of property acquired more than 10 years before the date of disposition by the department; and
- specifies that development agreements for essentially built out developments of regional impact may be amended using the processes adopted by local governments for amending development orders and specifies that such amendment may authorize the developer to exchange approved land uses subject to a demonstration that the exchange will not increase impacts to public facilities. This applies to agreements and amendments effective on or after April 6, 2018.

The bill identifies an effective date of July 1, 2021.

Growth Management: [HB 487 ER](#) (Rep. Duggan) increases the maximum acreage of a small-scale comprehensive plan amendment from 10 acres to 50 acres and increases the maximum acreage for a small-scale comprehensive plan amendment within a rural area of opportunity from 20 acres to 100 acres.

The bill was amended on the senate floor to add language to ss.163.3167(5). The bill provides that any landowner with a development order existing before the incorporation of a municipality may elect to abandon the development order and develop the vested density and intensity contained therein pursuant to the municipality's comprehensive plan and land development regulations adopted pursuant to subsection (3) so long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing obligations in the development order regarding concurrency remain.

The bill was also amended on the senate floor to allow an entity created by interlocal agreement between local governments to acquire title to any water or wastewater plant utility facilities, other facilities, or property acquired by the use of eminent domain if 10 or more years have passed since the date of eminent domain acquisition.

Note that the language in both of these amendments were in the senate version, SB 1274, but were not in the version that the house sent over.

The bill identifies an effective date of July 1, 2021.

Home-based Businesses: [HB 403 ER](#) (Rep. Giallombardo) creates s.559.955 F.S. related to home-based businesses and states that local governments may not enact or enforce any ordinance, regulation, or policy, or take any action to otherwise regulate a home-based business, in violation of this section.

Under the bill, a business is considered to be a home-based business if it operates, in whole or part, from a residential property and meets the following criteria:

- the employees of the business who work at the residential dwelling must also reside in the residential dwelling, except that up to a total of two employees or independent contractors who do not reside at the residential dwelling may work at the business. The business may have additional remote employees that do not work at the residential dwelling;
- parking related to the business activities of the home-based business complies with local zoning requirements and the need for parking generated by the business may not be greater in volume than would normally be expected at a similar residence where no business is conducted. Local governments may regulate the use of vehicles or trailers operated or parked at the business or on a street right-of-way, provided that such regulations are not more stringent than those for a residence where no business is conducted. Vehicles and trailers used in connection with the business must be parked in legal parking spaces that are not located within the right-of-way, on or over a sidewalk, or on any unimproved surfaces at the residence. Local governments may regulate the parking or storage of heavy equipment at the business which is visible from the street or neighboring property. For purposes of this paragraph, the term “heavy equipment” means commercial, industrial, or agricultural vehicles, equipment, or machinery;
- as viewed from the street, the use of the residential property is consistent with the uses of the residential areas that surround the property. External modifications made to a residential dwelling to accommodate a home-based business must conform to the residential character and architectural aesthetics of the neighborhood. The home-based business may not conduct retail transactions at a structure other than the residential dwelling; however, incidental business uses and activities may be conducted at the residential property;
- the activities of the home-based business are secondary to the property’s use as a residential dwelling;
- the business activities comply with any relevant local or state regulations with respect to signage and equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors. Any local regulations on a business with respect to noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors may not be more stringent than those that apply to a residence where no business is conducted; and
- all business activities comply with any relevant local, state, and federal regulations with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids. Any local regulations on a business with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids may not be more stringent than those that apply to a residence where no business is conducted.

The bill allows these home-based businesses to:

- operate in an area zoned for residential use;
- not be prohibited, restricted, regulated, or licensed in a manner that is different from other businesses in a local government’s jurisdiction, except as otherwise provided in this section; and
- be only subject to applicable business taxes under chapter 205 in the county and municipality in which the home-based business is located.

The bill provides that any adversely affected current or prospective home-based business owner may challenge any local government action in violation of this section. The prevailing party in a challenge may recover reasonable attorney fees and costs incurred in challenging or defending the action, including reasonable appellate attorney fees and costs.

The bill also states that this section does not supersede any current or future declaration of condominium adopted pursuant to chapter 718, cooperative document adopted pursuant to chapter 719, or declaration of covenants adopted pursuant to chapter 720. It also does not supersede any local laws, ordinances, or regulations related to transient public lodging establishments, as defined in s.509.013(4)(a)1, that are not otherwise preempted under chapter 509.

The bill identifies an effective date of July 1, 2021.

Cottage Food Operations: [HB 663 ER](#) (Rep. Salzman) preempts the regulation of cottage food operations to the state. (A cottage food product is any food that is not a potentially hazardous food as defined by rule of the Department of Agriculture and are currently regulated under s.500.80 F.S.) Under the bill, a local law, ordinance, or regulation may not prohibit a cottage food operation or regulate the preparation, processing, storage, or sale of cottage food products by a cottage food operation. However, a cottage food operation must comply with the conditions for the operation of a home-based business under s.559.955. (Note this is the section created in HB 403 ER, discussed above.)

The bill amends s.500.03(1)(j), F.S., to revise the definition of the term “cottage food operation” to allow cottage food operations to sell, offer for sale, and accept payment for cottage food products as a business entity. Current law only permits persons to operate a cottage food operation as a person. It also permits cottage food products to be produced or packaged at the residence of a natural person who has an ownership interest in the entity.

The bill also amends s.500.80(1)(a) and (2), F.S., to increase the maximum annual gross sales limit for cottage foods operations from not exceeding \$50,000 to not exceeding \$250,000. The bill allows cottage food operations to sell, offer for sale, and accept payment for cottage food products by mail order. It also permits cottage food products to be delivered by mail.

The bill identifies an effective date on the same date that HB 403 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law. HB 403 ER identifies an effective date of July 1, 2021.

State Preemption of Seaport Regulations: CS/CS/CS/SB 426 (Sen. Boyd), which prohibits a local ballot initiative or referendum from restricting maritime commerce in Florida’s seaports, was passed by the Senate on April 22. It was sent to the House and temporarily postponed twice on Second Reading.

On April 28, when the Senate was discussing SB 1194, (a transportation bill), an amendment filed by Senator Boyd dealing with this issue was added to that bill, which was subsequently passed by the legislature.

With respect to this issue, [SB 1194 ER](#) (Sen. Hooper) creates s.311.25, F.S. and provides that, with respect to any port that has received or is eligible to apply for or receive state funding under chapter 311, a local ballot initiative or referendum may not restrict maritime commerce in such a port, including, but not limited to, restricting such commerce based on any of the following:

- Vessel type, size, number, or capacity;
- Number, origin, nationality, embarkation, or disembarkation of passengers or crew or their entry into this state or any local jurisdiction;
- Source, type, loading, or unloading of cargo; or
- Environmental or health records of a particular vessel or vessel line.

Any local ballot initiative or referendum that is in conflict with this and that was adopted before, on, or after July 1, 2021, and any local law, charter amendment, ordinance, resolution, regulation, or policy adopted in such an initiative or referendum, is prohibited, void, and expressly preempted to the state.

This language is directly aimed at three referendum passed in Key West.

The bill provides that if any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

The bill identifies an effective date of July 1, 2021.

Tolling and Extension of Permits and Other Authorizations During States of Emergencies: [SB 912 ER](#) (Sen. Albritton) amends s.252.263 F.S. to specify the following additional permits and authorizations that may be tolled and extended during a state of emergency issued for a natural emergency:

- permits issued by the Department of Environmental Protection or a water management district pursuant to part II of chapter 373 for land subject to a development agreement under s.163.3220-163.3243 in which the permittee and the developer are the same or a related entity; and
- the expiration of a development permit or development agreement authorized by Florida Statutes, including those authorized under the Florida Local Government Development Agreement Act, or issued by a local government or other governmental agency.

This amendment applies retroactively to any declaration of a state of emergency issued by the governor for a natural emergency on or after March 1, 2020.

The bill also amends s.56 of chapter 2017-36, Laws of Florida, to provide that enterprise zone boundaries in existence before Dec. 31, 2015, are preserved for the purpose of allowing local governments to administer local incentive programs within these boundaries through Dec. 31, 2021 except for eligible contiguous multi-phase projects in which at least one certificate of use or occupancy has been issued before Dec. 31, 2021. The latter two dates were previously Dec. 31, 2020.

The bill identifies an effective date of upon becoming law.

Renewable Energy: [SB 896 ER](#) (Sen. Brodeur) creates s.163.3205, F.S., relating to the solar facility approval process. The bill defines a “solar facility,” as a production facility for electric power, which uses photovoltaic modules to convert solar energy to electricity that may be stored on site, delivered to a transmission system, and consumed primarily offsite. It further identifies the components of a solar facility.

The bill requires solar facilities to:

- be a permitted use in all agricultural land use categories in a local government’s comprehensive plan, and all agricultural zoning districts within an unincorporated area; and
- comply with setback and landscaped buffer area criteria for similar uses in the agricultural district.

A county may adopt ordinances specifying buffer and landscaping requirements for solar facilities. Such requirements may not exceed those of similar uses involving construction of other facilities permitted in agricultural land use categories and zoning districts.

The bill specifies that none of the above provisions apply to any site that was the subject of an application to construct a solar facility submitted to a local governmental entity before July 1, 2021.

The bill also amends s.366.91, F.S., by adding the terms “biogas” and “renewable natural gas,” and provides that the Public Service Commission may approve cost recovery by a gas public utility for contracts for the purchase of renewable natural gas in which the pricing provisions exceed the current market price of natural gas, but which are otherwise deemed reasonable and prudent by the commission.

The bill identifies an effective date of July 1, 2021.

Urban Agriculture: [SB 628 ER](#) (Sen. Rouson) creates s.604.73, F.S., to be known as the “Urban Agriculture Pilot Project Act.” Among the bill’s legislative findings, the legislature acknowledges that the “coming to the nuisance” defense is reversed when residents bring agricultural uses to already-established, dense urbanized areas, and that municipalities should retain the right to reasonably regulate urban agriculture to protect existing urban land uses. Additionally, it states the legislature recognizes the ability of urban agriculture to spur economic development by providing for fresh foods in city centers, community revitalization, and the adaptive reuse of vacant lands.

The bill defines “urban agriculture” to mean any new or existing noncommercial agricultural uses on land that is:

- within a dense urban land area;
- not classified as agricultural pursuant to s.193.461;
- not zoned as agricultural as its principal use;
- designated by a municipality for inclusion in an urban agricultural pilot project that has been approved by the Department of Agriculture and Consumer Services.

The term does not apply to vegetable gardens, as defined in s.604.71(4), for personal consumption on residential properties.

The bill grants the Department of Agriculture and Consumer Services (DACS) authority to approve five municipalities in which urban agricultural pilot projects may be established. Eligible municipalities must have a population of 250,000 or more. The bill sets forth requirements by which the department may approve such projects, application requirements, and provides an initial project length period of three years to be renewed for additional three-year periods if a mutual agreement is met.

Municipalities are required to submit a report to the department outlining outcome and impact of their pilot projects by January 1 of each year that the pilot project is in place. The department is then required to submit a report on the outcomes and impacts of the pilot programs to the President of the Senate and the Speaker of the House of Representatives. The department is given rulemaking authority to administer and implement the pilot projects.

The bill also provides that urban agriculture is subject to applicable municipal regulations if:

- the urban agriculture activities occur on land included by a municipality in a pilot project approved by DACS;
- the municipality duly enacts local regulations applicable to urban agriculture; and
- the municipality designates existing farm operations, as defined in s.823.14.(3)(b), within its jurisdiction as legally nonconforming before the regulations’ adoption.

The bill also provides that non-residential farm buildings, farm fences or farm signs on lands used for urban agriculture are not exempt from the Florida Building Code or any county or municipal code or fee. It also exempts propelled equipment used on a farm or used to transport farm products for the purpose of urban agriculture from a requirement that that farm equipment be stored, maintained, or repaired within the boundaries of the owner’s farm and be located at least 50 feet away from a public road.

The bill identifies an effective date of July 1, 2021.

Relief from Burdens on Real Property Rights: [HB 421 ER](#) (Rep. Persons-Mulicka) amends 70.001(4), (5), (6), and (11) and 70.45, F.S., and specifies that these amendments only apply to Bert Harris Act claims brought in response to government actions taken on or after July 1, 2021. The changes do the following:

- reduce the timeframe in which a claimant must notify the government before filing an action from 150 days to 90 days;

- specify that written settlement offers are presumed to protect the public interest;
- allow the property owner to have the court, rather than a jury, determine compensation;
- allow the property owner, if prevailing in the action, to recover attorney fees and costs incurred from the time the claimant files notice with the government instead of from the time the claimant files suit. Existing language that requires the court to determine that settlement offers did not constitute a bona fide offer is deleted;
- provide that if notice to an affected property owner, informing them that a law or regulation may impact property rights, is not provided after a law or regulation’s enactment, the property owner may, at any time after enactment, notify the governmental entity in writing by certified mail and e-mail, if available, that the property owner deems the law or regulation’s impact on the property owner’s real property to be clear and unequivocal in its terms and, as such, restrictive of allowable uses. The governmental entity has 45 days from receipt of the notice to respond in writing by certified mail and, if available, e-mail to describe the limitations imposed on the property by the law or regulation. The property owner is not required to formally pursue an application for a development order, development permit, or building permit to bring a claim under the Bert Harris Act, but any such claim must be filed within one year after the date the property owner receives the governmental entity’s notice of the limitations on use imposed on the property;
- amends s.70.45, F.S. to define “imposed” or “imposition” to refer to the time at which the property owner must comply with the prohibited exaction or condition of approval; and
- with respect to an action challenging an unlawful exaction under s.70.45, F.S., clarifies that the property owner has the discretion to take action either when the exaction is actually imposed or when it is required in writing as a final condition of approval.

Changes made in the bill to the Burt Harris Act that are not limited to claims filed after July 1, 2021 include:

- providing that a property owner entitled to relief retains such entitlement to pursue the claim if the property owner filed a claim but subsequently relinquishes title to the subject real property before the claim reaches a final resolution;
- amending “action of a governmental entity” to include adopting or enforcing any ordinance, resolution, regulation, rule, or policy; and
- amending “real property” to include any legal interest in land, including surface, subsurface, and mineral estates and any other relevant land interest held by a property owner.

The bill also revises the definitions of the terms “land” and “real property” under the Florida Land Use and Environmental Dispute Resolution Act to have the same meaning as “real property” under the Bert Harris Act. The bill identifies an effective date of Oct. 1, 2021.

LOCAL PREEMPTION BILLS

Impact Fees: [HB 337 ER](#) (Rep. DiCeglie) amends s.163.31801 F.S. It defines the term infrastructure to mean a fixed capital expenditure or fixed capital outlay, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of at least five years; related land acquisition, land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the public facility into service. This includes fire department vehicles, emergency medical service vehicles, sheriff’s office vehicles, police department vehicles, school buses, and the equipment necessary to outfit such vehicles or buses for their official use. For independent special fire control district, the term includes new facilities as defined in s.191.009(4).

Public facilities are defined to have the same meaning as in s.163.3164 and includes emergency medical, fire, and law enforcement facilities.

In addition to local governments, the bill requires special districts to credit against the collection of impact fees any contribution related to public facilities. The requirement to credit contributions is expanded to apply to

contributions related to all public facilities, rather than only public education facilities under current law. All credits against impact fee collections must be made regardless of any provision in local government or special district charter, comprehensive plan policy, ordinance, resolution, or development order or development permit.

The bill amends requirements for local governments and special districts to credit certain contributions against the collection of an impact fee, in that:

- contributions relating to the improvement of infrastructure must also be credited;
- credits must be applied on impact fees collected for the general category or class of public facilities or infrastructure for which the contribution was made; and
- credits may not be applied if the local government or special district does not charge and collect an impact fee for the general category or class of public facility contributed.

The bill provides that local governments, school districts, and special districts may only increase impact fees as follows:

- for an increase of not more than 25 percent, the increase must be implemented in two equal annual increments beginning with the date the increased fee is adopted;
- for an increase of greater than 25 percent but not more than 50 percent, the increase must be implemented in four equal annual increments beginning with the date the increased fee is adopted;
- impact fees may not be increased by more than 50 percent;
- impact fees may not be increased more than once every four years; and
- impact fees may not be increased retroactively for a previous or current fiscal or calendar year.

However, local governments, school districts, and special districts may bypass the prescribed impact fee increase limitations if certain criteria are met:

- a demonstrated need study justifying the increase has been completed within the 12 months before the adoption of the increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations;
- the local jurisdiction has held not less than two publicly noticed workshops dedicated to the extraordinary circumstances; and
- the impact fee increase ordinance is approved by at least a two-thirds vote of the governing body.

The bill provides that the impact fee increase provisions operate retroactively to Jan 1, 2021.

The bill revises a current affidavit requirement by providing that a local government, school district, or special district must submit with its annual financial report or its financial audit report an affidavit attesting that all impact fees were collected and expended in full compliance with the spending period provision in the local ordinance or resolution, and that the funds expended were used to acquire, construct, or improve specific infrastructure needs.

The bill also provides that existing provisions that allow impact fee credits to be assignable and transferable to other parcels under certain circumstances apply to all impact fee credits regardless of whether the credits were established before or after the effective date of this act.

The bill identifies an effective date of upon becoming law.

Express Preemption of Fuel Retailers and Related Transportation Infrastructure: [HB 839 ER](#) (Rep. Fabricio) creates s.377.707, F.S., expressly preempting to the state specific aspects of regulating fuel retailers and related transportation infrastructure.

The bill defines the term “fuel retailer” as a fuel station or retail site that sells fuel to provide power to vehicles. “Related transportation infrastructure” is defined as storage tanks, pipelines, or any related equipment that is necessary to deliver fuel to a fuel retailer or dispense fuel at a fuel retailer.

The bill prohibits a municipality, county, special district, or political subdivision from:

- adopting a law, an ordinance, a regulation, a policy, or a resolution that prohibits the siting, development, or redevelopment of a fuel retailer or the related transportation infrastructure that is necessary to provide fuel to a fuel retailer within the entirety of the jurisdictional boundary;
- adopting or applying a law, an ordinance, a regulation, a policy, or a resolution that results in the de facto prohibition of a fuel retailer or the related transportation infrastructure that is necessary to provide fuel to a fuel retailer within the entirety of the jurisdictional boundary;
- requiring a fuel retailer to install or invest in a particular kind of fueling infrastructure, including, but not limited to, electric vehicle charging stations.

The bill provides that this does not preempt a municipality, county, special district, or political subdivision from adopting and implementing a law, an ordinance, a regulation, a policy, or a resolution that is not otherwise inconsistent with general law relating to the siting, development, or redevelopment of fuel retailers or related transportation infrastructure necessary for them to provide fuel, if such law, ordinance, regulation, policy, or resolution does not result in a de facto prohibition of fuel retailers or related transportation infrastructure necessary to provide fuel to fuel retailers from being sited, developed, or redeveloped within zoning or land use classifications where such infrastructure is consistent with other allowable uses.

The bill identifies an effective date of upon becoming law.

Preemption Over Restriction of Utility Services: [HB 919 ER](#) (Rep. Tomkow) creates s.366.032 F.S. which prohibits a municipality, county, special district, or other political subdivision of the state from enacting or enforcing a resolution, ordinance, rule, code, or policy, or taking any other action that restricts or prohibits, or has the effect of restricting or prohibiting, the types or fuel sources of energy production that may be used, delivered, converted, or supplied by the following entities to serve customers that they are authorized to serve:

- a public utility or an electric utility as defined in this chapter;
- an entity formed under s.163.01 that generates, sells, or transmits electrical energy;
- a natural gas utility as defined in s.366.04(3)(c);
- a natural gas transmission company as defined in s.368.103; or
- a Category I liquefied petroleum gas dealer or Category II liquefied petroleum gas dispenser or Category III liquefied petroleum gas cylinder exchange operator as defined in s.527.01.

The bill provides that the board of a municipality or governmental entity that owns or operates and directly controls an electric or natural gas utility, is not prohibited from passing rules, regulations, or policies governing the utility.

The bill provides that any municipality, county, special district, or political subdivision charter, resolution, ordinance, rule, code, policy, or action preempted by the bill that existed before or on July 1, 2021, is void. The bill also provides that it does not expand or alter the jurisdiction of the Public Service Commission.

The bill identifies an effective date of July 1, 2021.

BROADBAND BILLS

Broadband Internet Infrastructure: [HB 1239 ER](#) (Rep. Tomkow) creates two new programs to support the expansion of broadband Internet service to consumers without access to service. First, the bill creates s.288.9962 F.S. which establishes the Broadband Opportunity program within the Office of Broadband. This program is designed to award grants, subject to appropriation, to applicants who seek to install or deploy

infrastructure that expands broadband service to unserved areas. Grant money may not be used for a geographic area in which service is already deployed by at least one provider.

The bill specifies the types of entities eligible for such grants, provides application requirements and evaluation criteria, and requires the office to enter into an agreement with each grant recipient that specifies performance conditions, including potential sanctions for failure to meet these conditions. The bill establishes a process by which an existing broadband provider may challenge a grant application on the grounds that the provider already offers or plans to offer service in the area at issue.

The bill limits grant awards to 50 percent of the total cost of a project, and a single project may not be awarded a grant in excess of \$5 million. Additionally, the bill prohibits grant awards for projects that receive other federal funding. The bill requires the office to prepare an annual report by Jan. 1, 2023, and each year thereafter, summarizing the activity under this program; the report must be published on the agency website and provided to the Governor, President of the Senate, and Speaker of the House.

Second, the bill creates s.288.9963 F.S. dealing with the attachment of broadband facilities to municipal electric utility poles. It requires municipal electric utilities, through July 1, 2024, to offer broadband service providers a discounted rate of one dollar per attachment per year for any new pole attachment necessary to make broadband service available to unserved or underserved consumers within the utility's service territory. The bill provides terms for these discounted attachments. The bill also provides safety and reliability standards for pole attachments and specifies each party's responsibility for costs associated with replacement poles necessary to make attachments. The bill prohibits municipal electric utilities from raising their current pole attachment rates for broadband providers between July 1, 2021 and July 31, 2022.

The bill also requires local technology planning teams established by the office to work with rural communities to help identify unserved and underserved consumers and to work with rural communities and broadband providers to identify opportunities and reduce barriers to the deployment of service. The bill amends and creates definitions applicable to these programs and provides DEO with rulemaking authority to implement these programs.

The bill amends the information required to be included in the strategic plan, addressing broadband internet service in the state, that is currently required to be developed by the office, and requires it be submitted to the Governor, President of the Senate, and Speaker of the House by June 30, 2022. The plan is required to be updated biennially thereafter.

The bill also appropriates \$1.5 in non-recurring general revenue funds to DEO to develop geographic information system maps of broadband internet service availability through the state. The maps must be completed by June 30, 2022.

The bill identifies an effective date of July 1, 2021.

TRANSPORTATION BILLS

Highway Projects: [SB 100 ER](#) (Sen. Harrell) repeals the Multi-use Corridors of Regional Economic Significance (M-CORES) program and related provisions and instead creates programs related to arterial highway projects. More specifically, the bill does the following:

- requires that the Florida Department of Transportation (FDOT), in coordination with the Florida Turnpike Enterprise, evaluate existing roadways or portions thereof for development of specific controlled access facilities and include such programs in the work program;
- authorizes FDOT to upgrade existing arterial roadways with targeted improvements, such as adding new tolled or non-tolled limited access alignments to manage congestion points and retrofitting roadways with tolled or non-tolled grade separations that provide alternatives to a signalized intersection for through traffic. Such improvements must be made with the goal of enhancing the economic prosperity and preserving the character of the communities impacted by the improvements;

- prohibits reduction of any non-tolled general use lanes of an existing facility, requires maintenance of existing access points and provision of access to property owners with no existing access, and limits the location of any tolling points such that a non-tolled alternative exists for local traffic;
- subjects portions of any project to be tolled to federal and state environmental reviews and generally to the same review and development requirements and processes as are currently applicable to the department’s projects, and requires FDOT to take in consideration the guidance and recommendations of any previous studies or reports relevant to the projects, including but not limited to, the task force reports prepared pursuant to chapter 2019-43, Laws of Florida;
- requires that any existing applicable requirements relating to turnpike projects apply to projects undertaken by the Turnpike Enterprise pursuant to this section. The Turnpike Enterprise shall take into consideration the guidance and recommendations of any previous studies or reports relevant to the projects authorized by this section and s.339.67 and 339.68, including, but not limited to, the task force reports prepared pursuant to chapter 2019-43, Laws of Florida, and with respect to any extension of the Florida Turnpike from its northerly terminus in Wildwood;
- directs FDOT to consider innovative concepts to combine right-of-way acquisition with the acquisition of lands or easements to facilitate environmental mitigation or ecosystem, wildlife habitat, or water quality protection or restoration;
- states that to the greatest extent practicable, roadway alignments, project alignment, and interchange locations shall be designed so that project rights-of-way are not located within the conservation lands acquired under the Florida Preservation 2000 Act and the Florida Forever Act;
- directs the FDOT to develop and include in the work program, construction of controlled access facilities to achieve free flow of traffic on U.S. 19, beginning at the terminus of the Suncoast Parkway 2 Phase 3 north to a logical terminus on Interstate 10 in Madison County, and requires the facility to be developed using existing roadway or portions of existing roadway. To the maximum extent feasible, the facilities shall be developed no later than Dec. 31, 2035;
- directs the FDOT to identify and include in the work program projects to widen certain two lane arterial rural roads serving high volumes of truck traffic to four lanes and provides funding for such projects;
- directs the FDOT to begin the project development and environmental phase for a project to extend the Florida Turnpike from its current terminus in Wildwood to a terminus as determined by the FDOT, and to submit a summary status report to the Governor, President of the Senate, and Speaker of the House by Dec. 31, 2022; and
- retains in the State Transportation Trust Fund (STTF) the revenue redirected to it as a result of the 2019 M-CORES legislation for purposes of funding the authorized controlled access facility projects and widening projects on arterial rural highway; and restores the distribution of certain motor vehicle registration fees from the Florida Turnpike Enterprise to the STTF to support statewide transportation priorities.

The bill identifies an effective date of July 1, 2021.

RESILIENCY BILLS

Statewide Flooding and Sea Level Rise Resilience: [SB 1954 ER](#) (Sen. Rodrigues) establishes statewide resiliency programs that assess and address inland and coastal flooding and sea level rise. [SB 2514 ER](#) (Senate Appropriations Committee) creates the related Resilient Florida Trust Fund within the Department of Environmental Protection (DEP).

SB 1954 ER creates the “Resilient Florida Grant Program” within DEP that provides funding, subject to appropriation, to local governments for the costs of community resilience planning and the necessary data collection for such planning, including:

- comprehensive amendments and necessary corresponding analyses that address the requirements of s.163.3187(2)(f);

- vulnerability assessments that identify or address risks of flooding and sea level rise;
- the development of projects, plans, and policies that allow communities to prepare for threats from flooding and sea level rise; and
- projects to adapt critical assets to the effects of flooding and sea level rise.

The bill provides that the vulnerability assessments must encompass the entire jurisdiction and include all critical assets owned or maintained by the grant applicant unless DEP approves something smaller. A definition of critical assets is included in the bill. The bill states the assessment must include an analysis of the vulnerability of and risks to critical assets, including regionally significant assets, owned or managed by the county or municipality. It also identifies the information that must be submitted to DEP upon completion of a vulnerability analysis.

The bill also creates the “Comprehensive Statewide Flood Vulnerability and Sea-Level Rise Data Set and Assessment,” to be updated every five years. DEP must:

- by July 1, 2022, develop a statewide data set sufficient to conduct a statewide flood vulnerability and sea level rise assessment; and
- by July 1, 2023, develop a statewide assessment, based on the statewide data set, that identifies inland and coastal infrastructure, geographic areas, and communities in the state that are vulnerable to flooding and sea level rise and the associated risks.

The bill also creates the “Statewide Flooding and Sea-Level Rise Resilience Plan.” DEP must, starting by Dec. 1, 2021, annually submit a plan on a three-year planning horizon that includes ranked projects that address risks of flooding and sea level rise to coastal and inland communities. The total amount of funding proposed for each year of the plan cannot exceed \$100 million dollars. Each project included in the plan must have a minimum 50 percent cost-share unless the project assists or is within a financially disadvantaged small community as defined in the bill.

Local governments and regional resilience entities, water management districts and flood control districts may evaluate projects and annually submit lists to DEP, and DEP must implement a scoring system for assessing projects for inclusion in the plan. The bill includes criteria and tiers that must be included in the scoring system.

The bill authorizes local governments to form regional resilience entities whose responsibilities include planning for the resilience needs of communities and coordinating intergovernmental solutions to mitigate adverse impacts of flooding and sea-level rise. DEP is authorized, to provide funding to these regional resilience entities for specified activities.

The bill also establishes the Florida Flood Hub for Applied Research and Innovation at the University of South Florida to coordinate and lead statewide efforts for research and innovation regarding flooding and sea level rise.

The bill also requires the Office of Economic and Demographic Research to add, to its annual assessment of Florida’s water resources and conservation lands, an analysis of the cost of the resilience efforts necessary to address inland and coastal flooding associated with sea level rise, high tide events, storm surge, flash flooding, stormwater runoff, and increased annual precipitation over a 50-year planning horizon. The bill requires this to begin with the assessment due by Jan. 1, 2022.

The bill identifies an effective date of upon becoming law.