



**DRAFT AGENDA**

**MONDAY, JANUARY 22, 2024**

**Immediately following the conclusion of 10:00 a.m.**  
**Southeast Florida Regional Prosperity Institute Annual Meeting**

**SOUTH FLORIDA REGIONAL PLANNING COUNCIL**  
**1 Oakwood Boulevard, Suite 250**  
**Hollywood, FL 33020**

**This is an in-person/virtual meeting**

**Join Zoom Meeting**

**<https://us06web.zoom.us/j/84423022549?pwd=u764BkaCmXPvqVmHxUE9U1QpaZnHTw.1>**

**Meeting ID: 844 2302 2549**

**Passcode: 184120**

Find your local number: <https://us06web.zoom.us/j/84423022549?pwd=u764BkaCmXPvqVmHxUE9U1QpaZnHTw.1>

- I. Pledge of Allegiance and Roll Call**
- II. Approval of Council Agenda**
- III. Presentation (Time Certain: 11:00 AM):** Update on the Central & Southern Florida Flood Risk Study – Status and Timing
  - Jennifer L. Jurado, Ph.D., Deputy Director and Chief Resilience Officer, Broward County Resilient Environment Department
  - James F. Murley, Chief Resilience Officer, Miami-Dade County
  - Ana Carolina Coelho Maran, P.E., Ph.D., District Resiliency Officer, South Florida Water Management District
  - Mayor Cory J. Bell, Deputy District Commander for South Florida, U.S. Army Corps of Engineers, Jacksonville District
  - Eva B. Velez, P.E., Chief, Ecosystem Branch, U.S. Army Corps of Engineers, Jacksonville District
  - E. Timothy Gysan, P.E., PMP, Resilience Senior Project Manager, Ecosystem Branch, Programs & Project Management Division, U.S. Army Corps of Engineers, Jacksonville District



South Florida Regional Planning Council  
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#### **IV. Action Items**

- A. Minutes of Previous Meetings
- B. Financial Report
- C. Consent: Comprehensive Plan Amendment Reviews (\*Property Rights)

##### Proposed

- Broward County 23-04ESR
- Monroe County 23-04ACSC
- Monroe County 23-05ACSC
- City of Homestead 23-02ESR
- City of Key West 23-03ACSC
- City of Oakland Park 23-02ER
- City of Tamarac 23-01ESR

#### **Public Hearing**

##### Adopted

- Broward County 23-01ESR
- Broward County 23-02ESR
- City of Coral Springs 23-01ESR\*
- City of Florida City 23-01ESR\*
- City of Hallandale Beach 23-02ESR
- City of Hallandale Beach 23-03ESR
- City of Hialeah Gardens 23-03ESR\*
- City of Hollywood 23-02ESR

#### **Public Hearing**

- D. Regional Issues: Comprehensive Plan Amendment Review – None
- E. Nominating Committee Report / Election of Officers
- F. 2024 Council Meeting Topics
- G. Resolution 24-01 Kristen Jacobs Coral Reef Ecosystem Conservation Area / Florida Aquatic Preserve
- H. Central & Southern Florida Flood Risk Study Presentation (11:00 a.m. Time Certain)

#### **Public Comments**

#### **V. Program Reports and Activities**

- A. SFRPC Revolving Loan Funds Status Report
- B. SFRPC CARES Act RLF Status Report

#### **VI. Discussion Items**

- A. Executive Director's Report

- B. Legal Counsel Report
- C. Council Members Report
- D. Ex-Officio Report

**VII. Announcements and Attachments**

- A. Attendance Form
- B. Correspondence and Articles
- C. Upcoming Meetings
  - 1) Friday, March 15, 2024  
SFRPC / TCRPC Joint Meeting (West Palm Beach)
  - 2) Monday, February 26, 2024, 10:30 a.m. (SFRPC)
  - 3) Monday, March 18, 2024, 10:30 a.m. (SFRPC)
  - 4) Monday, April 15, 2024, 10:30 a.m. (SFRPC)
  - 5) May 2024, SFRPC Regional Conference (Date / Location TBD)
  - 6) Monday, May 20, 2024, 10:30 a.m. (SFRPC)

**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](mailto: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, <https://sfregionalcouncil.org/meeting-materials/> 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](mailto:sfadmin@sfrpc.com).

**MINUTES OF THE  
SOUTH FLORIDA REGIONAL PLANNING COUNCIL**

**November 13, 2023**

The South Florida Regional Planning Council met virtually and in person on this date at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, FL 33020. Chair Geller welcomed everyone and called the meeting to order at 10:33 a.m. He reminded everyone of the meeting's procedures and asked Councilmember Lincoln to lead in the Pledge of Allegiance. The recording of this meeting can be found here: <https://sfrationalcouncil.org/meeting-materials/>

**I. Pledge of Allegiance and Roll Call**

Chair Steve Geller  
Councilmember Mario J. Bailey\*\*  
Councilmember Frank Caplan  
Councilmember Craig Cates\*  
Councilmember Joseph Corradino\*\*  
Councilmember Beam Furr  
Councilmember René García\*\*  
Councilmember Oliver Gilbert, III\*\*  
Councilmember Cary Goldberg\*  
Councilmember Denise Horland  
Councilmember Samuel Kaufman\*  
Councilmember Michelle Lincoln  
Councilmember Kionne McGhee\*\*  
Councilmember Greg Ross\*  
Councilmember Michael Udine\*\*

\* Virtually Present  
\*\* Absent

SFRPC Executive Director Isabel Cosio Carballo and Legal Counsel Jacob Horowitz were present.

The following Ex-Officio Members were virtually present:

Jon Moore for Sirena Davila representing the Florida Department of Environmental Protection (SE District)  
Shereen Yee Fong for Dat Huynh representing the Florida Department of Transportation, District 6  
Armando L. Vilaboy representing the South Florida Water Management District

Mr. Horowitz stated for the record there is a quorum.

**II. Approval of Council Agenda**

*Chair Geller motioned to approve the Council Agenda. Councilmember Caplan moved the motion and Councilmember Lincoln seconded the motion, which was carried by a unanimous vote.*

**III. Presentation (Time Certain 11:15 a.m.)**

South Florida Military Installation Resilience Review Update  
Christina Miskis, MURP, Planning Manager

**IV. Action Items**

A. Minutes of the Previous Meeting

*Chair Geller motioned to approve the Meeting Minutes for September. Councilmember Caplan moved the motion and Councilmember Ross seconded the motion, which was carried by a unanimous vote.*

B. Financial Report

The Director of Finance and IT Leo Braslavsky Soldi presented the Financial Report in detail virtually from Argentina.

*Chair Geller motioned to approve the Financial Report. Councilmember Ross moved the motion and Councilmember Lincoln seconded the motion, which was carried by a unanimous vote.*

C. Consent: Comprehensive Plan Amendment Reviews

Legal Counsel, Jacob Horowitz, read the Comprehensive Plan Amendment Reviews, Proposed.

Proposed

- Broward County 23-02ESR
- Broward County 23-03ESR
- Miami-Dade County 23-01ESR
- City of Coral Springs 23-01ESR\*
- City of Dania Beach 23-01ESR
- City of Hallandale Beach 23-02ESR
- City of Hallandale Beach 23-03ESR
- City of Hollywood 23-02ESR
- Islamorada, Village of Islands 23-01ACSC
- City of Miami 23-05ESR

**Public Hearing**

Chair Geller opened the Public Hearing and asked if there were any comments or questions.

**Public Comments**

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

*Chair Geller motioned to approve the proposed Comprehensive Plan Amendments. Councilmember Horland moved the motion and Councilmember Caplan seconded the motion, which was carried by a unanimous vote.*

Legal Counsel, Jacob Horowitz, read the Comprehensive Plan Amendment Reviews, Adopted.

#### Adopted

- Monroe County 23-03ACSC
- Village of Biscayne Park 23-02ER
- City of Doral 23-02ESR
- City of Hollywood 23-01ESR\*
- City of Homestead 23-01ESR
- Village of Key Biscayne 23-01ER
- City of Marathon 23-01ACSC
- City of Marathon 23-02ACSC
- Miami Shores Village 23-02ER
- City of Sweetwater 23-01ESR

\* Property Rights Element

#### Public Hearing

Chair Geller opened the Public Hearing and asked if there were any comments or questions.

#### Public Comments

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

*Chair Geller motioned to approve the adopted Comprehensive Plan Amendments. Councilmember Caplan moved the motion and Councilmember Lincoln seconded the motion, which was carried by a unanimous vote.*

D. Regional Issues: Comprehensive Plan Amendment Review – None

E. SFRPC 2024 Meeting Schedule

Mrs. Cosio Carballo shared the SFRPC 2024 Meeting and Holiday Schedule, explaining any changes to the meeting schedule due to the holidays conflicting with the Council's normal monthly meeting date.. In the case that the monthly meeting conflicts with a public holiday, the Council Meeting is moved to the following Monday. She mentioned various topics to be discussed at the future TCRPC /SFRPC Joint Meeting and the SFRPC Conference. Some of the topics suggested were mental health, affordability, apprenticeship programs/job development, rail transportation instead of truck transportation, home insurance affordability, quality of life, etc.

*Approval was carried by unanimous consent.*

F. Comprehensive Economic Development Strategy (CEDs) Annual Report

Randy Deshazo, Deputy Director, Chief of Staff, and Director of Economic Development and Research presented the Comprehensive Economic Development Strategy (CEDs) 2023 CEDs Annual Progress Report for South Florida for Council approval. He explained the requirement for an annual update by EDA, and the Report's economic information gathered, calculated, and reported; noting the changes from one year to the next nationally, regionally, and locally. Mr. Deshazo presented year-over-year changes in

regional job openings/unemployment, job preferences, population, domestic and international migration, income, etc., and the economic challenges and opportunities that face South Florida. Mr. Deshazo noted the four Goals of the CEDS. The CEDS information and documentation can be located on the SFRPC website: <https://sfregionalcouncil.org/portfolio-items/economic-dev-district-edd/>. Chair Geller explained the process of creating the Report and noted the CEDS committee approval and now requires the Councilmembers to adopt the Annual Progress Report for transmission to the U.S. Department of Commerce Economic Development Administration. Councilmember Goldberg would like to break out the industry classes regarding employment change, such as marine and aviation. The information is in the original CEDS Report. Mr. Deshazo stated that he would try and get those numbers to Councilmember Goldberg at a future meeting. Discussion ensued on Monroe County's wages and cost of living, and South Florida's population growth and housing. Mrs. Cosio Carballo thanked Mr. Deshazo and Ms. Agolli for their work on the project. The Council voted unanimously to accept the Report and authorized the Executive Director to transmit the Report to the EDA.

*Chair Geller motioned to approve the CEDS Annual Progress Report. Councilmember Caplan moved the motion and Councilmember Horland seconded the motion, which was carried by a unanimous vote.*

G. Appointment for the Broward County Water Advisory Board (WAB)

Councilmember Mayor Ross has served as the Council's representative on the Broward County Water Advisory Board since June 2016. Due to growing time constraints, especially as President of the Florida League of Cities, Councilmember Ross has requested to resign from the Water Advisory Board. Chair Geller thanked Councilmember Ross for his dedication to the Broward Water Advisory Board and the SFRPC. Councilmember Ross appreciated his time on the WAB representing the SFRPC.

*Chair Geller appointed Councilmember Horland to the Water Advisory Board as the Council's representative, replacing Councilmember Ross.*

**III. Presentation (Time Certain 11:15 a.m.)**

South Florida Military Installation Resilience Review Update  
Christina Miskis, MURP, Planning Manager

Chair Geller stated that the MIRR was specifically limited to environmental resiliency, primarily around the surrounding base areas. Present at today's meeting was Rick Miller, Captain, U.S. Navy (Ret); Executive Director, South Florida Defense Alliance; Founder & CEO, PHAROS Mission Critical Solutions, and Sara Marrs, PLA, the lead consultant for Jacobs. Mr. Van Houton Senior Project Manager, Office of Local Defense Community Cooperation, U.S. Department of Defense participated virtually.

Christina Miskis, Principal Planner announced that the MIRR Report has been published and is online. <https://sfregionalcouncil.org/south-florida-military-installation-resilience-review/> She gave an updated summary that included the process of the MIRR Report; Project Objectives: the increase of public awareness of the military missions through closer communications and interventions integrated with ongoing community resilience; leveraging local efforts: identifying and aligning projects to optimize funding; stakeholder engagement and regional cooperation; determining vulnerability and risk; planning and implementation; and the adaptation projects that were identified. Ms. Marrs thanked Ms. Miskis,

Mrs. Cosio Carballo, and the SFRPC for managing this project and for their support. She explained the specific projects and details of the individual installations: Homestead Air Reserve Base (HARB), Miami-Dade County; SOUTHCOM / United States Army Garrison-Miami (USAG-Miami), Miami-Dade County; US Naval Surface War Center South Florida Ocean Measurement Facility (SFOMF), Broward County; and, United States Naval Air Station Key West (NASKW), Monroe County. She detailed the unique vulnerabilities, collaborations, and recommendations for each installation. Ms. Marrs stated that even though the Coast Guard was not included in the Military Installation Resilience Review her team did reach out to get their perspective on their concerns. She described how they used a unified approach for each installation. Rick Miller, Captain, U.S. Navy (Ret); Executive Director, South Florida Defense Alliance thanked the SFRPC for sponsoring and facilitating this assessment in South Florida and for being the leading edge for the installation reviews. The partnership between the MIRR study, the Office of Local Defense Community Cooperation, and the RPCs has now multiplied around the State of Florida. The SFRPC was the first to initiate the study. The Tampa Bay Regional Planning Council has undertaken a study with MacDill Airforce Base, the Emerald Coast Regional Council's study encompasses five counties and six installations in the Panhandle, and the East Central RPC is also beginning a study in Orlando. In the next year or so Florida will be the first state to have a significant defense footprint with all the major installations covered. He addressed the implementation process and the benefits of the MIRR study providing enhanced resiliency for the community, the bases (by default), and support of national security. There is state and DOD funding set aside for defense-related activities that can be applied for these projects. Ms. Miskis stated that there will be continued implementation of the project and there is an outreach plan in the process. Bill Van Houten from OLDCC stated that the SFRPC has been wonderful to work with and the statewide process has started with this Council. With the information Jacobs has provided, OLDCC would like to explore future planning studies, possible design studies, and/or construction programs. While continuing to work with the SFRPC, the OLDCC would like to expand its outreach directly to the cities and counties. They already have a planning study with the City of Key West to upgrade the sewage treatment plant for energy efficiency and plan to continue this work with other governments. Ms. Miskis closed her presentation noting the Council staff will be reaching out to Broward, Miami-Dade, and Monroe county commissions to offer a presentation. Mrs. Cosio Carballo and Chair Geller thanked Bill Van Houten, Rick Miller, Sara Marrs, and the SFRPC staff for their work.

#### H. Appointment of Nominating Committee

*Not reviewed.*

### **Public Comments**

#### **V. Program Reports and Activities**

- A. SFRPC Revolving Loan Funds Status Report
- B. SFRPC CARES Act RLF Status Report

Mr. Jeff Tart, Senior Loan Officer and Manager of the Revolving Loan Fund Programs announced that he was invited and participated in a roundtable and listening session with the U.S. Secretary of Commerce Gina Raimondo and Ms. Marie Gill, CEO of M. Gill & Associates. M. Gill & Associates is the operator of the



MBDA Miami Business Center, Export Center, and Capital Readiness Program which partners and collaborates with the SFRPC's RLF programs where she serves as an RLF Board Member. Roundtable guests discussed collaborations and partnerships and shared how their businesses and programs have benefitted from the services offered by the Miami MBDA program. Mr. Tart conveyed to the SFRPC board that Secretary Raimondo was impressed and pleased to learn of our regional partnerships and collaborations utilizing the various programs under the Department of Commerce.

The CARES ACT RLF and Traditional RLF continue to perform well with the CARES ACT program providing \$7.17 MM to 34 businesses and the traditional RLF providing \$ 5.50 MM to 30 businesses. The EDA completed its RLF Risk Analysis and reaffirmed its current annual risk rating of an "A" for the fiscal year ending 9/30/23. Goren Cherof, SFRPC Legal Counsel, continues to provide updates on one borrower in active legal collection. Further details can be found in the RLF Status Report.

The Affordable Housing Initiative, provided by the Southeast Florida Community Development Fund, Inc., (SFCDFI ) has financed 24 single-family home projects throughout the region; 19 in Broward, 4 in Miami-Dade, and 1 in Palm Beach County. A flyer highlighting the locations is attached to the Agenda Item. The Council's Affordable Housing Initiative has been successful as a result of its collaboration with local minority-owned non-profit homebuilders, the Urban League of Broward County, the Broward County Commission, and the Housing Finance Authority of Broward County.

The SFRPC Brownfields Cleanup Revolving Loan Fund continues its partnership with the Homestead CRA to provide capital and technical support for an initial assessment program within the district to help commercial and residential economic redevelopment. Separately the SFRPC continues its capital and technical support of assessment and remediation work of a former contaminated site in the Miami Health District into affordable workforce housing. Chair Geller congratulated Mr. Tart on meeting with Secretary Raimondo.

### C. Council Highlights

Mrs. Cosio Carballo reviewed the Council Highlights including the Florida League of Cities appointments of Councilmember Horland and Councilmember Ross, the Affordable Housing Meeting with Mayors from Palm Beach, Broward, Miami-Dade, and Monroe counties, who were all present, and the Recycling Right Conference held at the Broward Center of the Performing Arts. She thanked the Councilmembers for their attendance at the Conference and the Affordable Housing Meeting. She congratulated Eralda Agolli, Council staff, for initiating the process and participation in the Tech Hub Project. Mrs. Cosio Carballo announced the job positions at the SFRPC.

## VI. **Discussion Items**

### A. Executive Director's Report

There was a discussion on the CEDS Report, the work that went into it, and the various subject matters. The CEDS Committee had the highest level of executive CEOs in the region. Quarterly meetings will continue with the leadership of Chair Geller. Chair Geller thanked Mrs. Cosio Carballo and the SFRPC staff for continuing to do great things.

B. Legal Counsel Report / Legal Opinions

Mr. Horowitz stated that Mr. Goren sent his regards and thanked the Council for the opportunity to be present today.

C. Council Members Report

Councilmember Furr stated the Recycling Conference was a success with a lot of ideas and thinks the SFRPC should follow up on this subject matter.

D. Ex-Officio Report

There were no Ex-Officio reports.

**VII. Announcements and Attachments**

- A. Attendance Form
- B. Correspondence and Articles
- C. Upcoming Meetings
  - 1) December 2023, No meeting
  - 2) Monday, January 22, 2024, 10:30 a.m. (SFRPC)
  - 3) Monday, February 26, 2024, 10:30 a.m. (SFRPC)
  - 4) Monday, March 18, 2024, 10:30 a.m. (SFRPC)

**VIII. Adjournment**

Chair Geller adjourned the meeting at noon.

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 November 13, 2023, meeting of the SOUTH FLORIDA REGIONAL PLANNING COUNCIL adopted on the 22<sup>nd</sup> day of January 2024.

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Michelle Lincoln, Secretary  
Monroe County Commissioner, District 2

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Date



# MEMORANDUM

AGENDA ITEM #IV.B

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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: FINANCIAL REPORT

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Attached is a Financial Report comparing the months of October through December 2023 for your review and approval.

Recommendation

Approve the Financial Report.



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**SOUTH FLORIDA REGIONAL PLANNING COUNCIL  
COMPARATIVE BALANCE SHEET**

**December 31, 2023**

(unaudited)

	October	November	December	Increase (Decrease)
<b><u>General Fund</u></b>				
<b>Assets:</b>				
Cash GF	1,725,968	1,637,587	2,202,347	564,759
SBA - Investment Account	11,896	11,951	12,008	57
Accounts Receivable	736,685	732,639	91,606	(641,033)
Due From Other Funds	35,409	44,331	32,574	(11,757)
Prepaid Expenses	15,477	15,477	15,477	-
<b>Total Assets</b>	<b>2,525,435</b>	<b>2,441,986</b>	<b>2,354,012</b>	<b>(87,974)</b>
<b>Liabilities and Fund Balance:</b>				
Liabilities	(3,010)	(1,910)	(2,910)	(1,000)
Fund Balance	2,528,445	2,443,896	2,356,923	(86,974)
<b>Total Liabilities and Fund Balance</b>	<b>2,525,435</b>	<b>2,441,986</b>	<b>2,354,012</b>	<b>(87,974)</b>
<b><u>Federal, State &amp; Local</u></b>				
<b>Assets:</b>				
Accounts Receivable	104,359	101,286	86,492	(14,794)
<b>Total Assets</b>	<b>104,359</b>	<b>101,286</b>	<b>86,492</b>	<b>(14,794)</b>
<b>Liabilities and Fund Balance:</b>				
Liabilities	2,104	638	(365)	(1,002)
Due to General Fund	-	-	-	-
Fund Balance	102,254	100,648	86,856	(13,791)
<b>Total Liabilities and Fund Balance</b>	<b>104,359</b>	<b>101,286</b>	<b>86,492</b>	<b>(14,794)</b>
<b><u>Revolving Loan Funds</u></b>				
<b>Assets:</b>				
Cash RLF	2,461,251	2,370,815	2,758,361	387,546
Accounts Receivable	10,717,917	10,820,324	10,427,351	(392,973)
Allowance for Loan Losses	(1,088,722)	(1,067,123)	(1,067,123)	-
<b>Total Assets</b>	<b>12,090,446</b>	<b>12,124,016</b>	<b>12,118,588</b>	<b>(5,427)</b>
<b>Liabilities and Fund Balance:</b>				
Liabilities	866	65	65	-
Due To Other Funds	35,409	44,331	32,575	(11,757)
Fund Balance	12,054,172	12,079,619	12,085,949	6,329
<b>Total Liabilities and Fund Balance</b>	<b>12,090,446</b>	<b>12,124,016</b>	<b>12,118,588</b>	<b>(5,427)</b>
<b><u>Southeast Florida Regional Prosperity Institute</u></b>				
<b>Assets:</b>				
Cash	49,989	48,629	48,775	146
<b>Total Assets</b>	<b>49,989</b>	<b>48,629</b>	<b>48,775</b>	<b>146</b>
<b>Liabilities and Fund Balance:</b>				
Liabilities	-	-	-	-
Fund Balance	49,989	48,629	48,775	146
<b>Total Liabilities and Fund Balance</b>	<b>49,989</b>	<b>48,629</b>	<b>48,775</b>	<b>146</b>

**SOUTH FLORIDA REGIONAL PLANNING COUNCIL**

**December 31, 2023**

**(unaudited)**

<u>Description</u>	<b>October</b>	<b>November</b>	<b>December</b>	<b>Fiscal to Date</b>	<b>% Realized</b>	<b>Annual Budget</b>	<b>% of Budget</b>	<b>Remaining Budget</b>
<b><u>REVENUE REPORT</u></b>								
Membership Dues	\$ 1,099,870	\$ -	\$ -	\$ 1,099,870	100%	\$ 1,099,870	36%	\$ -
Interest & Other Income	5,229	6,649	13,478	25,356	51%	50,000	2%	24,644
Federal Funded Projects	51,699	152,461	100,253	304,413	44%	691,746	23%	387,333
State Funded Projects	-	-	-	-	0%	78,021	3%	78,021
Local Funded Projects	47,679	7,123	8,525	63,326	24%	262,000	9%	198,674
Trust Funds	39,863	47,418	38,356	125,636	14%	882,000	29%	756,364
<b>TOTAL Revenues</b>	<b>1,244,340</b>	<b>213,651</b>	<b>160,612</b>	<b>1,618,603</b>	<b>53%</b>	<b>3,063,637</b>	<b>100%</b>	<b>1,445,034</b>
<b><u>EXPENSE REPORT</u></b>								
<b><u>Operating Expenses</u></b>								
Staff Compensation	\$ 140,012	\$ 204,075	\$ 138,442	\$ 482,528	24%	\$ 2,027,339	66%	\$ 1,544,811
Occupancy	8,415	8,711	8,711	25,837	26%	100,000	3%	74,163
Utilities Electric/Sanitation	557	513	448	1,518	25%	6,000	0%	4,482
Janitorial Services	777	-	777	1,554	17%	9,000	0%	7,446
Repairs & Maintenance	-	566	-	566	9%	6,000	0%	5,434
Storage	498	498	498	1,494	21%	7,000	0%	5,506
Office Automation	8,994	9,669	5,530	24,193	44%	55,000	2%	30,807
Advertising, Notices, Supplies, Postage & PR	1,817	19,434	696	21,947	43%	50,500	2%	28,553
Travel	1,675	379	-	2,054	21%	10,000	0%	7,946
Professional Development	710	-	-	710	2%	35,000	1%	34,290
Insurance	-	-	10,429	10,429	25%	42,000	1%	31,572
Miscellaneous Expenses	-	-	-	-	0%	1,000	0%	1,000
Legal Services (1)	5,173	3,905	1,322	10,400	23%	45,000	1%	34,600
Financial Services	206	205	206	617	1%	62,500	2%	61,883
Professional Consultants	4,960	1,720	-	6,680	27%	25,000	1%	18,320
Capital Expenditures	-	-	-	-	0%	25,000	1%	25,000
Subtotal Operating Expenses	<b>173,795</b>	<b>249,675</b>	<b>167,058</b>	<b>590,528</b>	<b>24%</b>	<b>2,506,339</b>	<b>82%</b>	<b>1,915,811</b>
<b>Pass Through Expenses:</b>	<b>43,480</b>	<b>43,480</b>	<b>43,480</b>	<b>212,664</b>	<b>26%</b>	<b>806,313</b>	<b>26%</b>	<b>593,649</b>
<b>TOTAL Expenses</b>	<b>217,275</b>	<b>293,156</b>	<b>210,539</b>	<b>803,192</b>	<b>24%</b>	<b>3,312,652</b>	<b>108%</b>	<b>2,509,460</b>
<b>Excess (deficit) Revenues over Expenditures</b>	<b>\$ 1,027,065</b>	<b>\$ (79,505)</b>	<b>\$ (49,927)</b>	<b>\$ 815,411</b>		<b>\$ (249,015)</b>	<b>-8%</b>	
(1) Additional legal YTD expenses included in "pass-through Expenses"				\$ 16,267				
Note: Percentage of Fiscal Year lapsed				25.00%				



# MEMORANDUM

AGENDA ITEM #IV.C

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DATE: JANUARY 22, 2024

TO: COUNCIL MEMBERS

FROM: STAFF

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

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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 the 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 as not causing adverse impact to state or regional resources/facilities and without extra-jurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the Region.

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



South Florida Regional Planning Council  
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020  
954-924-3653 Phone, 954-924-3654 FAX  
[www.sfrationalcouncil.org](http://www.sfrationalcouncil.org)

## **PROPOSED AMENDMENTS**

- **Broward County 23-04ESR**

Amends the Broward County Land Use Plan for property within the City of Hollywood from Commercial Recreation (CR) to Recreation and Open Space (RO) comprising of approximately 130 acres. The amendment location is generally between Stirling Road and Sheridan Street and between North Park Road and North 56 Avenue. The amendment intends to allow the Emerald Hills golf course to be redeveloped as recreation and open space.
- **Monroe County 23-04ACSC**

Amends the Monroe County Future Land Use Map from Residential Medium (RM) to Mixed-Use/Commercial (MC) for a property of approximately .3 acres located at 103301 Overseas Highway, Key Largo, Mile Marker 103, by Irwin Holdings, LLC.
- **Monroe County 23-05ACSC**

Amends the Monroe County Future Land Use Map from Residential Medium (RM) to Mixed-Use/Commercial (MC) for property comprising of less than one acre and five lots at Overseas Highway, Key Largo, Mile Marker 104, by Abit Holdings, LLC.
- **City of Homestead 23-02ESR**

Amends the Comprehensive Plan text of the Technology Mixed-Use (TMU) Future Land Use Category to include residential uses and permit density up to fifteen (15) dwelling units per net acre; Alger Commons (DR Horton).
- **City of Key West 23-03ACSC**

Amends the Comprehensive Plan to maintain the Building Permit Allocation for the property located at 301 White Street.
- **City of Oakland Park 23-02ER**

Updates the Comprehensive Plan as part of an EAR (Evaluation and Appraisal Report) based process. The amendments include a Property Rights Element. Commendably, updates to the Plan also address resilience and sustainability issues and emphasize multimodal connectivity and its relationship to land use.

Some revisions are required to ensure compliance with statutory requirements and intergovernmental coordination. The Council recommends amending the planning horizon years to (1) a 10-year period occurring after the plan's adoption and (2) a second covering at least a 20-year period as statutorily required. As currently written, the City intends that the new plan guide the City's growth through 2040, which does not cover a 20-year planning horizon. Furthermore, on mobility issues, the Council recommends coordination with the Florida Department of Transportation to address the Department's recommended revisions to ensure effective intergovernmental coordination on mobility strategies, resilience, and site planning coordination where appropriate.
- **City of Tamarac 23-01ESR**

Amends the land use designation of 109.93 acres from Commercial Recreation (CR) to Recreation (R) to facilitate the preservation of land for Community Recreation and Open Space and satisfy Condition 1.A of Broward County Land Use Plan Amendment PC20-2.

## **ADOPTED AMENDMENTS**

- **Broward County 23-01ESR**  
Amends the Plan to include web links to the Capital Improvement Element 23-T-1 for the Broward County and Metropolitan Planning Organization schedules of capital improvements.
- **Broward County 23-02ESR**  
Amends the Plan with a text amendment (PCT 23) to the Broward County Land Use Plan, revising Policy 2.21.6 to include a reference to the Regional Climate Action Plan.
- **City of Coral Springs 23-01ESR \***  
Updates the Future Land Use Element to comply with the Broward County Land Use Plan, BrowardNext, and includes an addition of a new Private Property Rights Element.
- **City of Florida City 23-01ESR \***  
Adopts a Property Rights Element and updates the Future Land Use Element to create Transit-Oriented Development (TOC) areas with 1000 feet of the three (3) busway stations and stops and provides increased density and commercial floor area in the TOD areas.
- **City of Hallandale Beach 23-02ESR**  
Updates the Public School Facilities Element to reflect the Level of Service Standard relative to the Broward County School Board Third Amended and Restated Interlocal Agreement.
- **City of Hallandale Beach 23-03ESR**  
Amends the Recreation and Open Space and Capital Improvements Elements to be consistent with the Broward County Land Use Plan relative to the Level of Service Standard.
- **City of Hialeah Gardens 23-03ESR \***  
Adopts a Property Rights Element.
- **City of Hollywood 23-02ESR**  
Adds language with regards to permitted uses within the Open Space and Recreational Land Use Designation. Adds Civic and Cultural Buildings as permitted use and adds Community Facilities publicly owned to provide a minimum of open space requirements.

\*Property Rights Amendment

\*\* **Staff Note:** Due to the different time requirements for Agencies' responses, some comments may not have been received. If Agencies do have comments, those comments do not reflect potential adverse regional or extra-jurisdictional impacts.

No concerns or technical assistance comments reflecting potential adverse regional or extra-jurisdictional impacts were received from local governments or partner agencies.





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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: NOMINATING COMMITTEE REPORT / ELECTION OF OFFICERS

---

Prior to January of each year when the Council ratifies its Executive Committee, the Chair elects a Nominating Committee to recommend a new member to fill the position of Secretary as the Immediate-Past Chair rotates off the Committee and the remaining members advance in position. The Nominating Committee was appointed in November 2023 by Chair Geller and consists of Treasurer García (Miami-Dade County), First Vice Chair Kaufman (Monroe County), and Councilmember Udine (Broward County).

The Nominating Committee met on January 11, 2024, to develop its recommendation for presentation to the Board at its January 22<sup>nd</sup> Council meeting. After a brief conversation, the Nominating Committee unanimously voted to recommend that the Council maintain its current Executive Committee for the upcoming year with minor changes subject to approval of the full Council Board.

The current members of the Executive Committee are:

- Chair – Steve Geller (Broward County)
- First Vice Chair – Sam Kaufman (Monroe County - Municipal)
- Second Vice Chair – Beam Furr (Broward County)
- Treasurer – René García (Miami-Dade County)
- Secretary – Michelle Lincoln (Monroe County)
- Immediate Past Chair - Mario Bailey (Miami-Dade County, Governor’s Appointee)

The Nominating Committee recommends the following slate for 2024:

- Chair - Steve Geller (Broward County)
- First Vice Chair - Beam Furr (Broward County)
- Second Vice Chair - René García (Miami-Dade County)
- Treasurer - Michelle Lincoln (Monroe County)
- Secretary - Sam Kaufman (Monroe County- Municipal)
- Immediate Past Chair – Mario J. Bailey (Miami-Dade County, Governor’s Appointee)

**Recommendation:** Select the Executive Committee Members for 2024.



**SOUTH FLORIDA REGIONAL PLANNING COUNCIL COUNCILMEMBERS, EX OFFICIOS**

**JANUARY 2024**

Senator Steve Geller, *(Chair), Commissioner, Broward County*

Quentin “Beam” Furr, *(First Vice Chair), Vice Mayor, Broward County*

René García, *(Second Vice Chair), Commissioner, Miami-Dade County*

Michelle Lincoln, *(Treasurer), Commissioner, Monroe County*

Samuel Kaufman, *(Secretary), Vice Mayor, Key West*

Mario J. Bailey, *(Immediate Past Chair), Governor’s Appointee Miami-Dade County*

Frank H. Caplan, *Councilmember, Village of Key Biscayne*

Craig Cates, *Commissioner, Monroe County*

Joseph Corradino, *Mayor, Village of Pinecrest*

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

Cary Goldberg, *Governor’s Appointee Broward County*

Denise Horland, *Councilmember, Plantation*

Kionne McGhee, *Commissioner, Miami-Dade County*

Greg Ross, *Mayor, Cooper City*

Michael Udine, *Commissioner, Broward County*

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Isabel Cosio Carballo, *Executive Director*

Sam Goren, *Legal Counsel*

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Ex Officio Members

Sirena Davila, *Florida Department of Environmental Protection*

Dat Huynh, *Florida Department of Transportation, District Six*

Armando L. Vilaboy, *South Florida Water Management District*



## Statement of Organization

~ Adopted April 26, 2021 ~

### 7.0 – Officers, Term of Office, and Duties

- (1) The regular January meeting shall be the annual meeting of the Council and shall be for the purpose of electing the new officers and conducting such other business as may come before the members. The Council shall elect from its membership the following officers: Chair, First Vice-Chair, Second Vice-Chair, Treasurer and Secretary. It is the express intent of this provision that at all times there shall be a balanced representation among the member governments and governor's appointees as members of the Executive Committee so that there is at least one (1) county or municipal representative from each County. Each member so elected shall serve for one (1) year or until reelected or a successor is elected. It is the intent of the Council that Executive Committee Members shall be advanced in his/her respective positions each year, so long as such Council Member continues to serve as an appointed member, from Secretary to Treasurer, Treasurer to Second Vice-Chair, Second Vice-Chair to First Vice-Chair, First Vice-Chair to Chair, in that order.
- (2) The newly elected officers shall be declared installed following their election and shall assume the duties of office.
  - (a) The Chair shall be responsible for overseeing the organization of the work of the Council; for seeing that all policies of the Council are carried out; for signing any contract or other instrument which the Council deems in its interest; and for presiding over all Council meetings. The Chair, or a designated Council Member, shall be an ex-officio member of all committees. Notwithstanding the above, all renewal contracts can be signed by the Executive Director after review and written approval by General Counsel. Any new contracts can be signed by the Executive Director after review and written approval by the General Counsel, and 48 hours following transmittal to the Chair of the proposed contract which has been approved in writing by the General Counsel.

- (b) The First Vice-Chair shall act in the Chair's absence or inability to act. The First Vice-Chair shall perform such other functions as may be assigned by the Chair or the Council.
  - (c) The Second Vice-Chair shall act in the Chair's and First Vice-Chair's absence or inability to act. The Second Vice-Chair shall perform such other functions as may be assigned by the Chair or the Council.
  - (d) The Treasurer shall be responsible for general oversight of the financial affairs of the Council and such other duties as may be assigned by the Chair or the Council.
  - (e) The Secretary shall be responsible for minutes for the meeting, keeping the roll of members, and such other duties as may be assigned by the Chair or the Council.
- (3)
- (a) There shall be an Executive Committee consisting of the Chair, First Vice-Chair, Second Vice-Chair, Treasurer, Secretary, and the most recent Past Chair still in continuous service on the Council. If there is no most recent Past Chair still in continuous service, the Executive Committee may be comprised of five (5) members.
  - (b) The Executive Committee shall act for and on behalf of the Council and shall take such action as may reasonably be necessary to fulfill the duties, functions and responsibilities of the Council as if a quorum were present. It is the intention of the Council that other members present at a Council meeting where a quorum is not present and where the Executive Committee shall act for and on behalf of the Council, shall be permitted to fully participate in the proceedings and matters then pending before the Council or the Executive Committee.
  - (c) Where, in the opinion of the Chair of the Executive Committee, an emergency situation exists the Executive Committee may convene at the principal office of the Council, and act in response to the emergency situation. For purposes of this section, an "emergency situation" is defined as an event which is, unforeseen, unexpected, or time sensitive, in which there is not sufficient time for the full Council to meet or is a sudden or unforeseen natural or manmade event that necessitates immediate action for and on behalf of the Council. An emergency situation is not a self-created matter by a member or members of the Council. Any meeting and action taken by the Executive Committee in response to the declared emergency situation shall be ratified by the Council at the next regular meeting.



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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: 2024 COUNCIL MEETING TOPICS

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As Council Staff prepares for Council Meetings over 2024, we ask your input and guidance as to which topics you would like to see addressed and guests that you may wish to interact with over the upcoming year. In addition, as the SFRPC / TCRPC Joint Meeting approaches in February or March 2024 we ask for your input regarding the topic or topics you would like to explore at the upcoming SFRPC / TCRPC Joint Meeting.

In November, the Council offered the following input to staff:

“Some of the topics suggested were mental health, affordability, apprenticeship programs/job development, rail transportation instead of truck transportation, home insurance affordability, quality of life, etc.”

Please note that topics at a Council Meeting need to be quite focused as the normal allotted time for presentations by guests at the Council Meeting averages 20 to 30 minutes with a short 10 to 15 minutes for questions, answers, and discussion period by Council Members. Herewith, please find the TCRPC Agenda Item for the TCRPC’s meeting on Friday, January 19<sup>th</sup> with a listing of topics for their Board’s consideration and discussion.

Recommendation:

Provide Council Staff with direction as to the specific issues / aspects of issues that you would like to explore further, and guests that you would like to invite to the Council Meeting for information and conversation within the Council Meeting time constraints. Please provide Council Staff with directions to convey to the TCRPC related to topics of interest for the upcoming Joint Meeting in West Palm Beach.



TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members

AGENDA ITEM 7

From: Staff

Date: January 12, 2024

Subject: Discussion of Topics for Joint Meeting with South Florida Regional Planning Council

Background

Since October of 2017, the Treasure Coast Regional Planning Council (TCRPC) and South Florida Regional Planning Council (SFRPC) have met as a joint board at least once per year to learn about, discuss, and reach consensus on issues of shared concern for both regions. Typically, the outcome of the meetings has been joint resolutions expressing support for, or opposition to, certain actions contemplated by governments within the regions as well as the Florida Legislature and the Federal government. Beginning in 2020 (interrupted by the Coronavirus Pandemic), the Councils sought to meet twice per year. Two virtual meetings were held in 2021, and two joint meetings were held in 2022 and 2023.

Analysis

A review of prior joint meeting agendas reveals the following list of issues that have been discussed:

1. Terrorism Preparedness and Prevention
2. US Highway 27 Multi-Modal (Rail) Corridor (2 times)
3. Southeast Florida Coral Reef Tract (7 times)
4. Affordable Housing (7 times)
5. Amazon Corporate Headquarters (2 times)
6. National Flood Insurance Program (2 times)
7. Autopsy Records Exemption
8. Water Infrastructure (7 times)
9. Wastewater Biosolids (4 times)
10. Coastal Mapping Initiative
11. Regional Passenger Rail (2 times)
12. Florida Transportation Plan
13. Biscayne Bay Recovery Plan
14. Nutrient Reduction through Biomass Removal
15. Florida Department of Economic Opportunity Funding Programs
16. Comprehensive Everglades Restoration Program (CERP)
17. Central and Southern Florida Flood Risk Study (3 times)

18. Septic to Sewer Conversion (2 times)
19. Clean Waterways Act of 2020 (2 times)
20. EDR Land & Water Assessment, Stormwater & Wastewater 20-Year Needs Analysis, and Analysis of Expenditures to Minimize Flooding.
21. South Florida Water Management District Resiliency (2 times)
22. Resiliency
23. Solid Waste
24. Marine Research Hub
25. Recycling

#### Recommendation

Council members are invited to share their thoughts and discuss potential topics for the planned joint meeting in February or March 2024.

Council Action – January 19, 2024



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DATE: JANUARY 22, 2024

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: RESOLUTION 24-01 KRISTEN JACOBS CORAL REEF ECOSYSTEM CONSERVATION AREA / FLORIDA AQUATIC PRESERVE

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To continue ensuring a comprehensive range of environmental protections in the state, the Florida Department of Environmental Protection (DEP) is proposing House Bill 1557 (Representative Chaney / Senate Bill 1386 (Senator Calatayud). This legislation is proposed to advance protection of environmental resources by:

- Enhancing protections for Florida’s Coral Reef and Aquatic Preserves
- Improving the Treatment of Reclaimed Water
- Strengthening Florida’s Resilience Planning
- Investing in Innovative Technologies
- Expanding Wastewater Facility Plans
- Furthering the Onsite Septic Program Transfer

This legislation is under review by county staff from Miami-Dade, Broward, Palm Beach, and Monroe counties and stakeholders who comprise the Southeast Florida Regional Climate Change Staff Working Group to ensure consistency with local efforts.

Consistent with past actions of the South Florida Regional Planning Council Board in advocating for enhanced protections for Florida’s Coral Reef, and at the request of Councilmember Furr, Council Staff is pleased to offer Resolution 24-01 for consideration of the Board. Specifically, section 2 of SB 1386 (SEN. CALATAYUD) / HB 1557 (REP. CHANEY), as introduced, amends section 258.39, Florida Statutes, to create Subsection (33) and include the Kristin Jacobs Coral Reef Ecosystem Conservation Area, as designated by chapter 2021-107, on the list of Florida Aquatic Preserve areas thereby providing additional tools for the area’s restoration and protection.





## **RESOLUTION 24-01**

A RESOLUTION OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL REPRESENTING MONROE, MIAMI-DADE, AND BROWARD COUNTIES; EXPRESSING SUPPORT FOR SECTION 2 OF SB 1386 / HB 1557, AS INTRODUCED, WHICH ADDS THE KRISTIN JACOBS CORAL REEF ECOSYSTEM CONSERVATION AREA TO THE LIST OF FLORIDA AQUATIC PRESERVE AREAS; THANKING AND URGING THE LEGISLATURE AND GOVERNOR TO CONTINUE AND INCREASE THEIR GENEROUS SUPPORT FOR CORAL REEF RESTORATION AND MANAGEMENT; REQUESTING THAT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION COLLABORATE TO DEVELOP AND IMPLEMENT A LONG-TERM CORAL REEF CONSERVATION STRATEGY; PROVIDING AN EFFECTIVE DATE.

SB 1386 / HB 1557 is important legislation that addresses many of the Council's priority issues of regional concern. Council Staff recommends revisiting the entirety of the legislation upon the completion of county staff's review and assessment.

Recommendation: Approve Resolution 24-01





# 2024 DEP AGENCY BILL

To continue ensuring a comprehensive range of environmental protections in the state, the Florida Department of Environmental Protection (DEP) is proposing House Bill 1557/Senate Bill 1386. This legislation advances the protection of our environmental resources by:

## **Enhancing Protections for Florida's Coral Reef and Aquatic Preserves.**

Establishes a new aquatic preserve over the Kristin Jacobs Coral Reef Ecosystem Conservation Area to enhance protections for the northern portion Florida's Coral Reef, including improving coordination of restoration projects and streamlining water quality monitoring efforts.

## **Improving the Treatment of Reclaimed Water.**

Ensures that reclaimed water is treated to meet Advanced Wastewater Treatment or a more stringent treatment standard, while still promoting its use to eliminate surface water discharges and meet water supply challenges.

## **Strengthening Florida's Resilience Planning.**

Clarifies elements eligible for the Resilient Florida Grant Program and defines the role of the Flood Hub and Chief Resilience Officer in developing the statewide dataset and assessment.

## **Investing in Innovative Technologies.**

Creates a program to expeditiously review new and innovative enhanced nutrient-reducing Onsite Sewage Treatment and Disposal Systems to reduce the nutrients entering Florida's waterways.

## **Expanding Wastewater Facility Plans.**

Supports the development of domestic wastewater treatment plans and Onsite Sewage Treatment and Disposal Systems remediation plans within Basin Management Action Plan areas or other restoration areas by requiring facilities to provide information to the local entities developing these plans.

## **Furthering the Onsite Septic Program Transfer.**

Ensures that DEP has the appropriate authority to transfer the septic program from Department of Health so DEP can enter into contracts and delegation agreements, allows DEP to integrate enforcement and statutory compliance requirements for the onsite program into its existing regulatory structure, and provides DEP rulemaking authority for implementation.





## RESOLUTION #24-01

**A RESOLUTION OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL REPRESENTING MONROE, MIAMI-DADE, AND BROWARD COUNTIES; EXPRESSING SUPPORT FOR SECTION 2 OF SB 1386 / HB 1557, AS INTRODUCED, WHICH ADDS THE KRISTIN JACOBS CORAL REEF ECOSYSTEM CONSERVATION AREA TO THE LIST OF FLORIDA AQUATIC PRESERVE AREAS; THANKING AND URGING THE LEGISLATURE AND GOVERNOR TO CONTINUE AND INCREASE THEIR GENEROUS SUPPORT FOR CORAL REEF RESTORATION AND MANAGEMENT; REQUESTING THAT THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION COLLABORATE TO DEVELOP AND IMPLEMENT A LONG-TERM CORAL REEF CONSERVATION STRATEGY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the South Florida and Treasure Coast Regional Planning Councils' (SFRPC / TCRPC) seven-county geographical area is comprised of Broward, Indian River, Martin, Miami-Dade, Monroe, Palm Beach, and St. Lucie counties and 122 municipalities, with more than 6.8 million residents, nearly one-third of the State's population, that generate more than one-third of the State's gross domestic product; and

**WHEREAS**, the South Florida and Treasure Coast Regional Planning Councils have worked jointly and with the Florida Department of Environmental Protection, the region's counties, higher education institutions, and coral reef stakeholders to further awareness and protection of Florida's Coral Reef since 2016; and

**WHEREAS**, the Southeast Florida Coral Reef Conservation Area which encompasses sovereign submerged lands and state waters offshore of Broward, Martin, Miami-Dade, and Palm Beach counties from the St. Lucie Inlet in the north to the northern boundary of Biscayne National Park in the south was established in 2018 pursuant to the multi-year, untiring efforts of State Representative Kristin Jacobs of Broward County and regional stakeholders; and

**WHEREAS**, in 2021 the Legislature and Governor honored the late Representative Kristin Jacobs (1959-2020) by commemorating her many contributions on behalf of the Coral Reef and environment by renaming this conservation area the "Kristin Jacobs Southeast Florida Coral Reef Conservation Area"; and

**WHEREAS**, in 1975 the Florida Legislature enacted the Aquatic Preserve Act to ensure “that state-owned submerged lands in areas which have exceptional biological, aesthetic, and scientific value ... be set aside forever as aquatic preserves or sanctuaries for the benefit of future generations.” History – s.1, ch. 75-172, Laws of Florida, and

**WHEREAS**, Section 2 of SB 1386 (SEN. CALATAYUD) / HB 1557 (REP. CHANEY), amends section 258.39, Florida Statutes, to create Subsection (33) and include the Kristin Jacobs Coral Reef Ecosystem Conservation Area, as designated by chapter 2021-107, on the list of Florida Aquatic Preserve areas.

**WHEREAS**, the SFRPC wholeheartedly supports and urges the inclusion of the Kristin Jacobs Coral Reef Ecosystem Conservation Area to the list of Florida Aquatic Preserve Areas to provide greater protection and enhanced management of the Kristin Jacobs Coral Reef Ecosystem Conservation Area, Florida’s Coral Reef, and state-owned submerged lands; and

**WHEREAS**, Florida's Coral Reef runs parallel to the coastline from Monroe County north to Martin County, and is a valuable national resource that protects our shores and beaches by reducing wave energy from storms and hurricanes, providing flood protection valued at over \$675 million per year and more than \$1 billion during extreme weather events; and

**WHEREAS**, Florida's Coral Reef ecosystem provides a vital marine habitat for more than 6,000 species, including species found nowhere else on earth; and

**WHEREAS**, this habitat is essential to the state's commercial fishing and tourism industries, supports more than 71,000 jobs within the region, and generates more than \$6 billion in positive economic impact annually; and

**WHEREAS**, protection of Florida's Coral Reef is essential for ensuring the continued protection of our shorelines, coastal food sources, cultural practices, biomedical opportunities, and coastal economies that are a direct result of our coral reefs; and

**WHEREAS**, it has been determined that coastal ocean waters are under great user pressure and suffer from water quality degradation that has compromised the resiliency of Florida’s Coral Reef and its habitat; and

**WHEREAS**, the global threat and impacts to coral reefs continue to grow which, coupled with local stressors, is evidenced by coral reefs declining at an alarming rate; and

**WHEREAS**, a coral disease outbreak of unknown origin originated offshore of Miami-Dade County in fall 2014 and has persisted and continued to spread and affect new reefs from the Marquesas west of Monroe County to the northernmost coral reefs in Martin County; and

**WHEREAS**, the coral disease epidemic is causing near total mortality of vulnerable species present on Florida's Coral Reef, including reef-building coral species and species listed under the Endangered Species Act, resulting in an increasing threat to fragile ecosystems that support Florida's fisheries and protect our coasts; and

**WHEREAS**, the coral disease has spread from Florida throughout the Caribbean, with the potential threat of introduction into the Pacific Ocean; and

**WHEREAS**, in 2023 the coral disease epidemic was compounded by record-hot ocean temperatures which triggered widespread coral bleaching and reef mortality; and

**WHEREAS**, in addition, the SFRPC supports and urges the Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission to work collaboratively to develop and implement as soon as possible a long-term coral reef conservation strategy for Florida's Coral Reef, including the Kristin Jacobs Coral Reef Ecosystem Conservation Area, before adverse impacts to the reef cannot be reversed; and

**WHEREAS**, the SFRPC thanks and urges the Legislature and Governor to continue and increase their generous support for coral reef restoration and management efforts.

**NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL THAT:**

The SFRPC requests that the Florida's Governor and Legislature:

- 1) Designate the Kristin Jacobs Coral Reef Ecosystem Conservation Area, as designated by chapter 2021-107, Laws of Florida, a Florida Aquatic Preserve Area;
- 2) Establish a long-term, recurring revenue source to provide adequate and flexible funding to support:
  - dedicated staff resources for coral reef disease response and restoration efforts;
  - infrastructure and capacity needed to maintain reproductive coral populations across Florida's Coral Reef;
  - infrastructure and capacity needed for assisted reproduction and propagation of corals and coral reef-associated species for future ecosystem restoration efforts;
  - in-water and land-based priority research focused on pathogen identification and disease response strategies;
  - restoration of coastal water quality through urban wastewater infrastructure upgrades; accelerated coastal septic to sewer conversions focused on local governments with matching fund programs; improved stormwater treatment;

- expedited closure of ocean wastewater outfalls; and additional strategies to greatly reduce nutrient loading from all human sources and pathways; and

The SFRPC additionally urges:

- 3) The Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission to work collaboratively to develop and implement as soon as possible a long-term coral reef conservation strategy for the Southeast Florida Coral Reef Conservation Area before adverse impacts to the reef cannot be reversed.

The SFRPC directs Council Staff to distribute this Resolution to the Governor, the Florida Legislature, the Secretary of the Florida Department of Environmental Protection, the Treasure Coast Regional Planning Council, and regional coral reef stakeholders.

**UNANIMOUSLY ADOPTED** by the South Florida Regional Planning Councils this 22<sup>ND</sup> day of January 2024.

\_\_\_\_\_  
Steve Geller, SFRPC Chair

\_\_\_\_\_  
Date

A list of Councilmembers is attached.

**SOUTH FLORIDA REGIONAL PLANNING COUNCIL COUNCILMEMBERS, EX OFFICIOS**

**JANUARY 2024**

Senator Steve Geller, *(Chair), Commissioner, Broward County*

Samuel Kaufman, *(First Vice Chair), Vice Mayor, Key West*

Quentin “Beam” Furr, *(Second Vice Chair), Vice Mayor, Broward County*

Senator René García, *(Treasurer), Commissioner, Miami-Dade County*

Michelle Lincoln, *(Secretary), Commissioner, Monroe County*

Mario J. Bailey, *(Immediate Past Chair), Governor’s Appointee Miami-Dade County*

Frank H. Caplan, *Councilmember, Village of Key Biscayne*

Craig Cates, *Commissioner, Monroe County*

Joseph Corradino, *Mayor, Village of Pinecrest*

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

Cary Goldberg, *Governor’s Appointee Broward County*

Denise Horland, *Councilmember, Plantation*

Kionne McGhee, *Commissioner, Miami-Dade County*

Greg Ross, *Mayor, Cooper City*

Michael Udine, *Commissioner, Broward County*

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Isabel Cosio Carballo, *Executive Director*

Sam Goren, *Legal Counsel*

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Ex Officio Members

Sirena Davila, *Florida Department of Environmental Protection*

Dat Huynh, *Florida Department of Transportation, District Six*

Armando L. Vilaboy, *South Florida Water Management District*



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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: CENTRAL & SOUTHERN FLORIDA FLOOD RISK STUDY PRESENTATION

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Today we will hear from representatives of Broward County, Miami-Dade County, South Florida Water Management District, and U.S. Army Corps of Engineers, Jacksonville District.

Currently, the Central & Southern Florida Flood Control System, a gravity drainage system, is not able to manage flooding reliably. Sea level rise and aged infrastructure is contributing to the current and foreseeable failure of salinity control structures in Broward and Miami-Dade counties. According to the South Florida Water Management District's (SFWMD) [2023 Annual Consolidated Report](#) addressing Flood Protection Level of Service (FPLOS), Miami-Dade County has 16 salinity control structures with 13 FPLOS Phase 1 Structures (unfunded) and 3 FPLOS Phase II Structures (partially funded). Broward County has 7 FPLOS Phase 1 Structures (unfunded). At this time, there is insufficient funding to conduct required Level 3 engineering studies for the vast majority of the Phase 1 unfunded projects. While a proposed study by the U.S. Army Corps of Engineers of a handful of salinity control structures is under consideration, the vast majority of the salinity control structures will languish without Level 3 engineering studies delaying needed funding for improvements past 2032 at the earliest.

Following the conclusion of the presentation and conversation, the SFRPC Board may wish to convey its recommendations to Broward and Miami-Dade counties, including a possible recommendation urging the counties to use local funding to expedite Level 3 engineering studies, in partnership with the South Florida Water Management District, to position the salinity control structures for federal funding on an expedited basis.

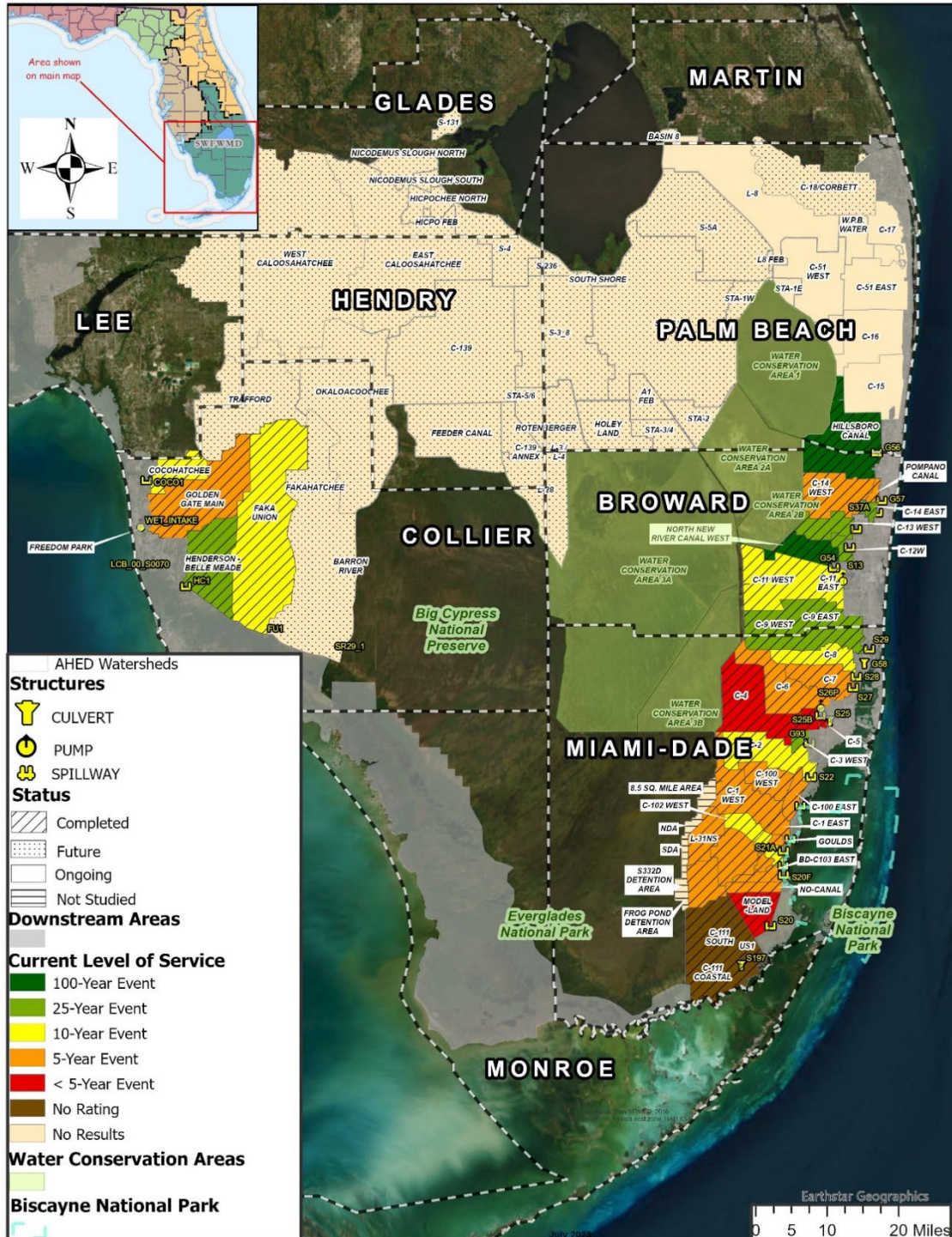
Resources:

[SFWMD 2023 Sea Level Rise and Flood Resiliency Plan](#)  
[SFWMD 2023 Consolidated Annual Report](#)

Recommendation: Provide Council Staff with guidance as to next steps.



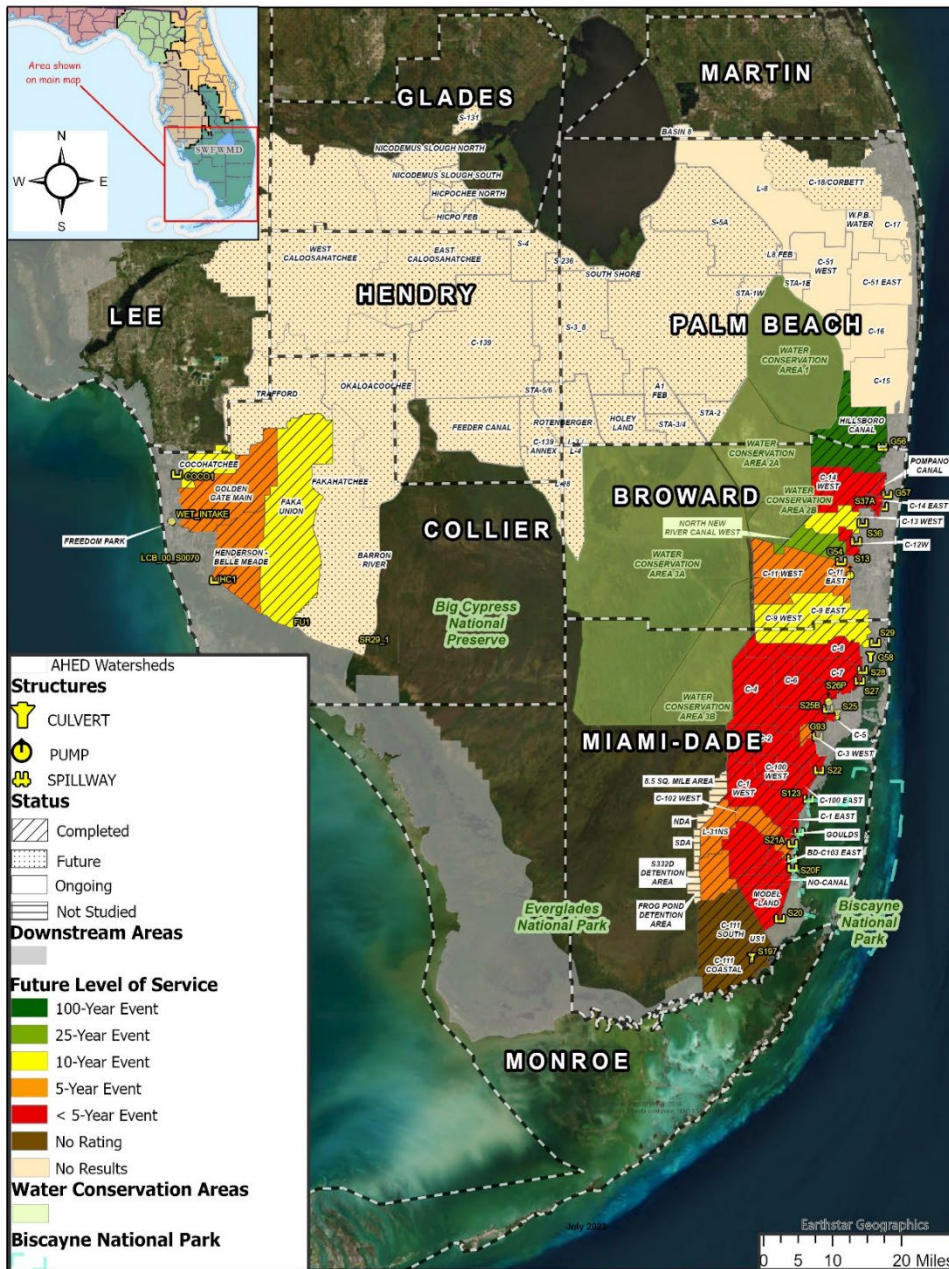




**Figure 3-3: Current Flood Protection Level of Service**

### Future Flood Protection Level Service

The future flood protection level of service, under a 2-foot sea level rise scenario is shown in Figure 3-4. The figure depicts the level of service generally provided by existing infrastructure in critical basins, predominantly located in Broward and Miami-Dade Counties. The level of service is represented by the respective rainfall frequency event that results in flooding within areas of each basin, simulated as part of completed FPLOS Phase I – Flood Vulnerability Assessments.



**Figure 3-4: Future Flood Protection Level of Service**



**October 2023**

**Flood Protection Level of Studies (FPLOS)**

Miami-Dade: FPLOS Phase I: 13 Structures; FPLOS Phase II: 3 Structures (Partially funded)

Broward: FPLOS Phase I: 7 Structures

Table 1: List of Resiliency Priority Water Control Structure Projects, including implementation and funding status

Project Name / Water Control Structures	Project	Source	Project below the expected service level (25-year/4%)?	Total Cost Estimate <sup>(1)</sup>	Status of Implementation	Status of Funding	Funds Expended (through June 30 2023) <sup>(2)</sup>
S-28 Coastal Structure and C-8 Basin Resiliency <b>Miami</b>	FPLOS Phase II		Yes	\$261,446,031	Not Started (Conceptual Design Completed)	Staff, H&H and Design Funds Construction partially funded \$50M FEMA BRIC Award Recommendation + Match	\$665,325
S-29 Coastal Structure and C-9 Basin Resiliency <b>Miami</b>	FPLOS Phase II		Yes <sup>(3)</sup>	\$355,280,352	Ongoing Design Start: FY22 End: FY24	Staff, H&H and Design Funds Construction partially funded \$50M FEMA BRIC Award Recommendation + Match	\$1,648,560
S-27 Coastal Structure and C-7 Basin Resiliency <b>Miami</b>	FPLOS Phase II (Pilot)		Yes	\$126,870,189	Ongoing Design. Start: FY22 End: FY24	Staff, H&H and Design Funds Construction partially funded \$50M FEMA BRIC Award Recommendation + Match	\$1,407,923
S-26 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$ 144,858,126	Not Started	Not yet funded	\$0
G-57 Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		Yes	\$ 33,394,620	Not Started	Not yet funded	\$0
S-22 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$92,414,986	Not Started	Not yet funded	\$0
S-37A Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		No	\$ 149,094,074	Not Started	Not yet funded	\$0
G-58 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$20,927,917	Not Started	Not yet funded	\$0

**October 2023**

**Flood Protection Level of Studies (FPLOS)**

Miami-Dade: FPLOS Phase I: 13 Structures; FPLOS Phase II: 3 Structures (Partially funded)

Broward: FPLOS Phase I: 7 Structures

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Project Name / Water Control Structures	Project	Source	Project below the expected service level (25-year/4%)?	Total Cost Estimate <sup>(1)</sup>	Status of Implementation	Status of Funding	Funds Expended (through June 30 2023) <sup>(2)</sup>
S-123 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$ 104,958,469	Not Started	Not yet funded	\$0
S-20F Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$77,703,413	Not Started	Not yet funded	\$0
S-21 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$70,981,354	Not Started	Not yet funded	\$0
S-21A Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$ 70,303,527	Not Started	Not yet funded	\$0
G-93 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		No	\$ 42,203,088	Not Started	Not yet funded	\$0
S-25B Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$ 93,660,490	Not Started	Not yet funded	\$0
G-56 Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		No	\$162,769,468	Not Started	Not yet funded	\$0
G-54 Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		No	\$ 83,451,585	Not Started	Not yet funded	\$0
S-25 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$ 28,748,435	Not Started	Not yet funded	\$0
S-33 Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		No	\$ 35,505,876	Not Started	Not yet funded	\$0

**October 2023**

**Flood Protection Level of Studies (FPLOS)**

Miami-Dade: FPLOS Phase I: 13 Structures; FPLOS Phase II: 3 Structures (Partially funded)

Broward: FPLOS Phase I: 7 Structures

Table 1: List of Resiliency Priority Water Control Structure Projects, including implementation and funding status

Project Name / Water Control Structures	Project	Source	Project below the expected service level (25-year/4%)?	Total Cost Estimate <sup>(1)</sup>	Status of Implementation	Status of Funding	Funds Expended (through June 30 2023) <sup>(2)</sup>
S-20G Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$34,861,279	Not Started	Not yet funded	\$0
S-13 Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		Yes	\$48,474,453	Not Started	Not yet funded	\$0
S-36 Coastal Structure Resiliency <b>Broward</b>	FPLOS Phase I		Yes	\$ 38,835,405	Not Started	Not yet funded	\$0
S-197 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		N/A	\$ 66,435,182	Not Started	Not yet funded	\$0
S-20 Coastal Structure Resiliency <b>Miami</b>	FPLOS Phase I		Yes	\$ 25,394,727	Not Started	Not yet funded	\$0

Notes: (1) The values reported under the Column "Total Cost Estimates" do not include staff time. (2) The values reported under the Column "Funds Expended" includes expenses since the start of FY20 through June 30, 2023. The total expended funds reported for each individual project includes in kind/staff time and planning funds. An additional \$12,409,933 was spent within the same period for overall projects planning (FPLOS H&H modeling, data analyses, resiliency plan formulation, and other related planning efforts). (3) Expected service level is currently greater than a 25-year return period (less than 4% chance of occurrence), however the respective structure inspection report presents priority level for infrastructure refurbishment.



# MEMORANDUM

AGENDA ITEM #V.A

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DATE: JANUARY 22, 2024

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: SFRPC REVOLVING LOAN FUNDS STATUS REPORT

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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.sfrregionalcouncil.org](http://www.sfrregionalcouncil.org)

**Payment Status Report**

**Traditional RLF Payment Status Report**

Loan	Company /Borrower	Amount	Disbursed	Pmts	Rate	Last Activity	Last Balance	Paid Thru	Days Late	Last Activity	Next Pay Due	Loan Date	Maturity Date	Board Action
1022	[REDACTED]	300,000.00	300,000.00	240	7.0	2,737.50	282,100.08	12/15/23	0	12/18/23	01/15/24	01/08/04	09/01/39	performing
1023	[REDACTED]	301,586.50	301,586.50	120	5.0	350.00	161,715.88	12/01/23	0	12/01/23	01/01/24	07/19/06	03/01/29	performing
1034	[REDACTED]	300,000.00	300,000.00	120	5.0	250.00	260,365.24	09/01/23	30	10/19/23	10/01/23	12/21/06	11/15/28	In Legal - Bankruptcy filing
1039	[REDACTED]	125,000.00	125,000.00	84	5.0	500.00	119,582.53	12/01/23	30	12/27/23	01/01/24	11/24/08	12/31/15	performing
1040	[REDACTED]	200,000.00	200,000.00	84	5.0	1,472.32	62,429.68	12/01/23	0	12/01/23	01/01/24	02/02/09	08/01/28	performing
3024	[REDACTED]	189,043.88	189,043.88	144	0.0	500.00	97,000.00	12/01/23	0	12/01/23	01/01/24	07/26/99	12/01/16	Default Final Judgment
4008	[REDACTED]	300,000.00	300,000.00	0	5.0	750.00	157,798.83	12/12/23	0	12/12/23	01/12/24	07/31/09	03/31/39	performing
4018	[REDACTED]	150,000.00	150,000.00	84	6.0	0.00	144,598.41	12/01/15	2,830	10/22/20	01/01/16	07/12/13	08/01/20	In Litigation - Refer to RLF Status Report
4024	[REDACTED]	235,000.00	235,000.00	240	5.0	1,600.00	159,680.97	12/01/23	30	12/21/23	01/01/24	04/16/14	05/01/26	performing
4027	[REDACTED]	149,500.00	149,500.00	120	5.0	1,590.98	49,661.44	12/01/23	0	12/06/23	01/01/24	12/15/15	12/15/25	performing
4028	[REDACTED]	75,000.00	75,000.00	1	0.0	0.00	74,994.72	04/01/19	1,614	04/12/19	05/01/19	11/17/16	09/30/19	Default - collateral workout
4029	[REDACTED]	75,000.00	75,000.00	1	0.0	0.00	75,000.00	04/01/19	1,614	04/12/19	05/01/19	12/14/16	09/30/19	Default - collateral workout
4031	[REDACTED]	332,972.82	332,972.82	111	6.5	2,000.00	321,849.33	12/01/23	0	12/01/23	01/01/24	09/28/17	08/01/28	performing
4032	[REDACTED]	300,000.55	300,000.55	120	7.0	3,577.27	189,104.22	12/01/23	0	12/01/23	01/01/24	10/24/18	11/01/28	performing
4033	[REDACTED]	254,999.57	254,999.57	84	7.0	250.00	187,832.65	10/15/23	0	10/12/23	11/15/23	10/25/18	10/25/25	In Legal

Loan	Company /Borrower	Amount	Disbursed	Pmts	Rate	Last Activity	Last Balance	Paid Thru	Days Late	Last Activity	Next Pay Due	Loan Date	Maturity Date	Board Action
4034	██████████	84,506.66	84,506.66	84	7.0	300.00	71,412.80	08/01/22	395	08/01/22	09/01/22	01/03/19	01/03/26	Default Final Judgment
4035	██████████	248,684.03	248,684.03	84	7.0	128,121.20	18,896.57	12/01/23	0	12/08/23	01/02/24	03/05/19	04/01/26	performing
4036	██████████	549,223.30	549,223.30	84	7.0	375.00	483,594.60	12/02/23	0	12/01/23	01/02/24	03/05/19	04/01/26	performing
4037	██████████	173,904.64	173,904.64	84	5.0	1,750.00	125,552.44	12/01/23	0	12/01/23	01/01/24	03/28/19	03/28/26	performing
4038	██████████	99,885.78	99,885.78	60	7.0	1,500.00	50,729.61	12/01/23	0	12/01/23	01/01/24	03/28/19	04/01/24	performing
4039	██████████	200,000.00	200,000.00	84	7.0	300.00	196,815.27	08/01/22	395	08/01/22	09/01/22	03/12/20	04/01/27	Default Final Judgment
4040	██████████	400,000.00	400,000.00	84	7.0	250.00	389,882.46	10/15/23	0	10/12/23	11/15/23	09/23/19	09/23/26	In Legal
4043	██████████	200,000.00	200,000.00	120	4.5	2,322.17	149,032.74	12/01/23	0	12/01/23	01/01/24	04/22/21	04/01/31	performing
4044	██████████	130,000.00	130,000.00	120	4.5	1,347.30	99,780.50	12/01/23	0	12/01/23	01/01/24	03/22/21	03/01/31	performing
4046	██████████	100,000.00	100,000.00	60	5.0	(100.00)	84,827.84	11/01/23	0	11/01/23	12/01/23	10/06/22	10/01/27	In Legal - Bankruptcy filing
4048	██████████	349,497.00	98,668.75	60	4.5	351.26	93,668.75	12/01/23	0	12/01/23	01/01/24	02/23/23	03/01/28	performing
4049	██████████	331,700.00	80,271.75	60	4.5	301.02	80,271.75	12/01/23	0	12/01/23	01/01/24	02/23/23	03/01/28	performing
4050	██████████	331,700.00	85,566.75	60	4.5	320.88	85,566.75	12/01/23	0	12/01/23	01/01/24	02/23/23	03/01/28	performing
<b>Totals</b>		<b>6,487,204.73</b>	<b>5,738,814.98</b>			<b>152,716.90</b>	<b>4,273,746.06</b>							



**LIST OF COMMITTED TRADITIONAL RLF FUNDS  
December 31, 2023**

Loan #	Company Name	Committed	Commitment Date	Disbursed	Disbursement Date	Disbursed	Disbursement Date	Disbursed	Disbursement Date	Disbursed	Disbursement Date	Remaining Commitment
4048	[REDACTED]	336,600	11/15/2021	13,668	3/2/2023	4,943.75	5/23/2023	32,390	8/1/2023	29,770	10/3/2023	\$ 255,828.25
4049	[REDACTED]	331,700	11/15/2021	13,668	3/2/2023	4,943.75	5/23/2023	32,390	8/1/2023	29,270	10/3/2023	\$ 251,428.25
4050	[REDACTED]	331,700	11/15/2021	13,668	3/2/2023	4,943.75	5/23/2023	30,390	8/1/2023	36,565	10/3/2023	\$ 246,133.25
<b>TOTAL</b>		<b>\$1,000,000</b>		<b>\$ 41,004</b>		<b>\$ 14,831.25</b>		<b>\$95,170.00</b>		<b>\$ 95,605.00</b>		<b>\$ 753,389.75</b>

\*Committed Funds will be disbursed over a 24-month period

<b>Cash Available to Lend</b>												
Bank Balance as of	12/31/2023											\$ 1,175,788.83
Committed Funds												
Unfunded Loan Commitments	\$ 753,390											
Administrative Fees	10,919.25											
Total Committed Funds												\$ 764,309.00
<b>Total Uncommitted Funds</b>												<b>\$ 411,479.83</b>

Kerry L. Ezrol  
KEzrol@GorenCherof.com



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

January 2, 2024

**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 and #1042) 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 to add a foreclosure count. A Motion to Amend Complaint was filed and there were two (2) initial hearings on the motion. Both times, the Court

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delayed a ruling on the motions, pending mediation. Ultimately, SFRPC set the hearing on the Motion to Amend Complaint six separate times, and each time the hearing was continued either due to the Judge ordering mediation or due to Dawson' requests for a continuance. The seventh time the Motion to Amend was set for a hearing, the Court granted SFRPC's motion and allowed SFRPC to Amend the Complaint to add the foreclosure count.

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. SFRPC's objection to the discovery request was 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 were not able to reach a settlement at mediation.

Since the Court was encouraging the parties to mediate, SFRPC staff focused on attempting to settle with Dawson and to manage the costs of litigation by bringing this matter to a conclusion through settlement. With that intent, SFRPC made multiple offers and counter-offers to Ms. Dawson. 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. SFRPC followed up again with written settlement offer to Dawson and her attorney on March 8, 2021. SFRPC made significant concessions and reductions of the late fees in a good faith attempt to settle the matter without further litigation. Despite SFRPC's multiple concessions, Ms. Dawson would not agree to any of the SFRPC's settlement proposals. Dawson submitted a Counteroffer which was transmitted to SFRPC on March 12, 2021. Per RLF Committee, the decision was made to proceed with the litigation.

The hearing on SFRPC's Motion to Amend the Complaint was set for June 24, 2021. At that hearing, the Court continued the hearing to September 2, 2021. SFRPC's Motion to Amend Complaint was granted and the Defendants had 20 days to file a response to the Amended Complaint. On September 3, 2021, the Court also entered an Order granting Dawson's request to file an Amended Counterclaim in response to SFRPC's Amended Complaint. On September 22, 2021, Defendants, Angela L. Dawson, P.A. and Angela Dawson filed their Answer to Plaintiff's Amended Complaint dated June 23, 2021. On October 1, 2021, SFRPC filed a Motion to Strike

Dawson's Second Amended Affirmative Defenses. On October 15, 2021, a hearing on the Motion to Strike was scheduled for January 26, 2022. On January 26, 2022, the court ordered a Mandatory Case Management Conference to be held on March 28, 2022.

On February 2, 2022, the Court entered an order on the Motion to Strike as follows: Defendants' first affirmative defense of in pari delicto is stricken without prejudice; Defendants' second affirmative defense of bad faith is stricken with leave to amend within twenty (20) days of the date of this Order; Defendants' fourth affirmative defense of fraudulent inducement is stricken with prejudice; Defendants' fifth affirmative defense of fraudulent misrepresentation is stricken with prejudice; Defendants' seventh affirmative defense of unjust enrichment is stricken with prejudice; Defendants' eleventh affirmative defense of ratification is stricken with leave to amend within twenty (20) days of the date of the Order. Plaintiff's Motion to Strike Defendants' Amended Affirmative Defenses was hereby denied as to the following affirmative defenses: Defendants' third affirmative defense of unclean hands; Defendants' sixth affirmative defense of promissory estoppel; Defendants' eighth affirmative defense of modification; Defendants' ninth affirmative defense of equitable estoppel; and Defendants' tenth affirmative defense of waiver.

Our Motion to dismiss the Defendants' amended counterclaim was set for hearing on May 4, 2022 at 9:30 am. On February 9, 2022, Plaintiff filed a reply to Defendants' affirmative defenses. On February 15, 2022, Defendants filed amended affirmative defenses. On February 22, 2022, Plaintiff filed a reply to the amended affirmative defenses.

On March 25, 2022, SFRPC responded to Dawson's request for a settlement offer, renewed the prior settlement dated November 30, 2020, and left it open for ninety (90) days. As of June 23, 2022, the settlement offer expired. On August 22, 2022, the SFRPC settlement offer was once again offered to Ms. Dawson with an expiration date of December 1, 2022. The settlement offer expired.

On May 4, 2022, the Court entered an Order for Uniform Case Management to be held August 22, 2022. On May 4, 2022, Judge Bidwell granted SFRPC's Motion to Dismiss Dawson's Counterclaim as to all counts. However, the Judge provided Dawson twenty (20) days to amend her complaint.

On May 23, 2022, Defendant served pre-suit notice on the Council and the Florida Department of Financial Services. On May 24, 2022, Defendant filed a Third Amended Counterclaim which was later deemed abandoned by the Clerk's office. On May 31, 2022, without permission of the Court, Defendant filed a Fourth Amended Counterclaim. On June 3, 2022, SFRPC filed a Motion to Dismiss Dawson's Third and Fourth Amended Counterclaims with Prejudice. A hearing on the SFRPC's Motion to Dismiss was scheduled for Friday, December 2, 2022. On June 30, 2022, Dawson filed an emergency motion with the Court asking the Court to require SFRPC to release its mortgage cross collateralized against 2748 NW 8<sup>th</sup> St. Fort Lauderdale. On July 6, 2022, SFRPC

filed a response to the Emergency Motion. On July 7, 2022, Dawson filed a Notice of Production from Non-party for Old Republic National Title Insurance Company and Alfred Andreu. On July 7, 2022, SFRPC filed a request for copies of records for Alfred Andreu and Old Republic National Title Insurance Company. On July 8, 2022, Ms. Dawson submitted a Public Records request to SFRPC. SFRPC has responded to Ms. Dawson. Ms. Dawson had until July 13, 2022 to send SFRPC the requested deposit of \$600.00 in order for SFRPC to start retrieving and reviewing documents. As of today's date, Ms. Dawson has not paid the deposit.

On August 22, 2022, the Court held a Case Management Conference. Ms. Dawson and her Co-counsel were not present. On October 10, 2022, another mandatory Case Management Conference was held. Ms. Dawson informed the court that she would be filing a motion for leave to amend based on new information from Benworth Capital. Copies have been requested through a filing, as of today's date, nothing has been received.

On November 29, 2022, the Defendant filed a Motion to Join Indispensable Parties and a Motion for Leave to Amend Complaint to Add Parties. On November 30, 2022, the Defendant filed a Notice of Filing Proposed Fifth Amended Counter Claim as Exhibit for Motion for Leave to Amend Complaint to Add Alfred F. Andreu P.A., Benworth Capital Partners LLC, and Old Republic National Title Insurance Company. Shortly before the hearing on the SFRPC's Motion to Dismiss on December 2, 2022, Ms. Dawson called our office and the Judge's office informing she was in the hospital. The hearing did not proceed and the Court scheduled another Case Management Conference on December 8, 2022. On December 7, 2022, SFRPC filed its Response in Objection to Defendants Motions to Join Indispensable Parties and for Leave to Amend Counterclaim. On December 8, 2022, pursuant to the Court's direction at the Case Management Conference, a Notice of Hearing was filed, scheduling the pending motions for December 20, 2022. On December 9, 2022, SFRPC filed its Response to Defendant's Motion for Disqualification. On December 18, 2022, Dawson filed a Motion to Withdraw Counter Plaintiff's Third Amended Counter Claims dated May 24, 2022.

At the December 20, 2022 Special Set Hearing, the Court again requested that the matter be scheduled for a Case Management Conference on January 30, 2023. The Court denied Defendants Motion to Join Benworth as an indispensable party and denied Defendants Motion to amend complaint to add Benworth and Old Republic Title Co. The Court also directed both parties to prepare and submit proposed orders for the Court to review for determination on SFRPC's Motion to Dismiss Dawson's Fourth Amended Counterclaim. On December 21, 2022, SFRPC filed its Proposed Order granting SFRPC's Motion. On January 29, 2023, the Court entered an Order denying Ms. Dawson's Motion to Join Indispensable Parties and Motion to Amend Complaint. At the January 30, 2023 Case Management Conference, the Judge informed the Parties that he is working on his order on SFRPC's Motion to Dismiss Dawson's Fourth Counterclaim with prejudice.

SFRPC served Ms. Dawson its First Set of Interrogatories, Request for Production and Request for Admissions. Ms. Dawson responded and we are currently reviewing her responses. Also, we are drafting SFRPC's motion for summary judgment. On May 29, 2023, the Court entered its Order regarding SFRPC's Motion to Dismiss Dawson's Fourth Amended Counterclaim as follows: Granting in part with prejudice as to Count 1, Breach of Contract; Count 2, Detrimental Reliance; Count 3, Promissory Estoppel; Count 9, Unjust Enrichment; Count 10, Equitable Estoppel; and Count 11, Modification and Count 12, Retaliation; and denying in part as to Count 4, Negligent Supervision; Count 5, Negligence Retention; Count 6, Negligence; Count 7, Fraudulent Inducement; Count 8, Fraudulent Misrepresentation; and Count 13, Slander of Title. SFRPC's answer to the remaining counts of the Fourth Amended counterclaim is due within 20 days. On May 30, 2023, the Court entered a Uniform Case Management Order which is scheduled for August 21, 2023. On June 16, 2023, we filed SPRPC's Answer and Affirmative Defenses. On August 10, 2023, we filed SFRPC's Motion for Final Summary Judgment . On August 20, 2023, Dawson filed a Motion to Transfer and Consolidate and a Motion to Strike Counter Defendant's Affirmative Defenses to Fourth Amended Counterclaim and Memorandum of Law. Ms. Dawson is seeking to consolidate the Equity Partners 102 case (below) with this case. SFRPC's Hearing for its Motion for Final Summary Judgment is scheduled for February 9, 2024. Also, Dawson's Hearing is scheduled for September 29, 2023. On August 25, 2023, we filed SFRPC's Response and Amended Response in Objection to Dawson's Motion to Strike Affirmative Defenses. On August 25, 2023, we filed SFRPC's Response in Objection to Ms. Dawson's Motion to Transfer and Consolidate cases.

On September 27, 2023, Dawson filed their Response to SFRPC's Response in Objection to the Motion to Transfer and Consolidate. At the September 29<sup>th</sup> hearing, the Judge scheduled a Case Management Conference for October 31<sup>st</sup>. An Order denying Dawson's Motion to Strike SFRPC's Affirmative Defenses and to Consolidate the Cases was entered by the Court. Dawson has 10 days to file a reply. On October 10, 2023, Dawson filed a Motion for Clarification as to how the Court can Reconcile its' Ruling on May 29, 2023 and September 29, 2023. Ms. Dawson was unable to attend the October 31, 2023 Hearing and it is rescheduled for November 13, 2023. At the November 13, 2023 Hearing, the case was set for non-jury trial with a trial period commencing November 4, 2024 to November 21, 2024. Calendar Call is scheduled for October 25, 2024.

On November 29, 2023, SFRPC filed its Motion to Dispense with Mediation as the case has been previously mediated on October 29, 2020. The hearing is scheduled for January 16, 2024. Also, SFRPC's Motion for Final Summary Judgment is scheduled to be heard by the court on February 9, 2024.

**2. SFRPC adv. Philip J. Van Kahle, Assignee (J. Stephens Construction, LLC)  
(Our File No. 9940631)**

On February 16, 2023, a Petition for Assignment for the Benefit of Creditors was filed, SFRPC was listed as a Secured Creditor. SFRPC's Proof of Claim is due by June 16, 2023. A Hearing for Motions to Approve Public Sale of Assets and Reject Lease of Non-Residential Real Property was scheduled for March 8, 2023. On March 13, 2023, the Court enter an Order approving the Public Sale of Assets "which shall conclude on or around August 25, 2022" [sic]. On March 15, 2023 the Court amended its Order and scheduled the sale for March 24, 2023. SFRPC's Proof of Claim was sent by certified mail on March 21, 2023. Confirmation of receipt was received on March 29, 2023 and assigned claim No. 6. The Assignee shall file a report of the results of the Auction with the Court within 30 days of the completion of the Auction. As of today's day, this report has yet to be filed. A Notice of Default and Demand for Payment Letter was sent to the guarantors on May 18, 2023, demanding payment within 10 days. A Second Notice of Default and Demand for Payment Letter was sent on June 2, 2023. At this time, all letters have been forwarded back to our office as "undeliverable." A Hearing is schedule on June 28, 2023 for the Second Notice of Intent to Conduct the Business of the Assignors for RCT Industries, LLC. On July 5, 2023, another Notice of Default was sent to the collateral property and a signed return receipt was received. On July 7, 2023, the Court entered an Order approving the Second Notice and authorized the Assignor to operate the business through September 30, 2023. Terms for a payment plan were reached with Mr. Stephens. We are in process of executing the Forbearance Agreement and Modification of Mortgage. At the November 29, 2023 hearing, the Court granted the Motion to (1) Close case, (2) Approve Final Report, and (3) Approve Final Distribution, among other things. SFRPC received a distribution of \$128,121.20. On December 6, 2023, the Court entered the Order Granting the Motion.

**3. SFRPC adv. Equity Partners 102, LLC  
(Our File No. 9940633)**

Equity Partners 102 foreclosure complaint was filed with the Court on July 13, 2023. On July 24, 2023, SFRPC filed an Answer and did not assert affirmative defenses. Equity Partners seeks to foreclose its first mortgage against Ms. Dawson's real property located at 2748 NW 8<sup>th</sup> St. Fort Lauderdale, FL. We will monitor the case in the event that surplus funds become available. On September 5, 2023, a hearing on Plaintiff Equity Partners' Motion for Order to Show Cause is scheduled. The Court deferred ruling on the entry of the foreclosure judgment. On September 20, 2023, SFRPC filed its motion for extension of time and a hearing is scheduled for October 9, 2023. On October 9, 2023, the Court entered an Agreed Order Granting Plaintiff's Motion to Dismiss Defendant's Counterclaim, and gave the defendant until October 30<sup>th</sup> to file an amended counterclaim as to all counts. SFRPC's Motion for an extension of time was denied as it was moot because there will be an amended counterclaim filed at a later date. On October 23,

Isabel Cosio Carballo, Executive Director

Page 7 of 7

January 2, 2024

2023, the Court entered its Order regarding Plaintiff's Motion to strike Defendant's Affirmative Defenses as follows: Count 5 and Count 11 are not stricken and therefore denied; Count 1, 3, 4, 6, 7, 8, 9 and 10 are stricken without prejudice with leave to amend; and Count 2 is stricken as this matter does not apply to Florida Statute 559.715. Ms. Dawson will be filing a counterclaim against SFRPC.

**4. SFRPC v. Cornerstone Paving Inc. (Bankruptcy)  
(Our File No. 9940634)**

Cornerstone Paving Inc. filed for Chapter 7 Bankruptcy on December 14, 2023. Meeting of the Creditors is scheduled for January 9, 2024. The appointed Chapter 7 Trustee has provided options for SFRPC on how to proceed on its perfected lien. We are drafting a Proof of Claim.

**5. SFRPC v. CCESAR, Inc. (Camille Cesar Bankruptcy)  
(Our File No. 9940635)**

Camille Cesar filed for Chapter 7 Bankruptcy on December 12, 2023. Meeting of the Creditors is scheduled for January 9, 2024. We are drafting a Proof of Claim.

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

Sincerely yours,

*/s/ Kerry L. Ezrol*

Kerry L. Ezrol

KLE:jc

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





# MEMORANDUM

AGENDA ITEM # V.B

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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: SFRPC CARES ACT RLF STATUS REPORT

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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 350 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.

In November 2023, the EDA completed their RLF Risk Analysis and conveyed the South Florida Regional Planning Council earned a current annual risk rating of an "A" for the fiscal year ending 9/30/2023.

To date, loan administration has approved thirty-four (34) new CARES ACT RLF loans totaling \$7,170,000 and saved and/or created 249 related jobs.



South Florida Regional Planning Council  
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020  
954.924.3653 Phone, 954.924-3654 FAX  
[www.sfregionalcouncil.org](http://www.sfregionalcouncil.org)

**CARES ACT REVOLVING LOAN FUND  
PAYMENT STATUS REPORT - JANUARY 2024**

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	9,231.44	01/01/24	0	01/02/24	02/01/24	10/20/20	11/01/25	performing
5107	████████████████████	300,000.00	300,000.00	120	3.5000	12	2,966.58	2,966.58	215,938.91	01/01/24	0	01/02/24	02/01/24	11/20/20	11/01/30	performing
5110	████████████████████	500,000.00	515,000.00	120	3.5000	12	4,934.78	4,934.78	426,593.48	01/01/24	0	01/02/24	02/01/24	01/13/21	01/01/31	performing
5111	████████████████████	210,000.00	210,000.00	120	3.5000	12	2,076.60	2,076.60	154,851.25	01/01/24	0	01/02/24	02/01/24	12/31/20	01/01/31	performing
5112	████████████████████	500,000.00	500,000.00	120	3.5000	12	4,944.29	4,944.29	368,801.08	01/01/24	0	01/02/24	02/01/24	12/28/20	01/01/31	performing
5113	████████████████████	50,000.00	50,000.00	60	3.5000	12	909.59	909.59	23,627.46	01/01/24	0	01/02/24	02/01/24	02/25/21	03/01/26	performing
5114	████████████████████	150,000.00	150,000.00	120	3.5000	12	1,483.29	1,483.29	113,004.33	01/01/24	0	01/02/24	02/01/24	02/24/21	02/01/31	performing
5115	████████████████████	100,000.00	100,000.00	60	3.5000	12	1,594.07	100.00	77,328.83	12/01/23	1	12/04/23	01/01/24	02/02/21	02/01/26	performing
5116	████████████████████	306,041.60	306,041.60	120	3.7760	12	2,173.69	2,173.69	271,930.15	11/01/23	32	11/01/23	12/01/23	05/14/21	04/01/31	performing
5117	████████████████████	394,000.00	394,000.00	240	3.5000	12	2,285.04	2,285.04	356,068.69	01/01/24	0	01/02/24	02/01/24	05/13/21	05/01/31	performing
5118	████████████████████	500,000.00	500,000.00	180	3.5000	12	3,493.33	3,493.33	444,666.27	01/01/24	0	01/02/24	02/01/24	06/15/21	07/01/36	performing
5119	████████████████████	150,000.00	150,000.00	120	3.5000	12	1,441.59	1,441.59	123,686.60	01/01/24	0	01/02/24	02/01/24	08/12/21	08/01/31	performing
5120	████████████████████	180,000.00	180,000.00	120	3.5000	12	1,695.46	1,695.46	154,292.09	01/01/24	0	01/02/24	02/01/24	08/09/21	08/01/31	performing
5121	████████████████████	175,000.00	175,000.00	120	3.5000	12	1,730.50	1,730.50	137,931.13	01/01/24	0	01/02/24	02/01/24	08/24/21	08/01/31	performing
5122	████████████████████	500,000.00	500,000.00	120	3.5000	12	2,899.80	2,899.80	455,855.09	01/01/24	0	01/02/24	02/01/24	08/25/21	08/01/31	performing
5123	████████████████████	250,000.00	250,000.00	120	3.5000	12	2,390.96	2,390.96	210,078.21	01/01/24	0	01/02/24	02/01/24	10/15/21	10/01/31	performing
5125	████████████████████	500,000.00	500,000.00	180	4.5000	12	3,824.97	3,824.97	450,982.92	01/01/24	0	01/02/24	02/01/24	01/13/21	10/01/31	performing
5126	████████████████████	128,000.00	128,000.00	60	4.0000	12	2,357.31	2,357.31	84,261.52	01/01/24	0	01/02/24	02/01/24	02/15/22	02/01/27	performing
5127	████████████████████	200,000.00	200,000.00	120	4.5000	12	2,072.77	2,072.77	174,082.35	01/01/24	0	01/02/24	02/01/24	06/09/22	06/01/32	performing
5128	████████████████████	442,136.20	296,229.60	36	5.0000	12	1,250.71	1,250.71	296,229.59	01/01/24	0	01/02/24	02/01/24	10/20/22	11/01/25	performing
5129	████████████████████	250,000.00	250,000.00	180	6.0000	12	2,109.64	2,109.64	245,157.27	01/01/24	0	01/02/24	02/01/24	06/22/23	07/01/38	performing
<b>Totals</b>		<b>5,810,177.80</b>	<b>5,679,271.20</b>				<b>49,089.76</b>	<b>47,595.69</b>	<b>4,794,598.66</b>							

## Portfolio Analysis

**Funds:** (37000)  
**Status:** All  
**City:** All  
**County:** All  
**Loan Officer:** All  
**Loan# From** 0002 to 53005

**Cutoff Date:** 12/31/2023  
**Run Date:** 01/09/2024  
**Run Time:** 10:08:28 am  
**Page 1 of 1**

	Number	Balance	Percent%
All Outstanding Loans			
Current Accounts	20	4,552,594.80	94.36%
Past due 1-30 days	1	271,930.15	5.64%
Past due 31-60 days	0	0.00	0.00%
Past due 61-90 days	0	0.00	0.00%
Past due 91-120 days	0	0.00	0.00%
Past due 121-150 days	0	0.00	0.00%
Past due 151-180 days	0	0.00	0.00%
Greater than 180 days	0	0.00	0.00%
<b>Total Portfolio</b>	<b>21</b>	<b>4,824,524.95</b>	<b>100.00%</b>

Contaminated Portfolio 0 0.00 0.00%

Loans identified as being delinquent by 30 or more days and having a balance greater than zero as of the cutoff date.

Delinquent Loans 0 0.00 0.00%

Loans identified by delinquent status in Loan Master, and having a balance greater than zero as of the cutoff date.

Default Loans 0 0.00 0.00%

Loans identified by default status in Loan Master, and having a balance greater than zero as of the cutoff date.

Write-off Loans 0 0.00 0.00%

Loans identified by write-off status in Loan Master, and having a balance greater than zero as of the cutoff date.

# CARES ACT RLF FUNDING UPDATE

AS OF: 1/01/2024

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
16	\$300,000.00	Broward	Plantation
17	\$75,000.00	Broward	Fort Lauderdale
18	\$80,000.00	Miami- Dade	Miami
19	\$175,000.00	Palm Beach	West Palm Beach
20	\$500,000.00	Miami- Dade	Miami
21	\$150,000.00	Broward	Plantation
22	\$250,000.00	Miami- Dade	Miami Beach
23	\$500,000.00	Broward	Coconut Creek
24	\$128,000.00	Broward	Hollywood
25	\$365,000.00	Monroe	Key West
26	\$200,000.00	Broward	Plantation
27	\$75,000.00	Broward	Fort Lauderdale
28	\$200,000.00	Broward	Fort Lauderdale
29	\$100,000.00	Broward	Plantation
30	\$50,000.00	Broward	Lauderhill
31	\$400,000.00	Palm Beach	Riviera Beach
32	\$100,000.00	Miami- Dade	Miami
33	\$50,000.00	Broward	Sunrise
34	\$250,000.00	Broward	Sunrise

TOTAL FUNDED: \$7,170,000.00



## MEMORANDUM

AGENDA ITEM #VII.A

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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: ATTENDANCE FORM

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Information only.



South Florida Regional Planning Council  
1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020  
954.924.3653 Phone, 954.924-3654 FAX  
[www.sfrationalcouncil.org](http://www.sfrationalcouncil.org)

2023 ATTENDANCE RECORD

COUNCILMEMBERS	1/23/23	2/17/23	4/17/23	5/15/23 MDTPO	6/16/23 Monroe Co	7/31/23	9/18/23 **	9/18/23	11/13/23
<b>BAILEY, Mario</b> <i>Immediate Past Chair</i> Governor's Appointee	VP	*	*	*	VP	VP	*	*	A
<b>CAPLAN, Franklin</b> Councilmember Village of Key Biscayne	P	P	P	P	VP	VP		P	P
<b>CATES, Craig,</b> Monroe County Commission	P	VP	VP	VP	*	VP		VP	VP
<b>CORRADINO, Joseph</b> Mayor, Village of Pinecrest	P	P	P	VP	VP	VP		VP	*
<b>FURR, Beam, 2<sup>nd</sup> Vice-Chair</b> Broward County Commission	P	P	P	P	P	P	P	P	P
<b>GARCIA, René, Treasurer</b> Miami-Dade Co. Commission	*	*	*	P	*	P	VP	VP	*
<b>GELLER, Steve, Chair</b> Broward County Commission	P	P	P	P	P	P	P	P	P
<b>GILBERT, III, Oliver</b> Miami-Dade Co. Commission	*	*	*	*	A	A		A	A
<b>GOLDBERG, Cary</b> Governor's Appointee	*	P	P	VP	VP	VP		VP	VP
<b>HORLAND, Denise,</b> Commissioner, Plantation	VP	VP	VP	P	P	VP		P	P
<b>KAUFMAN, Samuel</b> <i>First Vice Chair</i> Commissioner, Key West	VP	VP	VP	VP	P	*	VP	VP	VP
<b>LINCOLN, Michelle</b> <i>Secretary</i> Monroe County Commission	P	P	P	VP	P	VP	P	P	P
<b>McGHEE, Kionne</b> Miami-Dade Co. Commission	*	*	*	*	A	A		A	A
<b>ROSS, Greg</b> Mayor, Cooper City	*	P	P	VP	VP	*	VP	VP	VP
<b>UDINE, Michael</b> Broward County Commission	VP	VP	VP	VP	VP	VP		VP	*

2023 ATTENDANCE RECORD

EX-OFFICIO MEMBERS	1/23/23	2/17/23	4/17/23	5/15/23 MDTPO	6/16/23 Monroe Co	7/31/23	9/18/23 **	9/18/23	11/13/23
<b>ANDREOTTA, JASON</b> Florida Dept. of Environmental Protection	D	*	*	*	*	*		-	-
<b>DAVILA, SERINA</b> Florida Dept. of Environmental Protection	-	-	-	-	-	-	-	D/VP	D/VP
<b>HUYNH, DAT</b> Florida Dept. of Transportation	VP	*	*	VP	D	D		VP	D/VP
<b>VILABOY, Armando L</b> South Florida Water Management District	-	-	-	*	P	P		*	VP

A majority of the meetings were physical/virtual meetings

P = Present

VP = Virtually Present

A = Absent

D = Designee Present

\* = Excused Absence

- = Not Yet Appointed

MDC = MIAMI-DADE COUNTY

MC = MONROE COUNTY

MDTPO =Miami-Dade Transportation Organization

*\* Joint Meeting*

\*\* Exec. Committee/Workshop only



## MEMORANDUM

AGENDA ITEM #VII.B

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DATE: JANUARY 22, 2024  
TO: COUNCIL MEMBERS  
FROM: STAFF  
SUBJECT: CORRESPONDENCE AND ARTICLES

---

Recommendation

Information only



FROM THE OFFICE OF  
GOVERNOR  
RON DESANTIS

@GOVRONDESANTIS | WWW.FLGOV.COM | 850-717-9282 | MEDIA@EOG.MYFLORIDA.COM

**For Immediate Release:** January 18, 2024

**Contact:** Governor's Press Office, (850) 717-9282, [media@eog.myflorida.com](mailto:media@eog.myflorida.com)

## **Governor Ron DeSantis Awards \$20 Million for Water Quality Improvement Projects in Biscayne Bay**

**TALLAHASSEE, Fla.** — Today, Governor Ron DeSantis awarded \$20 million through the Biscayne Bay Water Quality Improvement Grant Program to strengthen ongoing efforts to restore water quality in the bay. Since 2019, the state of Florida has invested more than \$70 million for targeted water quality projects in Biscayne Bay. To ensure restoration efforts continue, Governor DeSantis has again included \$20 million for Biscayne Bay in his [Focus on Florida's Future](#) budget proposal for Fiscal Year 2024-25.

“The Biscayne Bay is a hub for sport and commercial fishing and tourism,” **said Governor Ron DeSantis.** “Our comprehensive approach to addressing water quality statewide and our investments in targeted estuaries, such as the Biscayne Bay, Indian River Lagoon and the Caloosahatchee, will ensure Florida’s economic vitality and Floridians’ way of life for decades to come.”

“As our administration has shown over the years, protecting Florida’s water quality and supply is a priority, **said Lieutenant Governor Jeanette Nu** “This \$20 million investment continues to deliver on the promise Governor

DeSantis made to provide significant and meaningful support to Florida's natural resources and preserve it for future generations.”

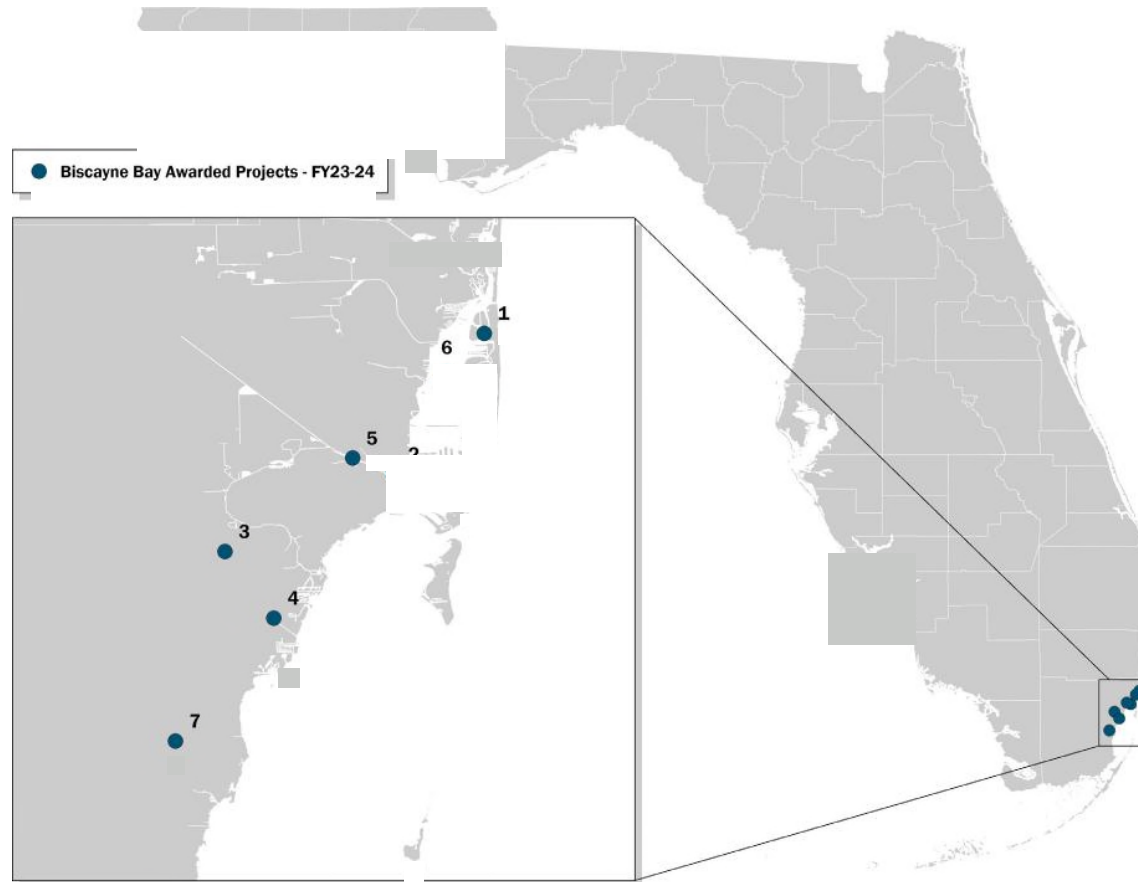
Biscayne Bay is important to Florida both environmentally and economically, which is why Governor DeSantis signed legislation in 2021 to expedite water quality improvements in this area. This legislation established the Biscayne Bay Commission, which ensures that objective and sound science informs decision-making regarding the bay.

“Biscayne Bay is Florida’s largest estuary and it has a direct connection to Florida’s Coral Reef,” **said Florida Department of Environmental Protection Secretary Shawn Hamilton.** “Restoring this vital ecosystem is critical to not only ensure healthy fisheries, but also to safeguard the natural buffer along this populated coastline.”

Selected projects include wastewater improvements (including septic-to-sewer), stormwater management and other projects that will help improve water quality in Biscayne Bay. A list of all projects selected for Fiscal Year 2023-24 funding can be found [here](#).

###

# Biscayne Bay Water Quality Improvement Grants Fiscal Year 2023-24 Awards



## Biscayne Bay Water Quality Improvement Grant Projects

Project Number	Partners	Project Name	Funding Amount
1	Indian Creek Village	Septic-to-Sewer Conversion and Sewer Extension Project	\$2,000,000
2	Miami-Dade County	Biscayne Bay Water Quality Characterization and Pollution Reduction – Phase IV	\$8,050,000
3	Miami-Dade County	Tropical Heights “Connect 2 Protect” Sewer Extension Project	\$5,400,000
4	Miami-Dade County	Nutrient Pollution Reduction Using Distributed Wastewater Treatment System Technology	\$50,000
5	Miami River Fund, Inc.	Stormwater Management in the Miami River Basin	\$500,000
6	North Bay Village	Harbor Island Stormwater Outfall Improvements	\$2,000,000
7	Town of Cutler Bay	Bel Aire Stormwater and Water Quality Improvements	\$2,000,000
<b>Total</b>			<b>\$20,000,000</b>





Executive Committee

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Chair  
Hon. Samuel Kaufman, 1st Vice Chair  
Hon. Quentin "Beam" Furr,  
2nd Vice Chair  
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Isabel Cosío Carballo, MPA

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Goren, Cherof, Doody &  
Ezrol, P.A.

December 28, 2023

Colonel James L. Booth  
District Commander  
U.S. Army Corps of Engineers  
Jacksonville District  
701 San Marco Boulevard  
Jacksonville, Florida 32207

Subject: Central and Southern Florida Section 216 Study

Dear Colonel Booth,

On behalf of the South Florida Regional Planning Council (SFRPC), serving Miami-Dade, Broward, and Monroe counties, I am writing with respect to the Section 216 C&SF Flood Resiliency Study and forthcoming determinations by the U.S. Army Corps of Engineers (Corps) regarding the study's scope of work. Our understanding is that key discussions and decisions will be made in this first week of January hence the urgency of this correspondence.

The SFRPC formally requests that the Corps provide an Exclusionary Exemption from the engineering design guidance requiring Class III Design for project recommendations as part of the 216 Study. Absent this exclusion, these additional engineering costs will consume the study's budget, compromising project scope and timeline.

With this exemption, we urge the Corps to approve the study scope and budget submitted to Corps Headquarters in July 2023, a scope that secured vertical team approval and reflected more than a year of development, review, and refinement with stakeholders, the South Florida Water Management District, and the Corps project team. This highly refined study scope, budget, and timeline prioritizes the 20+ salinity control structures (gates) which have been identified as failing and suffering immediate vulnerability to sea level rise, threatening the lives and livelihoods of millions of residents in Broward and Miami-Dade counties, and putting at risk more than a trillion dollars in real estate assets and economic activity which will adversely impact the region and greater Southeast Florida as a whole.

Our understanding is that new engineering guidance requires that Phase III engineering costs be addressed as part of a 216 Study scope. In our case, compliance would reduce the study focus to just a handful of structures rather than the 20+ structures that are at immediate risk, and which served as the original intent of the 2022 Study. The 216 Studies do not provide adequate funding for this level of design/engineering work; imposing this requirement threatens to undermine the

overall project itself by focusing extremely limited study dollars on engineering costs while simultaneously resulting in an arbitrarily reduced scope that does not adequately address the project needs.

The Corps' approach to only focus on a subset of the salinity control structures, while leaving the remaining structures to be addressed through subsequent validation reports, would create an impossible task of structure prioritization that leaves the region with unacceptable risk and project delays for a region where each year generates additional flood risk and losses.

**Given this, the SFRPC requests that the Corps immediately advance the original 216 scope, study, and budget as reflected in the July 2023 submittal to Headquarters for approval, and simultaneously leverage the resources and capabilities of sponsors and collaborators to accelerate planning and design.** Changes in climate conditions are moving quickly relative to our adaptation efforts. We ask that every provision available be utilized to ensure the advance of the 216 Study scope needed to address the full suite of 20+ priority structures as part of the C&SF system, allowing the Class III design requirements to be addressed as part of later project validation.

This approach is the only one that keeps the project study on track and meets timelines communicated as part of multi-year discourse with the planned delivery of comprehensive benefits across the region, rather than a piecemeal approach that generates uncertainty and added exposures and losses for the region. As a collaborative partner, we appreciate you and look forward to your positive response.

Thank you in advance for your consideration and strong partnership in resilience. Please do not hesitate to contact me or the SFRPC Executive Director Isabel Cosio Carballo if we can be of assistance to you.

Sincerely yours,



Steve Geller  
Chair, SFRPC  
Broward County Commissioner, District 5  
Former Florida State Senator

cc: South Florida Congressional Delegation  
South Florida State Legislative Delegation  
South Florida Regional Planning Council Members  
The Honorable Daniela Levine Cava, Mayor, Miami-Dade County  
The Honorable Oliver G. Gilbert III, Chairman, Miami-Dade County BCC  
The Honorable Nan Rich, Mayor, Broward County  
The Honorable Holly Raschein, Mayor, Monroe County  
The Honorable Maria Sachs, Mayor, Palm Beach County  
The Honorable Rodney Harris, Mayor, Miami-Dade League of Cities  
The Honorable Todd Drosky, President, Broward League of Cities

Jimmy Morales, Chief Operating Officer, Miami-Dade County  
Monica Cepero, County Administrator, Broward County  
Roman Gastesi, County Administrator, Monroe County Verdenia  
Baker, County Administrator, Palm Beach County Ana Carolina  
Coelho Maran, Ph.D., SFWMD Chief Resilience Officer Jennifer  
Jurado, Ph.D., Broward County Chief Resilience Officer James  
Murley, Miami-Dade County Chief Resilience Officer Rhonda  
Haag, Monroe County Chief Resilience Officer  
Megan Houston, Palm Beach County Chief Resilience Officer  
Alina Gonzalez, Director, Miami-Dade County Intergovernmental Affairs  
Marty Cassini, Director, Broward County Intergovernmental Affairs  
Lisa Tennyson, Director of Legislative Affairs, Monroe County  
Ed Chase, Director, Intergovernmental Affairs  
Mary Lou Tighe, Executive Director, Broward League of Cities  
Richard Kuper, Executive Director, Miami-Dade League of Cities  
Tom Lanahan, Director, Treasure Coast Regional Planning Council  
Drew Bartlett, Executive Director, South Florida Water Management Distric





## Lawmakers again float 2-mile buffer zone to protect Everglades amid wave of development proposals

**Miami-Dade County received 7 applications last year to build near or within protected wetland areas.**

State lawmakers are again considering legislation that would establish a large, development-free buffer zone to protect the Everglades in South Florida.

Prior attempts failed to gain traction in the Legislature. But a batch of proposals in Miami-Dade for construction beyond the county's Urban Development Boundary (UDB) that preserves agricultural and protected lands, including the Everglades, from residential and commercial development may provide extra motivation now.

The measure (SB 1364) would provide that any proposed changes to a local government's comprehensive development plan must undergo Florida's coordinated review process. Under that process, the Florida Department of Environmental Protection would determine whether the changes in question would adversely impact the Everglades Protection Area and, if so, require that they be altered to eliminate the potential harm.

Passing the bill will "demonstrate our unwavering commitment to safeguarding the Everglades and ensuring its protection for future generations," said Miami Sen. **Alexis Calatayud**, the bill's sponsor.

Unlike prior iterations of the legislation — including one by Miami Springs Sen. **Bryan Ávila** that died on the Senate floor last year and a similar House version (HB 723) Coral Gables Rep. **Demi Busatta Cabrera** is again carrying this year — Calatayud's measure specifically names Broward, Miami-Dade and Monroe counties.

On Tuesday, the Senate Community Affairs Committee voted unanimously to advance SB 1364, which has two more committee stops before reaching a floor vote. Busatta Cabrera's proposal awaits a hearing before the first of three committees to which it was referred.

Human-caused damage to the Everglades has been cataloged for decades. Since the 1960s, phosphorus from farming and stormwater runoff has degraded its water quality, disrupting the natural development of its native flora and fauna.



By the 1990s, the U.S. Environmental Protection Agency estimates more than 40,000 acres of public lands were impacted. Billions of state dollars, including more than \$4.5 billion under Gov. **Ron DeSantis** and \$1.1 billion from President **Joe Biden's** administration, have been earmarked for Florida's famed "River of Grass."

But environmental protection organizations like the Everglades Trust and Sierra Club, both of which signaled support Tuesday for SB 1364, have argued that spending will be for naught if large-scale developments are allowed near or within the protected area.

That includes a since-tabled project called the Kendall Parkway which the Tropical Audubon Society, Hold the Line Coalition and Friends of the Everglades sued to stop in 2018 that would have extended State Road 836 by 14 miles over wetlands and into west Miami-Dade.

Another attempt to build on previously protected land succeeded in November 2022, when Miami-Dade Commissioners voted 8-4 to override Mayor **Daniella Levine Cava's** veto of a 379-acre industrial complex just west of Biscayne Bay by Homestead.

The vote marked the first expansion of the UDB in nearly a decade, and it's since attracted proposals for similar projects. In 2023, developers filed seven applications to build beyond the UDB.

"The floodgates are open," Hold the Line Coalition Director **Laura Reynolds** told the Miami Herald in November.

Nonprofits fighting the projects in court will encounter greater difficulty doing so from now on due to legislation DeSantis signed in May that, among other things, enables developers to collect attorney costs from unsuccessful plaintiffs.

That raises the stakes for passing or again snubbing Calatayud and Busatta Cabrera's bills, neither of which would alter existing rights for agricultural operations under the Florida Right to Farm Act.

Calatayud said her "door is wide open" to stakeholders, community members and businesses with concerns about SB 1364. The goal, she said, is to "create a policy that makes sense for these communities and that makes sense for Florida and protects our unique-in-the-world Everglades ecosystem."

According to the nonprofit Everglades Law Center, recent studies suggest that if Florida maintains its current

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 Jesse Scheckner

□ January 16, 2024

development pace, roughly 7 million acres of environmentally vulnerable land — including 2.6 million acres of native habitat equal to the size of Vermont — will be converted to urban use by 2060.

# Tri-Rail platform at Brightline's MiamiCentral hailed as first step toward expanded system



Confetti fires from cannon during as the first Tri-Rail train docks at Brightline's MiamiCentral station on Jan. 12.

ERIK BOJNANSKY



By **Erik Bojnansky** – Reporter, South Florida Business Journal Jan 12, 2024

The opening of Tri-Rail at Brightline's MiamiCentral is an important first step toward expanding the commuter train service to the rest of the Florida East Coast Railway, elected officials said Friday.

However, there is still no set date as to when Miami-Dade County officials will publicly discuss a final multimillion-dollar deal with Miami-based Brightline and Jacksonville-based Florida East Coast Railway for that access to be granted.

Hundreds of guests, including civic leaders and Brightline executives, attended the inauguration of Tri-Rail's platform at MiamiCentral in downtown Miami. Tri-Rail is set to start service for the general public at MiamiCentral on Saturday, Jan. 13.

The opening was hailed as a major step toward providing cheap alternatives for workers and visitors to commute to downtown Miami.

"This is an opportunity for us to reach so many riders. We want to take them to work everyday, take them to places on the weekend," said Raquel Regalado, a member of both the Miami-Dade County Commission and the state board that oversees Tri-Rail, South Florida Transportation Regional Authority (SFRTA).

It's also an opportunity for negotiations with Brightline to progress, Regalado told the *Business Journal*.

"One of the things we needed was to get into MiamiCentral, so now we get to have that other conversation," she said, later adding: "You will be hearing a lot more about the Coastal Link in the next 30 or 60 days."

In a recent bond filing, Brightline stated that it anticipated finalizing a deal with Miami-Dade County officials by the end of the first quarter of 2023, and with Broward officials shortly thereafter.

In a preliminary deal, an affiliate with Brightline, BL Holdings, would receive up to \$50 million plus annual access payments of up to \$12 million for Miami-Dade in exchange for providing access for a commuter rail service with stations at the Design District, the Wynwood area, Little Haiti, North Miami, and Brightline's Aventura Station. Should similar deals be worked out with Broward and Palm Beach counties, commuter stops could be established as far north as Jupiter.

Brightline is making great progress with Miami-Dade and Broward counties, said Patrick Goddard, president of Brightline.

"We are in the final stages of [working out] the details of the agreements, and I think there is a pretty clear path forward," he said. "It is obviously subject to the county's own processes. But there appears to be a lot of alignment. There is a lot of support within the counties themselves, and there is a very collaborative environment with the county staff."

Meetings with Brightline representatives and county administrators are ongoing, but there isn't a public hearing scheduled as of yet, said Jimmy Morales, COO of Miami-Dade County. He's also doubtful an agreement will be brokered by the end of March, as Brightline indicated.

"We want to get a deal done sooner rather than later, but it has got to be the right deal," Morales said.

Funded by taxpayers in South Florida and ticket sales, Tri-Rail has operated on state-owned tracks west of I-95 in Miami-Dade, Broward, and Palm Beach counties. A proposal to create a commuter service on the FEC tracks was hatched by state and local officials in 2010 but was never budgeted.

However, \$70 million was funneled from agencies affiliated with the City of Miami and Miami-Dade County to build a platform in Brightline's MiamiCentral and a rail link that would connect the South Florida Rail Corridor west of I-95, where Tri-Rail has operated since 1989, to the Florida East Coast Railway, where FEC freight trains and Brightline trains operate.

Originally intended to open in 2017, Tri-Rail's station in downtown Miami was delayed for years due to logistics and structural problems, including the discovery of construction defects that prevented Tri-Rail trains from being able to use the tracks.

Meanwhile, Brightline has spent billions of dollars building stations and upgrading infrastructure from Miami to Orlando and has plans to expand into Tampa. Brightline recently reported earning \$70.9 million in revenue between January and November of 2023, a 164% year-over-year surge. However, the company also reported a net loss of \$192.2 million in the first months of 2023 and a net loss of \$259.59 million in 2022.

Jose M. Gonzalez, executive vice president of Brightline owner Florida East Coast Industries, said the train system is in the red because it's still in a years long "ramp up period"

"All of these numbers were well accounted for. This is not a surprise for us. The numbers are actually much better than we expected," he said.

# To get around size limits, Bal Harbour Shops plans workforce apartments at luxe mall

BY ANDRES VIGLUCCI

UPDATED JANUARY 11, 2024 8:00 PM



The entrance to Bal Harbour Shops off Collins Avenue in Bal Harbour, Florida, on Wednesday, January 10, 2024. AL DiAZ [adiaz@miamiherald.com](mailto:adiaz@miamiherald.com)

Three years after local voters **roundly rejected** a bid by Bal Harbour Shops to expand by building upwards, the luxury mall's owners are turning the tables on their nay-saying neighbors. They now plan to put up a tower billed as workforce housing alongside its posh designer shops by using Florida's controversial new Live Local Act to get around objections by voters and elected officials.

In invoking the 2023 law, which overrides local zoning rules to encourage developers to build dense housing affordable to middle-income people, Whitman Family Development is aiming to get what the company has long sought, only to be thwarted repeatedly by objecting residents in the tony beachfront village of Bal Harbour — the ability to add luxury hotel and residential development to a mall long effectively limited by strict local rules to three stories.



**On Tuesday, the family firm filed an application with the village for a massive expansion that would add two million square feet and four towers of up to 27 stories on the 18-acre site. The plan includes a 70-room boutique motel, nearly 46,000 square feet of new retail space, and 600 residential units.**

**To trigger the zoning-busting features of the Live Local Act, the Whitman plan calls for 240 rental apartments, or 40 percent of the total, to be leased at rents affordable to people earning up to 120 percent of the area median income, legally defined by Miami-Dade County as households making up to around \$90,000 a year. The rest would be upscale condos or apartments.**



**An architectural rendering displays the proposed expansion of the Bal Harbour Shops, at center, with four towers that would house workforce and luxury apartments and a hotel rising from the mall property at Collins Avenue and 96th street. *SOM***

**Under the Live Local Act, the village council is obligated to approve a qualifying application administratively — that is, without public hearings, votes or review where residents and elected officials could register objections or try to block or modify developers' proposals. One reason for that strategy is the fact that zoning rules in many communities effectively block the development of affordable housing.**

**Whitman company CEO Matthew Whitman Lazenby said the proposal does precisely what the Live Local Act calls for by introducing badly needed "attainable" housing to Bal Harbour, which he called "a major achievement."**

**"Yes, Live Local Act allows developers like me to borrow height and density to promote affordable housing development," he said in an interview. "That's the whole purpose of the act."**

**But the Whitman proposal drew swift, sharp criticism from Bal Harbour Mayor Jeffrey Freimark, who said it's already led to an uproar among residents as word gets out.**

### **'THUNDERBOLT' ANNOUNCEMENT**

**Freimark said he feels deliberately ambushed by Whitman Lazenby. The town didn't learn about their plan until the end of a scheduled meeting with Whitman officials about their longstanding desire to add a hotel to the shopping complex. When Freimark asked if they planned to sound out residents, he said he was told there was no need to because the company had already filed its application.**

**"That was a thunderbolt," Freimark said in an interview. "Was I surprised, pissed off? Yes, I can say that absolutely. There was absolutely no advance discussion or knowledge. It was, to use a term, a surprise attack. It's clear this is going to create a lot of consternation and unrest. People are up in arms. This is going to create a lot of ill will."**

**The council scheduled a discussion of the proposal for its Jan. 16 meeting, but it's unclear at this early stage what if anything the city can do about the application.**





Construction on a \$500 million multi-year expansion is underway at the Bal Harbour Shops in Bal Harbour, Florida, on Wednesday, January 10, 2024. Al Diaz [adiaz@miamiherald.com](mailto:adiaz@miamiherald.com)

Opened in 1965 by the late Stanley Whitman, who also helped found the village, Bal Harbour Shops has expanded several times and today boasts some 100 luxury retailers like Chanel and Gucci and several high-end dining spots in an *al-fresco* setting. It draws an international clientele that has made it one of the world's top grossing shopping malls per square foot. The mall is still controlled by the Whitman family.

Their proposal highlights both the apparently insatiable appetite for luxury goods by the wealthy elites now flocking to Miami, and some controversial aspects of the Live Local Act. The law drew praise from housing advocates when it was approved in a broadly bipartisan vote by the legislature last year.

However, it has since prompted a fierce backlash by residents and officials in some municipalities, including Doral and Miami Beach, faced by [proposals for outscaled development](#) under the act. Some critics complain that the law entails a

**financial windfall to developers with a relatively small dent on the state's affordable housing crisis, which is centered on low-income families who will not benefit from the housing it produces.**

**At the same time, most affordable housing developers do not qualify for one of the chief features of the law — property tax reductions, which the bill's authors designed to entice developers who focus on market-rate projects. Whitman Lazenby said his company is not applying for tax benefits.**

**One Bal Harbour civic leader said she and members of the residents' association she leads believe the shops' proposal uses the workforce housing element as a wedge to force approvals for development the town and its voters would not otherwise approve.**

**"I think they are horrified. They feel like the Bal Harbour Shops is trying to do an end run around the voters," said Neca Logan, president of the Bal Harbour Civic Association, which represents residents of a low-rise neighborhood north and west of the mall. "The Bal Harbour Shops is relentless in its pursuit of what it wants. They clearly are not good neighbors."**



**Construction on a \$500 million multi-year project is underway at the Bal Harbour Shops in Bal Harbour, Florida, on Wednesday, January 10, 2024. Al Diaz [adiaz@miamiherald.com](mailto:adiaz@miamiherald.com)**

The Whitmans' Live Local application comes as the mall is in the midst of a **multiyear, \$500 million expansion project** approved in 2017 after a decade of often-contentious votes and negotiations between village officials and the mall owners. The project, which Freimark said is running two years behind schedule, has not improved neighbor's view of the mall's owners. Logan said residents are already fed up by the years of noise and traffic disruptions, and have no appetite for even more years of construction at the site.

## **90 PERCENT NO VOTE**

Four years into work on the new expansion wing and parking garage, the Whitmans asked village voters to overturn a 2006 referendum that limited building height on mall property and required voter approval to build taller. But they suffered a stinging defeat when 90 percent of voters cast a "no" ballot.

"I mean, 90 percent is not a little margin," Logan noted dryly. "And that's in a referendum they asked for and paid for."

But the Live Local Act, approved by the state legislature last year, provided a way out for the Whitmans and their veteran land-use attorney, John Shubin.

The 40-percent workforce housing commitment opens the door for the developers to bypass a set of stringent zoning restrictions enacted by Bal Harbour voters and elected officials over the years to limit the size and height of the mall to safeguard the low scale of the affluent town's mostly residential west side.

Whitman Lazenby touts the addition of workforce housing to the mall would reduce notorious gridlock along Collins Avenue and 96th Street, where the mall is located. That's because some workers who now commute by car to the mall could live instead at the planned workforce housing tower, he said.

## **QUESTIONS ON AFFORDABILITY**

The workforce units, however, would likely remain out of reach for most mall employees. Rents would not be set until the tower opens, but the income target required to afford it now sits at nearly six figures a year for a household of four, according to Miami-Dade County figures.



Whitman Lazenby stressed that the workforce housing, which would occupy a tower along 96th Street, would be built first and would be indistinguishable in appearance from the outside from the design of the rest of the complex and the planned companion towers. The Whitmans hired **SOM**, a leading international firm based in Chicago, to design the project.

"We want to make sure no one can differentiate that tower from the rest. I want every square inch of it to be top-notch," he said.

Whitman Lazenby also suggested local opposition to the plan is disingenuous because the village has approved buildings as tall as 320 feet across Collins along the beach, including the St. Regis hotel. And he said the only place suitable for workforce housing in the municipality is the shops property because it makes up the entirety of the town's commercial district. Live Local applies only in commercial and industrial zones.

"Live Local Act was created to solve this problem. It only applies in limited areas. In Bal Harbour village, the only place is the Bal Harbour Shops," he said, while adding. "I'm saddened to hear a lot of residents aren't thrilled by our plans."

By allowing denser, profitable mixed-use development, the Live Local Act seeks to make it financially attractive for developers to build workforce housing that's effectively subsidized by revenue from the rest of a project. While some land-use experts have said the likely result would be to foster development of mid-rise projects, developers behind a series of high-profile proposals under Live Local have sought to supersize buildings to capitalize on the law.

In Doral and Miami Beach, where the owners of the famed **Clevelander Hotel** in the city's Art Deco district proposed redeveloping the historic property with a tower far taller than anything in the vicinity, **intense pushback** from residents and elected officials prompted the developers to significantly downsize their initial plans. The key was a technical loophole in the drafting of Live Local that did not require local officials to provide the needed square footage, a measure known as floor-area ratio, or FAR, to allow developers to actually build at supersize scale.



**A rendering shows a proposal for an 18-story tower at the site of the Cleavelander and Essex hotels on Ocean Drive in Miami Beach. *Jesta Group***

**The Bal Harbour shops proposal seeks a significant increase in FAR that's not allowed under current village zoning, meaning it might not win approval under the current version of Live Local, though Whitman Lazenby and Shubin say their plan meets all requirements.**

### **CLOSING SOME LOOPHOLES?**

**Proposed fixes to the law filed this current legislature session seek to remove that option for local regulators but it would also add some height restrictions that could aid municipal officials seeking to limit the impact of Live Local projects. Whitman officials say they believe their plan would not be affected by the fixes under consideration.**

**But Freimark, the mayor of the village of just under 3,000 people, said that's an open question. He also noted that the expansion now underway is governed by a detailed development agreement between the village and the Whitmans, and raised the possibility that the legal document restricts what the mall owners can build.**

The expansion was approved only after several controversies and prolonged negotiations, including the Whitman's purchase of the Bal Harbour Church by the Sea, which **they demolished** after an effort by preservationists and some congregation members to have it declared a historic landmark failed. Another was a property swap with the village to add its adjacent municipal hall to the mall property, in exchange for the Whitmans' providing land and erecting a new municipal building and creating a new bayfront park, among other public benefits worth an estimated \$100 million to \$120 million.



Construction on a \$500 million multi-year expansion is underway at the Bal Harbour Shops in Bal Harbour, Florida, on Wednesday, January 10, 2024. Al Diaz [adiaz@miamiherald.com](mailto:adiaz@miamiherald.com)

Freimark said he was especially disappointed by the Whitmans' plan because town officials have sought to work cooperatively with the mall owners.

"We as a council have really worked with them in the past. We have clearly acted, I think, in good faith," he said. "I will go into this open-minded and understanding of the regulatory requirements and the Live Local Act. But the

**community has spoken loudly and vociferously about protecting that height limitation."**

**Freimark said he foresees significant impact and disruptions for years to come if the project, which would be built in phases over several years, comes to pass.**

**The plan would wedge the towers into the mostly built-out property in part by tearing out some of what's there now, though most of the work won't take place for years, Whitman Lazenby said.**

**The workforce tower would be on 96th Street, built atop an existing parking garage at the west side of the mall.**

**The hotel tower, which would not be developed anytime soon, would require demolishing the building housing Saks Fifth Avenue, which has been in litigation with the Whitmans. One of two market-rate towers would occupy a parking lot alongside the front entrance of the mall on Collins Avenue, and the other would eventually be built in a parking lot next to the Neiman Marcus building.**

This story was originally published January 11, 2024, 2:20 PM.



**ANDRES VIGLUCCI**



# ***With the Restoration Blueprint, we can create more resilient coral reefs — together | Opinion***

BY HOLLY MERRILL RASCHEIN

DECEMBER 21, 2023 1:08 PM



Marine life, such as coral reefs, is more likely to withstand the harmful effects of stressors by reducing other pressures on sensitive ecosystems. D.A. VARELA [dvarela@miamiherald.com](mailto:dvarela@miamiherald.com)

As mayor of Monroe County, my resolution for the new year is to make this the start of a new chapter for our reefs, and I'm asking you to join me in that commitment.

We must embrace the forthcoming changes of the National Marine Sanctuary's Restoration Blueprint, understand what those changes mean for our daily interactions and uses of local waters, follow the new rules and help educate others about why these changes are so significant. The Florida Keys' ocean and coral reefs do so much for us. Now it's critical we return the favor. This better, stronger plan for the sanctuary is coming soon, and it is our responsibility as stewards of this ecosystem to embrace the changes in how we interact with coral reefs and nearshore ecosystems.



We must all unite to make the Restoration Blueprint a success for the Florida Keys.

Monroe County residents and visitors are readily embracing this winter season after a scorching summer, which culminated in a historic ocean heat wave. Widespread coral bleaching, and in some cases, coral mortality, was documented in shallow reefs and coral nurseries in the Keys. While some fish fled to cooler depths, many foundational habitat-forming species like corals, sea sponges and seagrasses could not.

While we could not immediately counteract the impact of this summer's extraordinary warming, a Herculean effort by local nonprofits saved many corals by moving them to cooler, deeper areas or laboratory nurseries so we could rebuild depleted populations later. Innovative, science-based coral restoration has made incredible progress toward ecosystem recovery, but additional pieces to a larger management puzzle require long-term solutions.

From Monroe County constructing a billion-dollar sewer system to investing millions of dollars in canal restoration, our community has made great strides and significant investments in improving water quality in the past two decades.

Still, we can continue to push forward in these efforts. We must pursue bold action on climate change to protect our oceans in the next few decades. And we must manage the oceans, especially federal marine sanctuaries and state aquatic preserves, to better withstand the factors contributing to their degradation. For the Florida Keys, this new Restoration Blueprint management plan is our guiding light for coral reefs. Decades of marine science in Florida all point to making marine life more likely to withstand the harmful effects of stressors like higher temperatures by reducing other pressures on sensitive ecosystems.

When we get sick during this time of year, we rest, reduce stress and behave healthfully. The same works for marine life. Oceans benefit significantly from reducing fishing pressure, reducing the overuse of coral areas by even well-meaning snorkelers and scuba divers, slowing boats to reduce propeller scarring

of seagrass beds, giving adequate space to wading birds that nest on mangrove islands and restoring the normal balance of predators and prey in the water.

Marine conservation science shows us that maritime zones with strong protections can reduce the pressure on ecosystems, which works hand-in-hand with restoration efforts focusing on resistance to and recovery from the ill effects of climate change and increasingly severe marine heat waves. Reducing pressure on ocean ecosystems means we can't manage our marine sanctuaries like "business as usual." We must change something to make marine life more sustainable. All of us — anglers, divers, snorkelers, boaters, businesses and more — must work together to keep the ocean as healthy as possible.

Fortunately for Florida's marine life, the proposed Restoration Blueprint allows us to change our behavior thoughtfully to create more sustainable oceans. The current zoning and management plan for the Sanctuary dates to the 1990s, when conditions in the Florida Keys were very different and much better than they are now.

We have a rare opportunity to embrace a plan for the Florida Keys that can nimbly and aggressively respond to current and future threats. It will be a bold plan that responds to the issues of warming waters and coral bleaching, extreme heat waves, declining abundance of commercial and recreationally important fish, coral disease, overuse of some sensitive regions, and dying seagrasses.

If we want Florida's oceans, especially our beloved coral reefs, to be sustained and thrive for future generations, we must strengthen protections and rules for its management now. Let's take action this new year for what we love most.

*Holly Merrill Raschein is the mayor of Monroe County.*





LOCAL NEWS

# Up to 4,000 more homes are envisioned for Dania Beach. Here's where.



Kim Hairston, Baltimore Sun

Within months the Broward County Commission is expected to sign off on a plan that would allow Dania Beach to grant approvals for the construction of up to , 4,000 new homes of any variety —



By **LISA J. HURIASH** | [lhuriash@sunsentinel.com](mailto:lhuriash@sunsentinel.com) | South Florida Sun Sentinel  
: PUBLISHED: December , 13, 2023 at : 6:00 a.m. | : UPDATED: December 16, 2023 at 1:04

Dania Beach is gearing up for growth, and it will mean as many as 4,000 more homes being built in the coming years.

Within , months, the Broward County Commission is expected to sign off on a plan that would allow Dania Beach to grant approvals for the construction of up to that many new homes of any variety — rental apartments, townhomes, condos and single-family homes, or a combination of them.

Developers have been waiting for this approval to start submitting plans, according to Dania 'Beach's deputy city , manager, Candido Sosa-Cruz.

The prospective number of units that could be constructed with the ' county's blessing "could take us into the next 10, 15, 20 years. Because as of right now, you cannot build." If a developer owned , land, for , example, "you cannot build because there are no residential units available."



This swath of land, dubbed the Regional Activity Center in 2010, originally had an allocated 7,800 units that already are accounted for. Some residences have been earmarked for future projects, but not yet built. "Currently the city has zero residential dwelling units available within the RAC, so no further residential entitlement can occur until the replenishment is granted," Sosa-Cruz said.

The Broward County Planning Council recently signed off on adding up to 4,000 potential homes within the Activity Center region — 1,344 acres that cover a significant portion of the city. Generally, it is framed to the north by land that's just south of the Fort Lauderdale-Hollywood International Airport, partially to the west by a stretch of I-95 and to the south by Sheridan Street. The eastern boundary is just east of Gulfstream Road by East Dania Beach Boulevard.

Sosa-Cruz said the city has already committed to the county that 15% — which is 600 units — of whatever is built would be dedicated to affordable housing, and that it would happen throughout the process, not just the tail-end.

The county has previously said it has an estimated 150,000-unit deficiency with rents unaffordable for average workers.

Before the thousands of additional homes would be allowed, the activity center already has seen inroads with new development. Among the undertakings is the Dania Pointe plan, which includes two residential development projects that recently opened for occupancy, both eight stories high, with 300 units each building.

It also includes two Marriott hotels. A new Spirit Airlines headquarters is currently under construction on 8.5 acres within Dania Pointe, as well as a seven-story, 200-unit residential building that will be used as "corporate housing" for flight crews on layovers and other Spirit Airlines employees.

Also currently under construction is City Place, an affordable housing development approved for 99 residential units, situated directly south of the City Hall campus.

County records show the average rent for a two-bedroom residence in Dania Beach is, \$2,821, but the median renter income is \$41,273 — creating a monthly affordability gap of **\$1,789**. There is an estimated supply gap of , 2,181 rental units in Dania Beach alone.

The average single-family home in Dania Beach costs \$552,500, according to county records. 'There's a 1,349 unit gap of , homes, too.

'“We're trying to focus on smart , growth,” Sosa-Cruz, said, not just chase the tallest building and the highest density. ‘“That's not what ' we're looking for.”

Until , now, a developer could provide additional amenities within the activity center in exchange to double the height allowed within the activity center, and build as high as 14 stories.

In, September, the City Commission tentatively agreed to cap future height at seven stories for the , 4,000 new units. Final approval is expected in March.

The Broward County Commission is expected to vote on the issue in February. Approval by the city will follow by March.

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# Florida Keys leaders, facing a potential building boom, seek a delay in state plan

BY DAVID GOODHUE

UPDATED DECEMBER 15, 2023 11:07 AM



The Overseas Highway is the only way in and out of the Florida Keys, which makes hurricane evacuation challenging. MATIAS OCNER *The Miami Herald*

Monroe County is asking the state for another year before a decision is made that could potentially clear the way for thousands of more homes and buildings in the Florida Keys.

The move to open the door to issuing more building permits could spark a development boom not seen in decades in the Keys — one that critics say the environmentally fragile island chain lacks the infrastructure to support.

The Florida Department of Commerce is seeking to amend restrictive growth rules that were put in place in the 1980s to protect the ecological sensitivity of the Keys and its surrounding marine ecosystems. The department wants input from the county and other Keys municipalities before the ultimate decision is made by the state Legislature.

By amending the rules, the state would one way or the other be relaxing them, potentially allowing nearly 8,000 vacant parcels to be developed, which would require an expensive overhaul of everything from freshwater distribution, electricity, traffic mitigation, sewage treatment, schools and law enforcement.

Allowing more development would also require the Keys to make an earlier call than the current hurricane evacuation time, which is designed to give residents 24 hours to evacuate in a 113-mile long archipelago with only one road in and out.

The five-member Monroe County Commission was expected to recommend an option to the state at its meeting in Key Largo Wednesday — whether to stop issuing permits, which even most critics of Tallahassee's proposal view as unrealistic, a plan somewhere in the middle, or granting permits to all of the 7,954 remaining undeveloped lots in the Keys.



Monroe County Commissioners Wednesday, Dec. 13, 2023, in Key Largo discuss a proposed plan from Tallahassee that could result in thousands of new building permits in the Florida Keys. David Goodhue [dgoodhue@miamiherald.com](mailto:dgoodhue@miamiherald.com)

Instead, the commissioners unanimously voted on a resolution from Commissioner Michelle Lincoln, who represents the Middle Keys city of Marathon, that would ask the Legislature not to make any decision until all leaders from the county as well as the local governments Key West, Marathon and Islamorada can study how to move forward.

“All of us have the same questions of, what is our infrastructure, how much can we handle, how many vacant lots truly are there available, where are they located,” Lincoln said at the meeting. “And, until we have all of the answers that all of us have asked, it’s impossible for anyone to give an educated decision on this, and even to give an educated recommendation.”

County Administrator Roman Gastesi said choosing among the options outlined by the state would not be possible before the Legislature meets next month.

“It would take a good year or so, until the next legislative session, which will be March of ‘25,” Gastesi told commissioners.

Under rules, put in place in the 1980s, the county was supposed to cease granting any new building permits for undeveloped properties after this year. The rule, which designated the Keys “an area of critical state concern,” was amended in 2012, which added about 3,500 lots to be up for consideration. Since then, about 1,350 permits out of that number have been granted and the Keys population has gained another roughly 10,000 people.



## THE CONSEQUENCES OF DEVELOPMENT

“And we now live with the consequences of all that development,” Dottie Moses, a member of the Key Largo Federation of Homeowners Associations, told the commission this week.

“Over the past 11 years, our traffic has become a nightmare. We are now a failed level of service. Our water pipe has failed, our wastewater has experienced saltwater intrusion, our reef is all but dead, our marine life is fading away, our neighborhoods flood with regularity, vacation rentals have consumed our once-residential homes, and our endangered and threatened species are in decline,” Moses said.

All the while, tourism in the Keys has morphed from a seasonal industry, with most visitors coming in the winter and spring months, to a year-round event, exacerbated during the COVID-19 pandemic when the island chain was one of the few destinations in the world open for business.

“Three months out of the year this summer, Key West had to use its back-up generators to supply enough power at peak times because of the energy that was being used because our (main line) was inadequate for the added uses and added

people that would be here,” said Commissioner Craig Cates, who represents the Southernmost City.

While weighing the environmental and infrastructure costs of allowing more development, Keys officials are simultaneously worried about a crippling legal bill from thousands of so-called “takings cases” if they don’t grant the pending building permits.

The cases, which Marathon City Manager George Garrett said “are inevitably lost in courts,” could cost the county and Keys municipalities billions of dollars.

By law, if the government prohibits owners from developing their lands, it must pay what a court ultimately decides is fair market value for the property.

Steve Williams, Marathon city attorney and deputy city manager, said the municipality has 1,026 vacant lots. Several hundred of those lots likely can’t be developed because of issues like environmental sensitivity or the fact that they may even be underwater, but that leaves at least 1,000 property owners who could sue if they don’t receive permit allocations.

“Even with the greatly reduced number of 700, you begin adding the potential statutory costs and attorneys fees to each potential takings case, such financial impact would be devastating to the city,” Williams said.

Monroe County Mayor Holly Raschein, who was the Keys state representative in the Legislature before being term-limited out of office, said she has had several conversations with officials in Tallahassee, and they said they are willing to wait to make a decision on the issue.

“They have very much yielded to our community on this conversation. We’re not under the gun to make a decision right away,” Raschein told her colleagues on the dais. “We have time for our municipalities to collaborate.”

This story was originally published December 15, 2023, 5:30 AM.



MIAMI-DADE COUNTY

# In Miami-Dade County, fights coming over farms, parties and new suburban houses

BY DOUGLAS HANKS

DECEMBER 11, 2023 5:39 PM



Agriculture worker at a nursery in South Miami-Dade County photographed in Homestead on May 31, 2023. JOSE A. IGLESIAS [jiglesias@elnuevoherald.com](mailto:jiglesias@elnuevoherald.com)

Will changes in Miami-Dade County regulations cause more farmland loss or ease the troubles of an endangered agriculture industry?

County commissioners are considering two proposals to rewrite rules governing rural construction and what kind of side businesses farms can operate on their properties. The separate items up for final votes on Tuesday are the latest clash over housing prices, sprawl and how strictly to regulate commercial operations in rural Miami-Dade.

Here's a look at the two proposals:

## **CHANGES TO RULES FOR EXPANDING URBAN DEVELOPMENT BOUNDARY**

The Urban Development Boundary (UDB) prevents developers from creating new suburban housing and commercial complexes in the southern and western areas of Miami-Dade that are currently mostly farmland and wetlands.

A [proposal](#) by Commissioner Anthony Rodriguez would launch a potential rule change on how the county scores requests to move the UDB to accommodate new housing.

Backed by the development industry, Rodriguez wants the county to propose a change to the Comprehensive Development Master Plan, a state-required set of land

rules, to reduce the number of jobs required for projects that mix commercial with residential buildings on land sitting outside UDB.

His resolution described the proposed changes as encouraging “high-quality developments that will increase the County’s supply of housing for working families.”

Critics from the Hold the Line Coalition, which typically resists UDB expansions, say the change from 1.5 jobs for every housing unit to one job would work against county policy encouraging new services and employment centers near new residential communities.

“People are going to have get on the road and drive,” said Laura Reynolds, director of the Hold the Line group. “You can’t just build homes. You have to have a balance.”

### **LIFTING REGULATIONS ON RURAL BUSINESSES**

A proposal to eliminate some permitting requirements for agricultural lands has divided the rural population in the county’s southern Redland farming belt.

The [proposal](#) by Commissioner Kionne McGhee lifts the requirements for property owners in land zoned for agriculture to obtain a business permit known as a “certificate of use” before launching side businesses on their property, such as food trucks, event space, wagon rides, petting zoos and wineries and breweries without restaurants.

Farmland owners call it a way to eliminate red tape to boost “agritourism” that will supplement crop income without exempting farms from the zoning and business regulations that govern how the commercial additions operate.

“This agritourism legislation is our lifeline,” said Maribel Lemus, an owner at Gateway Farms, said at an Oct. 11 hearing where the measure advanced in a narrow vote. “It keeps our farmland productive. It assures a steady income for our farmers.”

People living in the area call the legislation a backdoor to legalizing party spots that draw big crowds but have no connection to farming.

“We have a right to quiet and peacefulness,” said Ray Schooley, a homeowner near agricultural land off of Southwest 137th Avenue. “The issue is a lot of them aren’t being good neighbors.”

**DOUGLAS HANKS**

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FLORIDA KEYS

# Building boom looming for Florida Keys? State considers easing decades-old growth limits

BY DAVID GOODHUE

UPDATED DECEMBER 04, 2023 1:02 PM



Cars make their way down the Overseas Highways Seven Mile Bridge near Little Duck Key and Bahia Honda State Park on Monday, October 11, 2021. County officials say a replacement bridge could be built by 2030. *MATIAS J. OCNER [mocner@miamiherald.com](mailto:mocner@miamiherald.com)*

The state is considering easing strict long-standing limits on development in the Florida Keys, a move that could fuel the biggest building boom in the ecologically fragile island chain in nearly a half-century.

It could — at least potentially — open the door to as many as 8,000 new homes and businesses in one of Florida's most famous tourist destinations and supercharge Monroe County's construction industry and economy.

But it also would pack more people into a hurricane hot zone already experiencing increasing tidal flooding and facing **billions of dollars in projects** to raise roads and repair aging wastewater and water supply systems — and would almost certainly increase impacts on declining coral reefs, fish populations and sea grass beds.

The Florida Department of Commerce is planning to amend what rank as the most restrictive growth rules in the state, citing an already growing Keys population and an updated analysis that would allow emergency managers additional time to order hurricane evacuations. Getting residents and tourist out of harm's way is always a challenge in a 113-mile-long chain that has been hit or brushed by tropical storms or hurricanes 10 times since 2000 and has only one major road in and out..

Many landowners who have long been denied building permits will likely support easing building rules but some longtime residents and environmental groups argue it would be a bad move on many levels.

“With rapid intensification of tropical storms into major hurricanes becoming a worsening problem, how does anyone justify increasing or removing the evacuation-based development limits in the Keys,” environmental attorney Richard Grosso, who has represented several Keys residents in litigation against state efforts to increase development, told the Miami Herald.

## **HALF CENTURY OF GROWTH LIMITS**

The Keys’ tough development rules date to 1970s, when the entire archipelago was declared an “area of critical state concern” in response to surging development, which included plans to build high-rises in Marathon. The designation was aimed at both protecting the sensitive marine systems surrounding the islands and ensuring residents had enough time to safely evacuate along the Overseas Highway within a 24-hour window.

Under the “critical concern” designation, all development was eventually regulated by a complicated law called the Rate of Growth Ordinance, known as ROGO, which requires property owners to go through a myriad of steps that can take decades to traverse before they ever receive a building permit.

The existing rules haven’t halted building in the Keys but have kept it at a slow trickle. Meanwhile, the once-seasonal tourist economy has become much more year-round, and the numbers of people buying permanent and vacation homes continues to grow — driving up real estate prices and the demand for new housing.

While the state rules have been in place since Reubin Askew was governor, the law was also intended to be revisited “every decennial census, provided there was additional capacity following the latest update,” Monroe County Attorney Bob Shillinger told the Herald.

That opening has put the growth rules back up for review, and possible revision — with any proposed changes requiring approval by the Florida Legislature and governor.

With the latest census showing a population of around 80,000 people — roughly 10,000 more than the 2010 census — the state is now studying plans to reflect that bump. A range of options could be on the table, including clearing the way for construction permits for basically every undeveloped lot purchased over the years in the Keys — a number the Florida Department of Commerce puts at 7,954.

On its website this month, the department outlined the process as well as possible tweaks to hurricane evacuation timing. “An analysis of the updated hurricane evacuation modeling, along with public comment and local government input, will be used to make policy and rule recommendations to the Florida Governor, Cabinet, and Legislature.”

County attorney Shillinger believes Monroe will push for some sort of compromise that wouldn’t allow every lot to suddenly obtain building permits, with a careful look at the rise in vacation homes. Still, even half that number would be represent a major surge for the Keys, one that could transform some communities.

“While we’re seeing an increase in Census population, we’ve also seen an increase in the numbers of second and third homes,” Shillinger said. “How do they factor into the model? Well, the standard for 24 hours is permanent residents, so, theoretically, a vacation rental doesn’t count in the 24-hour evacuation period.”

The permitting and evacuation issues are expected to be discussed at a Dec. 13 meeting of the Monroe County Commission, which is likely to vote on a recommendation to pass on to the Legislature when it comes into session in January.

“They’re ready to roll out the evacuation model so they can finalize it,” Shillinger said. “They want local government input on things that can go into the model.”

Mayor Holly Raschein told the Miami Herald that she can’t say where she stands on additional development before discussing it with the other four commissioners, adding, “we knew this was coming, however, seeing words on paper is a reality check.”

“What I do know is that we’re not going to make everyone happy and that public safety, our environment and property rights all come into play,” Rachein said. “I’m encouraged that our Keys have faced difficult decisions before and we always persevere.”

## **MILLIONS IN ‘TAKINGS’ LAWSUITS LOOM**

There’s also a huge financial factor in play for Monroe County’s leaders. Under the current rules, the county is supposed to cease granting any new building permits for undeveloped properties after 2023 — a step that could expose the county, and taxpayers, to billions of dollars or more in liability in “takings” lawsuits from landowners should they be flat-out refused building permits.

By law, if the government prohibits owners from developing their lands, they must pay what a court ultimately decides is fair market value for the property. With the amount of undeveloped lots in the Keys, Monroe County and cities like Key West, Marathon and Islamorada alone could be facing thousands such cases if the 2023 deadline is maintained.

Shillinger said finding some number in between zero permits and every available lot in the Keys would give the county more time to prepare plans — and provide an argument in takings cases. That would still provide property owners the potential to build, he said, at least eventually.

“As long as there is a chance, there is not taking,” he said during a meeting with other county officials earlier this month.

Key West attorney David Paul Horan, who has represented many Keys residents in land use cases, did not buy that argument. In the end, he said, local governments will either have to issue all of the outstanding building permits or pay landowners market value for properties.”

“We’re telling people who’ve been paying taxes for years and years, ‘I’m sorry, you can’t use your property,’” Horan said at that meeting. “Ultimately, the Constitution is going to rule and just compensation will have to be made.”

### **“ACCEPTING A KNOWN RISK”**

Critics of the proposal to revise the law say people who gambled on obtaining rare building permits knew what they were getting into with Keys land purchases over the last decades.

“They were accepting a known risk that they may not be able to build on their property,” Robert Gold, a Key West resident and member of the Keys environmental group Last Stand, said during the meeting with Monroe County officials.

The last state review in 2012 allowed limited new permits but also called for the permanent building cap to kick in 2023. The view a decade ago was that Keys could only handle so much development and so many visitors. Critics say nothing has changed to suggest the islands are now able to absorb more people and buildings.

“That was the most recent assessment that determined there was an environmental and infrastructure capacity in the Keys that should not be expanded,” said Ed Davidson, chair of the environmental group, Florida Keys Citizens Coalition, and chairman emeritus of the Florida Audubon Society.

Beyond spreading damage from pollution and overuse to surrounding marine ecosystems, there are concerns that a new burst of building would strain the Keys’ already stressed critical infrastructure. Everything from drinking water and sewage systems to roads and schools is already in need of expansions or overhauls.

In March, there were [three consecutive breaks](#) in the underground fresh water main, creating an emergency situation for the thousands of homes and businesses from the Upper Keys to Key West.



In May, the Miami Herald **obtained documents** that revealed parts of the Keys' billion-dollar centralized wastewater system, which is only five years old, began hemorrhaging sewage into the fragile nearshore waters shortly after it was completed and carries a \$16-million price tag to be repaired.

The county also **faces billions of dollars worth of projects** intended to blunt the impacts of climate change in coming decades — raising roads, installing stormwater pumps, elevating homes and businesses. The looming bills have the county pushing to raise sales taxes by 1 percent, which would put much of the cost on tourists.

## **TRAFFIC, EVACUATION WORRIES**

Then there are questions about public safety from possible changes to the timeline for hurricanes evacuation decisions.

The state proposal could up the allowable evacuation time for residents and tourists from the current 24 hours to 31 hours. That means emergency managers would have to make the call to evacuate earlier — in communities that are famously resistant to leaving until the threat is dire.

Davidson, the environmental advocate, argues the state's modeling already underestimates real-world evacuation challenges — ignoring the fact that people trying to flee Monroe could likely run into people also fleeing the heavily populated South Florida mainland, slowing the flow even further.

"This study makes the preposterous, utterly unrealistic and dishonest assumption that while all of us are fleeing for our lives, no residents in Homestead, Miami, Fort Lauderdale and West Palm Beach have left the house," he told the Her ald.

The Keys already have increasing traffic snarls. The Overseas Highway, which is only one lane in each direction for most of its span from Key Largo to Key West, has also seen more frequent backups from the increasing number of visitors and residents. And the once-infamous 18-mile stretch from Key Largo to mainland Homestead can be a bottleneck on any random weekend, even after a \$330 million overhaul completed in 2011 that added a series of passing lanes and median that has cut down on deadly head-on collisions.

"This is life and limb stuff," environmental attorney Grosso said, "and state and local leaders need to realize there are new realities and information now compared to 100, 50 or even 20 years ago, and it is time to focus on protecting existing lives and investments in the Keys instead of subsidizing putting even more in harm's way."

This story was originally published December 4, 2023, 9:20 AM.



DAVID GOODHUE



305-923-9728

MIAMI-DADE COUNTY

# 'Flood gates are opened.' More projects want approval outside Miami-Dade development zone

BY DOUGLAS HANKS

UPDATED NOVEMBER 27, 2023 12:55 PM



This chart shows the seven applications filed in 2023 seeking to build outside Miami-Dade County's Urban Development Boundary, plus Limonar, a residential complex that entered the approval pipeline in 2021. The graphic was prepared by the Hold the Line Coalition, which has led past campaigns against moving the "UDB." *Image courtesy of the Hold the Line Coalition*

A year after [Miami-Dade commissioners granted rare approval](#) for a large project beyond the county's conservation buffer, there's a batch of proposals eager to give them the chance to do it again.

This year, developers filed seven applications to build beyond the current [Urban Development Boundary \(UDB\)](#), where the suburbs end and construction is limited.

The boundary is designed to create a buffer between large residential and commercial projects and two of Miami-Dade's most sensitive areas: the rural belt of farmland that forms the heart of the county's agriculture industry, and the Everglades, well fields and wetlands that support its ecosystem and protect its drinking water.



Environmental groups say they're concerned about the spike in UDB applications a year after Miami-Dade commissioners approved the first UDB change in a decade.

"The flood gates are opened," said Laura Reynolds, director of the Hold the Line Coalition, an umbrella group of conservation organizations and others that typically leads the charge against proposals to expand the UDB.

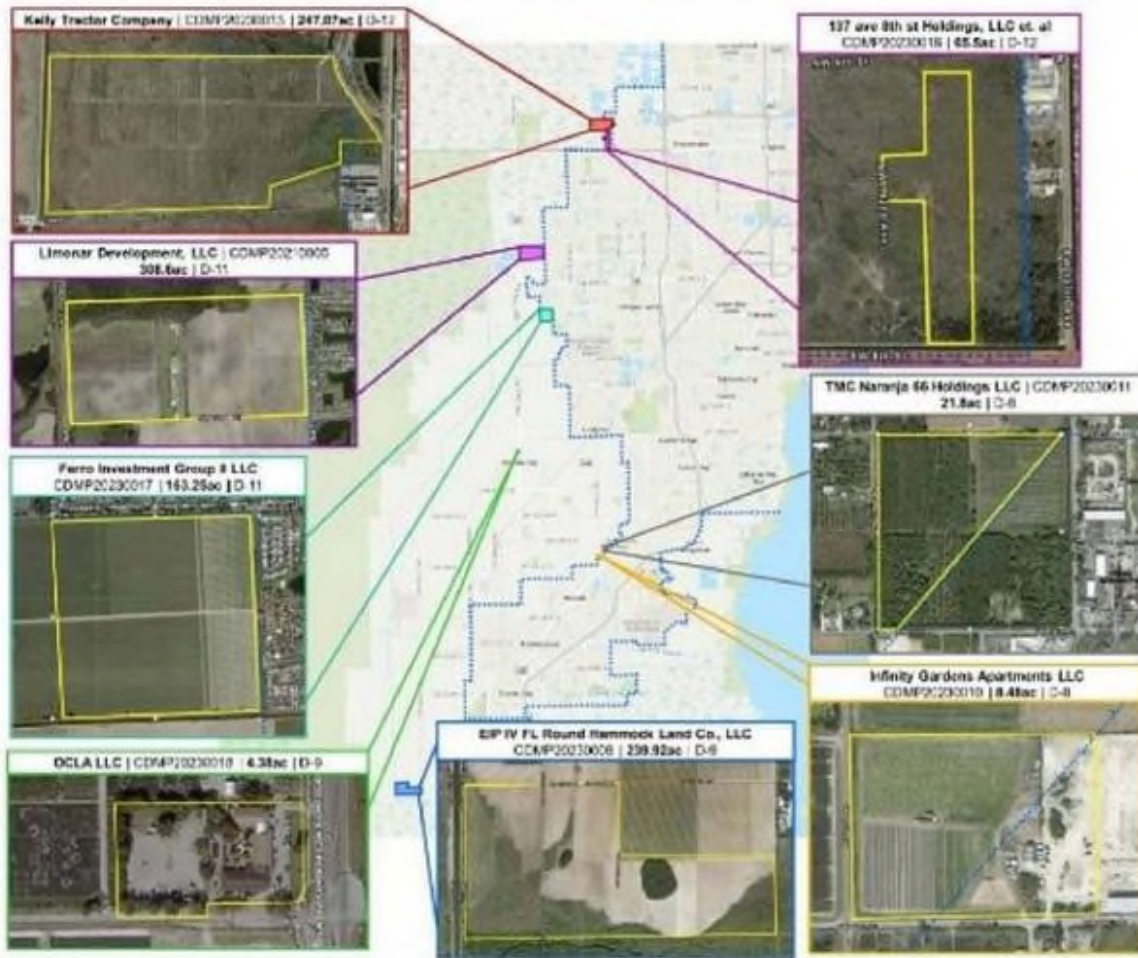
While Miami-Dade doesn't have a yearly tally on applications for construction outside the UDB, the Department of Regulatory and Economic Resources pointed to the 10 applications filed in 2005 as the last time there were this many UDB requests in the pipeline.

Reynolds noted the application push follows passage of state legislation that will make it harder for non-profits to challenge future UDB expansions in court. [Senate Bill 540](#), signed into law in May by Gov. Ron DeSantis, allows developers to collect attorney costs from groups who mount unsuccessful legal challenges of a county's Comprehensive Development Master Plan. That's part of county law that contains land-use rules, including the location of the UDB.

Only three of the seven latest Miami-Dade applications request altering the UDB to bring more acreage into the urban area. That was the step that the South Dade

Logistics and Technology commercial complex won with a one-vote margin before the commission in November 2022, followed by a successful override vote after Mayor Daniella Levine Cava vetoed the board's action. Adding [nearly 400 acres](#) to the urban zone was the first UDB move since 2013, and the project is currently tied up in legal challenges.

The projects that don't need boundary changes still require a commission vote to change the rules governing construction beyond the UDB. Those rules are part of the Comprehensive Development Master Plan, and changing them requires two commission votes: the first to send the proposed alterations to the state for review, and the second to grant final local approval.



This chart shows the seven applications filed in 2023 seeking to build outside Miami-Dade County's Urban Development Boundary, plus Limonar, a residential complex that entered the approval pipeline in 2021. The graphic was prepared by the Hold the Line Coalition, which has led past campaigns against moving the "UDB." *Image courtesy of the Hold the Line Coalition*

Here's a look at the 2023 UDB applications moving through the legislative pipeline:

### FROM FARMLAND TO WETLANDS

Developer Ecosystem Investment Partners [wants county permission](#) to convert into wetlands the farmland on a 240 -acre parcel east of Southwest 227th Avenue and just south of 400th Street. That conversion would allow the owners, listed as pension funds in county documents, to generate revenue by selling "mitigation credits" to developers looking to fill in wetlands elsewhere in Florida under a state program designed to generate conservation dollars.

"You basically preserve this land into perpetuity," said Hugo Arza, the lawyer representing the project known as EIP IV FL Round Hammock Land.

The cost would be active farmland at a time when concern is growing that Miami-Dade's agriculture industry will lose too much ground to development to remain healthy. A [county study released earlier this year](#) said Miami-Dade will need at least 64,800 acres in 2030, roughly 7% less than the existing 70,000 acres of farmland.

County planning staff recommend commissioners transmit the application to Tallahassee for review, a move that would give developers the first of two votes needed for approval.

## **TWO APARTMENT COMPLEXES**

The [Infinity Gardens](#) mixed-used complex would be built on land that's split by the UDB north of Southwest 260th Street and east of Southwest 147th Avenue. For the 14-acre site, developer Brandon Shpirt needs the UDB to expand to absorb an additional eight acres, according to application filings.

Along with having a development site that's already partially inside the UDB, Shpirt's team is pitching the property as a natural area for growth because of its proximity to rapid transit.

The site sits half a mile from the station under construction at Southwest 264th Street for the county's rapid-transit bus line to operate on the South Dade Transitway. It is also in the Redland agricultural region south of Eureka Drive (Southwest 184th Street), an area that county policy says should not be considered for UDB expansions.

County planning staff offered a mixed review of the project in an Oct. 30 report. They urged commissioners to reject parts of the application that would change county rules to make it easier for similar projects to be approved on farmland. But the staff also said it's worthwhile to send the application to Tallahassee for review, given its proximity to a major transit line and its proximity to a designated urban zone with higher density in the Naranja area .

Nearby, a different development group needs a similar approval for a mixed-used project on land that's near a transit line and only partially outside the UDB.

The [Naranja 66 project](#) would be built on an 71-acre site off of Southwest 142nd Avenue and south of 252nd Street. Developers need 20 acres of farmland brought into the urban area. The plan is to build a residential complex with 630 residential units, mostly apartments with some townhomes, and about 6,400 square feet of retail space.



The South Dade busway is less than half a mile away, and developers are pitching the project as a way to bring more workforce housing near a major transit corridor. While county planning staff noted forecasts show there's enough land inside the UDB to create apartments closer to employment centers through 2040, they're recommending commissioners transmit the application for state review to consider whether homes near transit justify expanding the UDB for the project.

## **TWO MORE TRUCKING FACILITIES**

Two applications don't want to move the UDB but want permission to build commercial operations outside the urban area that cater to large trucks and heavy equipment.

Kelly Tractor Co., the family-owned construction equipment supplier with headquarters in Doral, wants to move its main operations [to a larger campus outside the UDB](#). The family owns the 246-acre site west of Northwest 137th Avenue and next to where State Road 836 ends. Currently used to grow palm trees, the site would become a depot for Kelly's heavy construction equipment, plus office space and a training center.

The company says about 500 additional jobs would come with the new headquarters for the statewide operation. The Hold the Line group said the project's adverse impact would be "very high" in a recent analysis, citing environmentally sensitive lands in the proposed site.

Nearby, there's a plan for another cargo complex for trucks. Developer 137 Ave 8th St. Holdings wants to build a 69-acre center with parking for at least 800 tractor trailers that would either start or end their routes at the facility. The site, north of Southwest Eighth Street and west of Northwest 137th Avenue, would also have 90,000 square feet of storage, cargo facilities and space to store shipping containers. There would also be 30,000 square feet of retail and medical facilities for truckers.

Commissioners approved a similar facility outside the UDB earlier in the year.

Jeffrey Bercow, a lawyer representing the 137 Ave group, said the project is needed to meet the high demand for truck parking and eliminate the need for truckers using the complex "to venture into more populated areas of the County with their rigs to obtain basic goods and services."

Reynolds, from Hold the Line, says it's too early to consider a second trucking complex outside the UDB. "We've already approved something like this to deal with the need for truck parking," she said. "I think we need to see if that satisfies the need before we building something else."

County staff have not yet issued recommendations for the applications.

## **REQUEST FOR THOUSANDS OF NEW HOMES**

The [Portofino project](#) by Ferro Investment Group would convert more than 160 acres of farmland into a new community, with single-family houses, townhomes and apartments, plus roughly 200,000 square feet of retail, restaurants and offices. There would be more than 1,600 residential units in all. To build the project west of Southwest 162nd Avenue and south of Southwest 104th Street, developers would need the full 163 acres moved into the urban area.

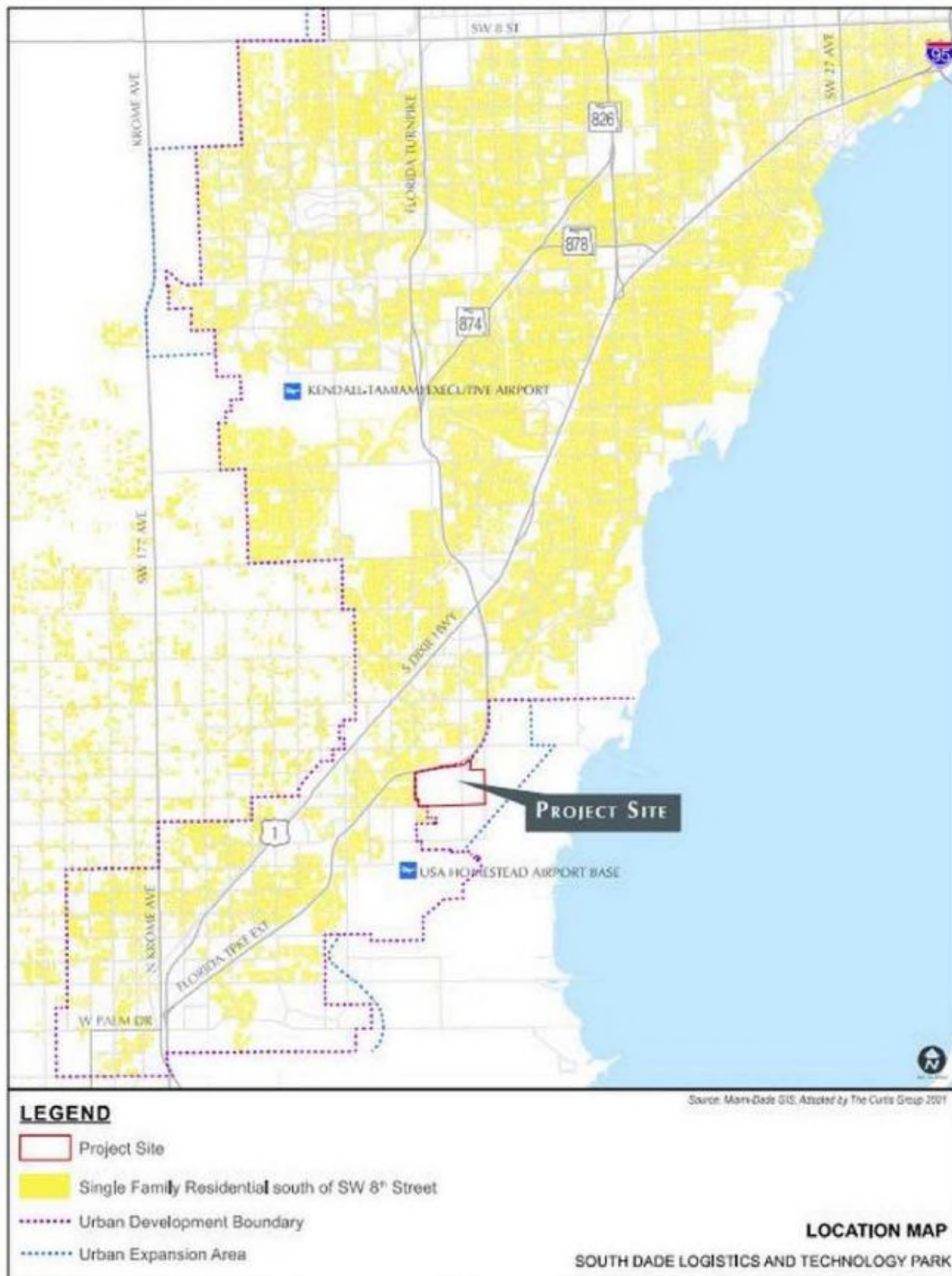
The site sits in a zone designated for future UDB expansion, once county planners conclude builders have used up the land supply for housing inside the urban area. . Though there isn't a planning recommendation for this project yet, county planners say there are still enough housing sites in the urban area to accommodate growth through 2040. Hold the Line rates the project as having "high" adverse impact for the loss of farmland and for environmental issues with the site.

## **RURAL SHOPPING CENTER WANTS A GROCERY STORE**

Ocla LLC doesn't need a UDB expansion [for its application](#). It needs permission to expand an existing commercial operation on Krome Avenue that has been in business since the early 1970s, before the UDB formally became part of the [county's land plan in the 1980s](#). Now owners want permission to build what's described as a grocery store next to a two-acre site that already has stores at 19100 SW 177th Avenue.

There is not yet a recommendation from county staff on the project. In the Hold the Line analysis, the project is listed as having a "low" adverse impact.

"A lot of people already live in this area," said Ben Fernandez, the lawyer representing the developer. "They're driving long distances within the Urban Development Boundary to buy their groceries."



Miami-Dade County commissioners approved the expansion of the Urban Development Boundary for the South Dade Logistics & Technology District by a one-vote margin. Legal challenges are still unresolved. *South Dade Logistics and Technology Park*

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<https://www.miamiherald.com/news/local/community/miami-dade/article282095243.html>