



Lake Park Town Commission, Florida

Regular Commission Meeting

Wednesday, October 04, 2023

Immediately Following the Special Call

Community Redevelopment Agency Meeting,

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

| | | |
|------------------------------|---|----------------------|
| Roger Michaud | — | Mayor |
| Kimberly Glas-Castro | — | Vice-Mayor |
| John Linden | — | Commissioner |
| Mary Beth Taylor | — | Commissioner |
| Judith Thomas | — | Commissioner |
| John D’Agostino | — | Town Manager |
| Thomas J. Baird, Esq. | — | Town Attorney |
| Vivian Mendez, MMC | — | Town Clerk |

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, 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 to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk’s office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATION/REPORT:

1. Proclamation Declaring October 1-7, 2023, as Banned Books Week.
2. Proclamation Declaring October 15-21, 2023, National Friends of Libraries Week.
3. Presentation on Recent, Ongoing, and Programmed Public and Private Infrastructure Improvement Projects in the Town of Lake Park.

PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

CONSENT AGENDA:

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda. Any person wishing to speak on an agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

- [4.](#) September 20, 2023 Final Public Budget Hearing Minutes.
- [5.](#) September 20, 2023 Regular Commission Meeting Minutes.
- [6.](#) Resolution 81-10-23 Joining Other Southeast Florida Local and Tribal Governments, Endorsing the Southeast Florida Climate Action Pledge; Agreeing to Jointly Advance Strategic Climate Adaptation and Mitigation Planning, Programs, Policies, and Projects; and Advancing the Implementation of the Regional Climate Action Plan as Appropriate for Each Government.
- [7.](#) Resolution 82-10-23 Authorizing and Directing the Mayor to Execute a Contract with 1st Fire and Security, Inc., to Furnish, Install, Maintain, and Monitor the Town Hall Fire Alarm System.
- [8.](#) Resolution 83-10-23 Recognizing Florida City Government Week as October 16-22, 2023.
- [9.](#) Authorizing the Town Manager to Sign an Agreement with My Three Sons Fireworks Company to Produce the Centennial Celebration Festival Fireworks Display.

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

- [10.](#) Ordinance 08-2023 Mixed Use Streetscape Landscaping Text Amendments.

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-83 OF CHAPTER 78 OF THE TOWN CODE PERTAINING TO LANDSCAPING AND PUBLICLY ACCESSIBLE GREENWAY TREE PLANTING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

NONE

NEW BUSINESS:

- [11.](#) Resolution 84-10-23 Declaring Zoning In Progress Pertaining to the Development Regulations for Affordable or Workforce Housing to Implement the Live Local Act.

REQUEST FOR FUTURE AGENDA ITEMS:

ADJOURNMENT:

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on October 18, 2023.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Originating Department: Library

Agenda Title: Proclamation Declaring October 1-7, 2023, as Banned Books Week

Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov,
c=US
Date: 2023.09.22 14:32:38 -04'00' **Date:** _____

Cost of Item: \$0.00 **Funding Source:** _____

Account Number: _____ **Finance Signature:** _____

Advertised: _____

Date: _____ **Newspaper:** _____

Attachments: Proclamation

Please initial one:

_____Yes I have notified everyone

JKC _____ Not applicable in this case

Summary Explanation/Background:

Banned Books Week celebrates the freedom to read and spotlights current and historical attempts to censor books in libraries and schools. For over 40 years, the annual event has brought together the entire book community to support the freedom to seek and express ideas, even those some consider unorthodox or unpopular. The books featured during Banned Books Week have all been targeted for removal or restriction in libraries and schools. By focusing on efforts nationwide to remove or restrict access to books, Banned Books Week draws national attention to the harms of censorship.

These last few years have seen an unprecedented number of challenges against books. As of August 31, there were 695 attempts to censor library materials or services across the county. Many of the titles challenged are written by or about LGBTQIA+ persons and Black, Indigenous, and people of color. This year's theme is "Let Freedom Read." When we ban books, we are closing off readers to people, places, and perspectives. But when we stand up for stories, we unleash the power that lies inside every book. We liberate the array of voices that need to be heard and the scenes that need to be seen. Let freedom read!

Recommended Motion:

I move to proclaim October 1-7, 2023 as Banned Books Week.

Proclamation Declaring October 1-7, 2023, Banned Books Week

WHEREAS, the freedom to read is essential to our democracy, and reading is among our greatest freedoms; and

WHEREAS, privacy is essential to the exercise of that freedom, and the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others; and

WHEREAS, the freedom to read is protected by our Constitution; and

WHEREAS some individuals, groups, and public authorities work to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries of materials reflecting the diversity of society; and

WHEREAS, both governmental intimidation and the fear of censorship cause authors who seek to avoid controversy to practice self-censorship, thus limiting our access to new ideas; and

WHEREAS, every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of American society and leaves it less able to deal with controversy and difference; and

WHEREAS, Americans still favor free enterprise in ideas and expression and can be trusted to exercise critical judgment, recognize propaganda and misinformation, make their own decisions about what they read and believe, and exercise the responsibilities that accompany this freedom; and

WHEREAS, intellectual freedom is essential to the preservation of a free society and a creative culture; and

WHEREAS, conformity limits the range and variety of inquiry and expression on which our democracy and our culture depend; and

WHEREAS, the American Library Association's Banned Books Week: Celebrating the Freedom to Read is observed during the last week of September each year as a reminder to Americans not to take their precious freedom for granted; and

WHEREAS, Banned Books Week celebrates the freedom to choose or the freedom to express one's opinion, even if that opinion might be considered unorthodox or unpopular, and stresses the importance of ensuring the availability of those unorthodox or unpopular viewpoints to all who wish to read them; now, therefore, be it

NOW, THEREFORE, be it resolved that I, *Roger Michaud, Mayor of the Town of Lake Park*, proclaim Banned Books Week, October 1-7, 2023.

RESOLVED, that the Lake Park Public Library celebrates the American Library Association's Banned Books Week, (Insert Dates Here), and be it further

RESOLVED, that the Lake Park Public Library encourages all libraries and bookstores to acquire and make available materials representative of all the people in our society; and be it further

RESOLVED, that the Lake Park Public Library encourages free people to read freely, now and forever.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023
Originating Department: Library
Agenda Title: Proclamation Declaring October 15-21, 2023, National Friends of Libraries Week
Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov, c=US
Date: 2023.09.22 14:35:43 -04'00' **Date:** _____

Cost of Item: \$0.00 **Funding Source:** _____
Account Number: _____ **Finance Signature:** _____

Advertised: _____
Date: _____ **Newspaper:** _____

Attachments: Proclamation

Please initial one:
 _____ Yes I have notified everyone
 JKC _____ Not applicable in this case

Summary Explanation/Background:

The Friends of the Lake Park Public Library raises money, enabling our library to provide additional programming and equipment that was not in the budget and provides volunteers to help with programming and outreach. They deserve recognition for all that they do for the Library.

Recommended Motion:

I move to proclaim October 15-21, 2023 as National Friends of Libraries Week.

***Proclamation Declaring
October 15-21, 2023, National Friends of Libraries Week
Friends of the Lake Park Public Library***

Whereas, Friends of the **Lake Park Public** Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights, on an on-going basis, the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services;

Whereas, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

Now, therefore, be it resolved that Roger Michaud, Mayor of Lake Park, Florida proclaims October 15-21, 2023, as Friends of Libraries week in **Lake Park, Florida** and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Originating Department: Public Works

Agenda Title: Presentation on Recent, Ongoing, and Programmed Public and Private Infrastructure Improvement Projects in the Town of Lake Park.

Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of
Lake Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov,
v, c=US
Date: 2023.09.29 16:22:35 -04'00' **Date:** _____

Cost of Item: N/A **Funding Source:** N/A

Account Number: N/A **Finance Signature:** _____

Advertised: N/A

Date: N/A **Newspaper:** N/A

Attachments: 1. Agenda Request Form
2. Presentation

Please initial one:

Yes, I have notified everyone

MA

Not applicable in this case

Summary Explanation/Background:

Responding to the Town Manager's request, the Public Works Department has committed to delivering consistent updates to the Town Commission on the latest developments in public and private infrastructure projects within the Town of Lake Park.

Department staff will make a dedicated effort to present these updates to the Town Commission quarterly, fostering enhanced collaboration and communication among Elected Officials, Town Staff, and the public.

Upon the presentation of this information on October 4, 2023, an identical presentation will be

promptly shared on the Town's website for convenient future reference.

Recommended Motion:

There is no motion associated with this Agenda Item. For Discussion Only.

Recent, Ongoing, and Planned Infrastructure Improvement Projects within the Town of Lake Park

Roberto Travieso
Public Works Director



Presentation Agenda



1. Private Utility Project
2. Town Projects
3. Community Redevelopment Agency (CRA) Projects
4. Questions





Private Utility Projects

ROBERTO TRAVIESO, PUBLIC WORKS DIRECTOR



Water/Wastewater Utility Improvements

- **Owner:** Seacoast Utility Authority
- **Location:** US Highway 1/Town road intersections
- **Goal:** Replace 5.3K feet water/sewer lines
- **Status:** In Progress
- **Estimated Cost:** \$2.7M
- **Est. Completion Date:** Nov 2023



Overheard Electrical Infrastructure Hardening



- **Owner:** Florida Power & Lighting
- **Location:** Multiple locations throughout Town
- **Goal:** Replace infrastructure; build storm resiliency
- **Status:** In Progress
- **Estimated Cost:** Top Secret
- **Estimated Completion Date:** 2024



Natural Gas Infrastructure Improvements



- **Owner:** Florida Public Utility
- **Location:** US-1, Northlake Blvd, Old Dixie Hwy, Park Ave, and Silver Beach Rd
- **Goal:** Safety; Sustainability
- **Status:** In Progress
- **Estimated Cost:** >\$5M
- **Est. Completion Date:** March 2024





Town Projects

ROBERTO TRAVIESO, PUBLIC WORKS DIRECTOR

Town Hall Monument Sign



- **Owner:** Town of Lake Park
- **Location:** 535 Park Ave
- **Goal:** Public Information
- **Status:** Fabrication/Permitting
- **Estimated Cost:** \$42,858
- **Est. Completion Date:** October 2023



2nd Street Stormwater Green Infrastructure



- **Owner:** Town of Lake Park
- **Location:** 2nd Street, between Foresteria Dr and Evergreen Drive
- **Goal:** Drainage/Road Surface
- **Status:** Permitted
- **Estimated Cost:** \$611,513
- **Est. Completion Date:** October 2023



Town Hall Preservation



- **Owner:** Town of Lake Park
- **Location:** 535 Park Ave
- **Goal:** Preservation (Roof, Paint, Structural)
- **Status:** Awarded Roof contract; Pending Bids to repair roof truss framing
- **Estimated Cost:** \$365,755
- **Est. Completion Date:** January 2024



Bert Bostrom Park Green Infrastructure



- **Owner:** Town of Lake Park
- **Location:** Bert Bostrom Park (6th St-Bayberry Dr)
- **Goal:** Increased Drainage Capacity; Water Quality
- **Status:** Designed; DEP Permitted; Soliciting Bids
- **Estimated Cost:** \$611,513
- **Est. Completion Date:** February 2025





Southern Outfall Rehabilitation

- **Owner:** Town of Lake Park
- **Location:** Just north of US1-Cypress Dr intersection, east to Seawall
- **Goal:** Increased Drainage Capacity
- **Status:** Designed; DEP Permitted; Soliciting Bids
- **Estimated Cost:** \$3.01M
- **Est. Completion Date:** February 2025



Park Avenue Lane Reduction



- **Owner:** Town of Lake Park
- **Location:** Park Avenue, from US-1 to 7th Street
- **Goal:** Mobility/Drainage
- **Status:** 90% Designed; awaiting funding
- **Estimated Cost:** \$2.5M
- **Est. Completion Date:** TBD





CRA Projects

ROBERTO TRAVIESO, PUBLIC WORKS DIRECTOR

Downtown District Streetscape Improvements



- **Owner:** CRA
- **Location:** Park Ave's Blocks 700-900
- **Goal:** Replace/Refresh Landscape and Hardscape
- **Status:** Contract Award
- **Estimated Cost:** \$466,084
- **Estimated Completion Date:** April 2024



7th Street Pocket Park



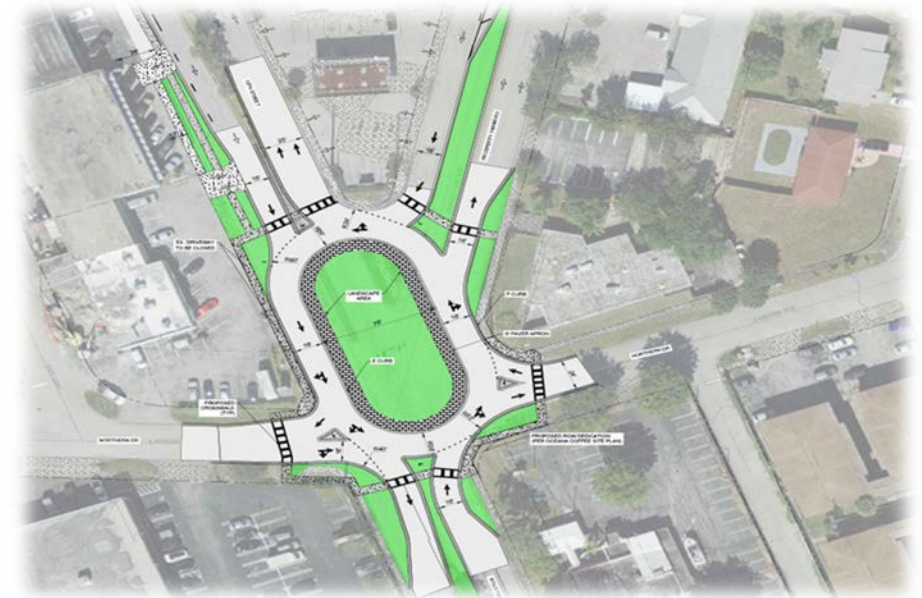
- **Owner:** CRA
- **Location:** 610 7th Street
- **Goal:** Recreation/Environmental
- **Status:** Permitting
- **Estimated Cost:** \$193,410
- **Estimated Completion Date:** Dec 2023



10th Street Oval About



- **Owner:** CRA
- **Location:** 10 Street/Prosperity Farms Rd
- **Goal:** Mobility/Environmental
- **Status:** 90% designed; Review by PBC and Town staff
- **Estimated Cost:** \$1.4M
- **Estimated Completion Date:** TBD



Capital Project Signs



To better inform stakeholders about Capital Projects of significant public interest, the Public Works Department is installing project signs at select project locations in the Town.



Learn More About Town Capital Projects



Visit the Town's Public Works Department Capital Projects webpage to access an interactive application on these and other projects.



www.lakeparkflorida.gov/projects



[\(561\) 881-3345](tel:(561)881-3345)



publicworks@lakeparkflorida.gov





Discussion/Questions



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Agenda Item No.

Agenda Title: September 20, 2023 Final Public Budget Hearing Meeting Minutes.

- ☐ SPECIAL PRESENTATION/REPORTS ☒ **CONSENT AGENDA**
☐ BOARD APPOINTMENT ☐ OLD BUSINESS
☐ PUBLIC HEARING ORDINANCE ON _____ READING
☐ NEW BUSINESS
☐ OTHER: _____

Approved by Town Manager **John D'Agostino** Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of
Lake Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.g
ov, c=US
Date: 2023.09.22 14:29:45 -04'00' Date: _____

Laura Weidgans, Deputy Town Clerk

Name/Title

| | | |
|--|--|---|
| Originating Department: Town Clerk | Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____ | Attachments: Minutes Exhibits A |
| Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone _____ or Not applicable in this case LW. Please initial one. |

Recommended Motion: I move to approve the September 20, 2023 Final Public Budget Hearing Meeting Minutes.



Lake Park Town Commission, Florida

Final Public Budget Hearing Minutes

Wednesday, September 20, 2023 at 6:30 PM

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

| | | |
|------------------------------|---|----------------------|
| Roger Michaud | — | Mayor |
| Kimberly Glas-Castro | — | Vice-Mayor |
| John Linden | — | Commissioner |
| Mary Beth Taylor | — | Commissioner |
| Judith Thomas | — | Commissioner |
| John D’Agostino | — | Town Manager |
| Thomas J. Baird, Esq. | — | Town Attorney |
| Vivian Mendez, MMC | — | Town Clerk |

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, 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 to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk’s office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

6:32 P.M.

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner John Linden

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

Employee of the Year Janet Miller led the Pledge.

SPECIAL PRESENTATION/REPORT:

NONE

PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

NONE

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager D'Agostino read the budget message into the record (Exhibit A).

Commissioner Linden thanked everyone that worked on the budget. He wanted to set the record straight. He agrees with pay raises, but would like to see between \$15.00 - \$20.00 for all starting employees. He would not support the budget as a result of the disparity in pay raises and the funds that are available and the increase in the stormwater fees. Commissioner Thomas had no comments. Commissioner Taylor made comments regarding the budget and agreed with Commissioner Linden. Vice-Mayor Glas-Castro thanked the Town Manager for the important budget message. She explained the salary compensation study and what the market shows. She explained past practice and prior overpassing of the senior leadership raises. She thanked staff and is in support of the budget. Mayor Michaud agreed with Vice-Mayor Glas-Castro. He sees what other municipality's scales and raises are and is in support of the budget and that staff should be fairly compensated based on the study. Town Manager D'Agostino expressed his concern with the negative comments. Commissioner Linden stated that he supports the budget but would have liked to have seen some changes made that he could have been in full support of.

NEW BUSINESS:

1. Resolution 75-09-23 Adopting a Final Millage Rate for Fiscal Year 2023-2024.

Town Manager D'Agostino explained the fiscal year 2023-2024 millage rate. He explained what lowering the millage will provide the residents of the Town.

Commissioner Taylor asked if the people that pick up vegetation are Town staff. Town Manager D'Agostino stated that they are Town staff. She feels that they should earn a working wage.

Vice-Mayor Glas-Castro clarified that the new millage rate is 5.1870.

Mayor Michaud commented on the 3% decrease.

Motion made to approve Resolution 75-09-23 by Commissioner Linden, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Thomas

2. Resolution 76-09-23 Adopting the Budget for Fiscal Year 2023-2024

Motion made to approve 76-09-23 by Commissioner Thomas,

Seconded by Vice-Mayor Glas-Castro.

Voting Yea: Mayor Michaud

Voting Nay: Commissioner Linden, Commissioner Taylor

ADJOURNMENT:

7:05 P.M.

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2023



Office of the
Town Manager

September 20, 2023

Re: Budget Transmittal Letter

Dear Mayor Roger Michaud, Vice Mayor Kim Glas-Castro, and Members of the Town Commission and the Residents of Lake Park:

The Budget Transmittal Letter Highlights the Operating and Enterprise Budgets Changes for the 2023-2024 Fiscal Year.

Budget Process:

The budget process began with the submittal of department initiatives on May 8, 2023. Budget initiatives may result in budget increases if incorporated into the operating budget. The budget initiatives originate with Department Directors and provide a snapshot of what each department requires in order to increase or enhance program and department services for the upcoming fiscal year. Budget initiatives are important to Department Directors because they need additional resources to manage their departments properly.

The operating budget for the 2023-2024 fiscal year is balanced. The millage rate has been reduced to 5.1870 from 5.3474, which has been the rate for the past seven years. The Fire MSTU remains at 3.4581. The total millage rate is 8.6451, which is always subject to change by a vote of the Town Commission. The State has capped the millage rate at \$10.00 per \$1,000. The millage rate for Fiscal 2023-2024 will raise \$5,090,951 in budget revenue. The increase in budget revenue is due to the rise in property values. Property value increases will increase \$449,552 in new property value revenue to support the General Fund budget expenses of more than \$13,736,384. The total General Fund revenue of \$13,736,384 is comprised of Ad Valorem taxes of \$5,090,951, and \$8,645,433 that comes from other revenue sources outside of the millage rate. Those budget revenue sources are essential to balance revenues to expenditures.

Rather than focus on budget numbers, the budget message will focus once again, on what residents can look forward to in this year's budget cycle regarding programs, services, infrastructure, and budget highlights. The budget is subject to change and is a fluid planning document of priorities the Town hopes to achieve between October 1, 2023 and September 31, 2024.

The financial outlook for the Town remains steady. We continue to provide myriad public services to our residents. Young families, seeing a desirable, affordable community that is on the move, are increasingly choosing to make their home in Lake Park. Lake Park remains an eco-friendly municipality with the Town Commission's commitment to providing green infrastructure solutions from bioswales to rain barrels and rain gardens in order to counter the increasing threat of sea level rise. The latest green infrastructure project completed last Fiscal Year was recognized as one of the most innovative design projects in the State of Florida. Although awarded in Fiscal Year 2021-2022, the Town received over \$11 million in grant funding to complete a three-phase green infrastructure drainage project known as the Southern Outfall Priority Rehabilitation Project. The three phases incorporate bioswales on 10th Street, underground filtration chambers at Bert Bostrom Park, and a second bioswale off Lake Shore Drive by the Lake Park Harbor Marina. The Southern Outfall drains 446 acres, representing approximately one-third of the Town's total area.

535 Park Avenue
Lake Park, FL 33403
Phone: (561) 881-3304
Fax: (561) 881-3314

www.lakeparkflorida.gov

Lake Park is a walkable, bikeable community in which sidewalks connect residents to the Town. Wide streets allow Lake Park to develop and implement a mobility plan and fee structure (paid by developers) to move residents throughout Lake Park using micro-mobility transportation options. The Lake Park Mobility Plan (the Mobility Plan) will directly serve development projects that pay the fee. The Mobility Plan also directly benefits residents through street and sidewalk improvements, new roads, and the implementation of alternative means of transportation options for Lake Park residents. The Mobility Plan will emphasize non-car-centric modes of transportation. We must provide families with the services they desire to remain a livable community. Our vision resonates with young families and is evident in the number of young families moving into the Town of Lake Park.

Construction on Nautilus 220 is well underway, with a scheduled completion date of the fourth quarter of 2024. In addition to Nautilus 220, the Town has permitted approximately 700,000 square feet of office warehouse development projects in our industrial park area. Over the next two fiscal years, the staff plans to permit 1,400 housing units in the downtown area. The Town received an unsolicited proposal for a train station project requiring staff to evaluate the proposal for development purposes. We expect to apply for Transit Oriented Development Funds to help offset transit expenditures, such as creating a third track for a train station. Such development projects will diversify our tax base and increase revenue at a time critical to our community's financial future.

HOMESTEAD EXEMPTION:

The Millage essential will reduce to 5.1870. This rate is the first reduction in at least the past seven fiscal years. Homestead exemption properties will not see an increase in the property tax bills for the Lake Park Operating portion of their bills resulting from increased property values. The millage tax rate was reduced by 3% to offset property value increases for Homestead properties. Since the rise in property values under the Homestead exemption for homestead properties is capped at 3% or less regardless of the total increase in property values. Due to the significant increase in property values this fiscal year, the Property Appraiser believes the total increase of 3% Homestead exempted properties will be realized this fiscal year. Once again, the most significant increase in property values will be within the CRA boundaries of the Town. Commercial property owners are not eligible for Homestead exemptions. The millage rate for all property in the Town of Lake Park raised \$5,090,951 in revenue for the Town of Lake Park compared to last year's revenue is an increase of \$481,103.

WHAT THE BUDGET WILL PROVIDE TO RESIDENTS AND BUSINESSES:

CAPITAL PROJECTS:

- The Town received a grant for \$11,067,635.00 in the previous Fiscal Year to complete the Southern Outfall Priority Drainage Project. We plan to sign the grant agreement with the Florida Department of Economic Opportunity (funding source) just before the beginning of the new Fiscal Year. The Town has four years to complete the project. The project, as stated earlier, will address drainage from 10th Street to the Lake Park Harbor Marina. When completed, the properties south of Park Avenue will realize an immediate impact on drainage. The project will also require the installation of filtration chambers under Bert Bostrom Park to slow drainage and mitigate discharge through the system to a second bioswale at the Marina. We expect construction to start in the first quarter of the 2023-2024 Fiscal Year. The project will drain 446 acres or nearly 50% of the 928 total watershed acres. The grant includes \$400,000 for the Southern Outfall (south of Park Avenue) pipe relining. In addition, the Stormwater budget will fund \$367,000 for pipe relining repair work to the northern area of the Town. The total funding for pipe relining is \$767,000.
- The Streets and Roads budget will appropriate \$275,000 for sidewalk repair work. Funding will come from the One-Cent Sales Tax revenue voted by the Palm Beach County Referendum Question on infrastructure repair throughout County. The Town's share of Once Cent Sales Tax revenue is estimated to be \$895,000 for the 2023-2024 Fiscal Year.
- The Town has received approved grant funding from the State of Florida, Department of State, Division of Historical Resources Grant for \$325,000 to replace the Town Hall roof and waterproof and paint the entire building. The Town will match the grant at 50% (\$325,000) from One-Cent Sales

Tax Revenue. Funding for this project began in the 2022-2023 Fiscal Year and will be completed in the 2023-2024 Fiscal year.

- Roof replacement for the Library will be completed in 2023-2024 Fiscal Year at a total estimated cost of \$266,000.
- The Town budget will fund an estimated \$93,500 for the remainder of the Town's Centennial activities.
- The Town will spend \$600,000 to update the Town Code.
- The Town received a grant from the CDBG Block Grant Program to fund the replacement of Ilex Park playground equipment and the Town will expend \$48,000 in matching grant funds for the Ilex Park refurbishment.
- The Town budget appropriates \$25,000 for local grants to residents and non-profits in Lake Park. The Commission previously approve \$7,500 in grants for Fiscal Year 2023- 2024 leaving \$17,500 available.
- The budget funds the JETSET Soccer program for \$15,000 through the Special Events Department.
- The Town budget plans to appropriate \$134,000 for upgrades to the PBSO parking lot and facility, \$26,000 for paving replacement at the Public Works office and \$80,000 for new security cameras and systems for the Town's properties.
- The Town will invest \$500,000 in new license plate reading (LPR) cameras to enhance public safety.
- The budget will contribute \$719,778 to the General Fund balance to replenish funds expended in the last two years.

CRA BUDGET:

The CRA budget benefits residents and businesses within the CRA district. The ad valorem taxes paid to the CRA from the County is \$696,877. By State Statute, the Town must contribute \$1,338,794 to the CRA, and include past unspent budget funds of \$1,555,578 for a total budget of \$3,591,249. The budget will fund business development grants in the amount of \$422,871, decorative holiday displays, community policing, and the remaining hardscape and landscape improvements in the CRA. The CRA PADD expansion incorporates the northern portion of 10th Street. The first phase of the improvements will occur north of 10th Street. The total amount committed for the remainder of the upgrade is \$200,000. This year, the CRA budget proposes maintaining one code officer for the CRA. Upon a recommendation from the CRA Board of Directors to increase density, the Town Commission approved the density increases away from the residential edges of the CRA. Density increases will yield approximately 1,000 to 1,300 new residential units over the next two to three years.

The CRA budget will set aside \$422,871 for business development grant funding

ONE CENT SALES TAX REVENUE:

Sales tax revenue passed by Palm Beach County residents benefits the Town of Lake Park through supplemental funding for road construction projects, road work, and related infrastructure projects. This fiscal year, \$275,000 for sidewalk construction will come from the One Cent Sales Tax, as will \$266,000 for Town Hall, Library roof repairs.

In addition, we are proposing to spend \$500,000 plus on security LPR (License Plate Readers and Surveillance camera infrastructure). The expenditure will expand the number of surveillance systems in Lake Park which over the past five years has contributed to a reduction in crime of over 78%. Creating a safer community which enhances community appeal and attracting young families, which are now moving into Lake Park. To witness residents walking the streets of Lake Park and feel safe is a heart-warming experience.

ENTERPRISE FUND BUDGETS:

Public Works Department Streets and Road Fund Budget:

The Public Works Department and Road Fund Budget will receive an increase in funds. This year, \$275,000 in funding will come from the One Cent Sales Tax for infrastructure repair work. During the past Fiscal Year, the

Marina Fund Budget:

The Marina Fund operationally is showing a small profit. Decisions made by previous boards saddled a significant amount of debt on the Marina with the upgrades to the Marina back in 2000. The number of boat

slips remained the same (108 slips). Currently, the revenue will not meet the Marina debt of approximately \$349,743 in the 2023-2024 Fiscal Year.

The Marina P-3 expansion and redevelopment of the Marina will permit the Town to shift the Marina debt to our P-3 (Public-Private Partnership) partners for approximately \$4 million. The infusion of private capital to expand the Marina and create a resort-style Marina accessible to the public will help reduce the outstanding debt paid by the General Fund subsidizing Marina debt. The Marina is an Enterprise Fund. Under this format, the Marina must operate as a business whereby the revenue received must meet all associated expenditures. Since the Marina upgrade in early 2000, the Marina has not been able to pay the debt associated with the capital improvements. In addition, large-scale capital projects will become a reality through the P3 partnership. The Town signed the P3 comprehensive agreement with Forest Development in August of 2023. The expansion and redevelopment of the Marina will result in a greater degree of profitability for both the Town and the P3 partner.

Stormwater Utility Fund Budget:

With the award of more than \$11 million for green infrastructure development, the expansion of bioswales, rain gardens and rain barrels is on the horizon. The ability to retain at least 10% of our run-off will ensure the Town's sustainability as the level of our waterways continues to rise. As part of the master plan for drainage, the installation of baffle chambers underground at Bert Bostrom Park will filter and clean water discharged through a series of bioswales and eventually into the Intracoastal Waterway. The Bert Bostrom Park construction project will take up to a year to complete. The Commission's decision to create a master drain system built on the premise of bioswales and rain gardens will take the Town's sustainability into the year 2122 and beyond. For the Town to finance, increase and develop bioswales and rain gardens throughout the Town, Staff will be proposing reasonable and necessary increases to the Stormwater Utility Fund. As a result of the Commission's leadership decision, we can implement significant green infrastructure projects to improve drainage and filter drainage discharge, and receive grant funds to construct the entire system. However, the Stormwater rate will have to fund the grant matches in future years and employ Stormwater Technicians to maintain and upgrade the swale systems throughout the Town.

By adopting a green infrastructure initiative consisting of bioswales, rain gardens and rain barrels, the Town is in a unique position to continue to receive Federal and State grants to design and construct our Master Drainage Plan.

Finally, for the first time, we will begin expanding our existing drainage infrastructure to those areas of Town without drainage. The implementation by the Commission vote of the Master Drainage Plan is underway. Over the next 10 years, we plan to achieve drainage resiliency using the most bio-friendly green infrastructure. Bioswales, rain gardens, and rain barrels will hold drainage water on properties throughout the Town longer, resulting in clean drainage discharge to the Lake Worth Lagoon/Intracoastal Waterway.

The budget will allocate \$367,000 to repair and maintain our existing drainage system (north of Park Avenue). As stated earlier, the \$11 million grant will address the repair and maintenance of the underground piping system (south of Park Avenue). In addition to the \$11 million from the Federal Government, thanks to the support of Representative Mike Caruso, the State of Florida granted a \$700,000 allocation to the Town to further enhance water purification efforts impacting the Lake Worth Lagoon that were undertaken as part of the previous Lake Shore Drive Drainage Improvement Program. The Lake Shore Drive bridge closure will be addressed as part of the Southern Outfall Priority Rehabilitation Project grant. A road will replace the bridge and cross over the newly redesigned drainage infrastructure on Lake Shore Drive.

The Stormwater fund will finance one new capital expenditure, a Vac-Con vacuum tanker truck for the Stormwater System.

Sanitation Fund Budget:

We have heard a lot about the Sanitation Fund. Staff finalized a total sanitation rate review to provide a comprehensive and viable solution to the Sanitation Fund which was adopted by the Commission in Fiscal Year 2022-2023. The adopted sanitation rate supports the level of service currently provided. Residents can place bulk items, vegetation and solid waste out for pickup twice a week. The rate has been structured to have emergency funds available for natural disasters and to meet unanticipated expenditures throughout the fiscal year.

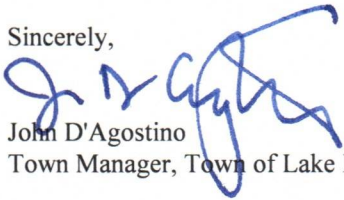
The sanitation budget proposes to purchase two new trucks for continuing service, one side loader and one front loader. These vehicles will be finance for three years at a total cost of \$265,096 per year.

CONCLUSION:

The new fiscal year 2023-2024 budget is balanced without significant changes in departmental service levels. The staff looks forward to continue working with the Town Commission. To further the goals and objectives of both the Commission and the Administration, we must support each other in moving the Town forward in a positive direction. The budget is taking in revenues from outside of the Ad Valorem tax rate. The budget is supplemented with grants, \$721,000 in American Rescue Plan Act Funds, and \$1.2 million in a Comprehensive Agreement to improve the Marina. The entire budget increased from \$19.6 million to \$25.7 million or a 31.5% increase. The \$2 million increase in the operating budget included \$1.5 million in funding outside of the Ad Valorem Tax Rate. Fees adopted for Sanitation and Stormwater contributed to the increase outside of the Ad Valorem tax rate

Staff would like to thank the Commission members for their insight, vision, advice and direction, as together we have balanced the budget with the best intentions of the Town at the forefront.

Sincerely,



John D'Agostino
Town Manager, Town of Lake Park



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Agenda Item No.

Agenda Title: September 20, 2023 Regular Commission Meeting Minutes.

☐ SPECIAL PRESENTATION/REPORTS ☒ **CONSENT AGENDA**
☐ BOARD APPOINTMENT ☐ OLD BUSINESS
☐ PUBLIC HEARING ORDINANCE ON _____ READING
☐ NEW BUSINESS
☐ OTHER: _____

John
Approved by Town Manager D'Agostino

Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of
 Lake Park, ou=Town Manager,
 email=jdagostino@lakeparkflorida.gov,
 c=US
 Date: 2023.09.26 10:09:01 -04'00'

Date: _____

Laura Weidgans, Deputy town Clerk

Name/Title

| | | |
|---|--|---|
| Originating Department: Town Clerk | Costs: \$ 0.00 Funding Source: Acct. # <input type="checkbox"/> Finance _____ | Attachments: Minutes Exhibits A Public Comment Cards |
| Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone _____ or Not applicable in this case LW. Please initial one. |

Recommended Motion: I move to approve the September 20, 2023 Regular Commission Meeting Minutes.



Lake Park Town Commission, Florida

Regular Commission Meeting

Wednesday, September 20, 2023

Immediately Following the Final Public Budget Hearing

Commission Chamber, Town Hall, 535 Park Avenue, Lake Park, FL 33403

| | | |
|------------------------------|---|----------------------|
| Roger Michaud | — | Mayor |
| Kimberly Glas-Castro | — | Vice-Mayor |
| John Linden | — | Commissioner |
| Mary Beth Taylor | — | Commissioner |
| Judith Thomas | — | Commissioner |
| John D'Agostino | — | Town Manager |
| Thomas J. Baird, Esq. | — | Town Attorney |
| Vivian Mendez, MMC | — | Town Clerk |

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, 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 to be based. Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.

CALL TO ORDER/ROLL CALL

7:06 P.M.

PRESENT

Mayor Roger Michaud

Vice-Mayor Kimberly Glas-Castro

Commissioner John Linden

Commissioner Mary-Beth Taylor

Commissioner Judith Thomas

PLEDGE OF ALLEGIANCE

The pledge was conducted during the previous meeting this evening.

SPECIAL PRESENTATION/REPORT:

1. Proclamation for Janet R. Miller, Employee of the Year for 2022

Mayor Michaud presented Janet Miller with the proclamation for the Employee of the Year for 2022.

Commissioner Linden presented Janet Miller with two tickets to the Centennial Celebration Gala on October 14, 2023.

PUBLIC COMMENT:

This time is provided for addressing items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

James Sullivan made comments regarding management of storm water in Philadelphia, Pennsylvania. He also spoke about an attempt to use trees in Bradley Beach, New Jersey to improve air quality.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Town Attorney Baird had no comments.

Town Manager presented his comment via Exhibit A. He asked for a workshop for the Public, Private Partnership (P3) to take place on October 18, 2023. After some discussion, the Commission asked to conduct the workshop on October 4, 2023. The Commission discussed the Lake Park Elementary School Centennial Festival and whether or not the public was invited. They also discussed the proper process for the donation of funds for this festival from Town funds. Consensus was reached by the Commission to approve the funding of the Lake Park Elementary School Centennial Festival lunch from the Town Centennial Celebration Committee funds.

Commissioner Linden thanked the Town Manager for attending the Business at Breakfast to discuss Park Avenue businesses. He thanked Library Director Judith Cooper for the Little Free Library program. He thanked the Town for maintaining the program. He asked questions regarding emails that were sent to the Mayor and Commissioners and he would like to know who should be the one to respond. Mayor Michaud and Vice-Mayor Glas-Castro responded that they would forward those types of emails to staff. Commissioner Thomas thanked the Town Manager for making himself available to answer those emails. Commissioner Taylor asked questions about electric usage at Kelsey Park. Town Manager D'Agostino explained that minimal electric usage is available.

Commissioner Taylor expressed concern with the lack of electrical availability and Sunset Celebration at Lake Shore Park. The stop light to cross US1 has been increased to allow pedestrians to cross the street. Town Manager D'Agostino asked that the Commission allow staff to come up with alternative locations to conduct the event. Public Works Director Roberto Travieso provided clarifying information regarding the storm water construction during the next year. Commissioner Taylor suggested holding the Sunset Celebration at the parks instead. The Commission discussed using funds for other events. Special Events Director Riunite Franks provided additional information regarding the costs for supporting events at the park.

Vice-Mayor Glas-Castro had no comments.

Mayor Michaud commented on a meeting he attended and the positive reputation Lake Park has developed with a lot of people. He also expressed appreciation for all staff members.

CONSENT AGENDA:

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the agenda. Any person wishing to speak on an agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

Motion made to approve the Consent Agenda by Commissioner Thomas, Seconded by Commissioner Linden.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Taylor

2. September 5, 2023 First Public Budget Hearing Meeting Minutes.
3. September 6, 2023 Regular Commission Meeting Minutes
4. Resolution 61-09-23 Approving the Submission and Authorizing the Mayor to Sign The Library's Annual State Aid to Libraries Grant Agreement.

5. Resolution 70-09-23 A Resolution of the Town Commission of the Town of Lake Park, Florida approving the plat of Bayberry Townhouse; and providing for an effective date.
6. Resolution 74-09-23 - A Resolution of the Town Commission of the Town of Lake Park, Florida authorizing and directing the Town Manager to spend budgeted funds from the IT budget and execute a purchase order with KDT to replace the public computer system at the Lake Park Public Library.
7. Resolution 73-09-23 A Resolution of the Town Commission of the Town of Lake Park, Florida authorizing and directing the Town Manager to spend budgeted funds from the IT budget and execute a purchase order with Dove Technologies to perform Network Security and Vulnerability testing.

BOARD MEMBER NOMINATION:

NONE

QUASI-JUDICIAL PUBLIC HEARING (RESOLUTION):

NONE

PUBLIC HEARING(S) - ORDINANCE ON FIRST READING:

NONE

PUBLIC HEARING(S) - ORDINANCE ON SECOND READING:

8. Ordinance 07-2023 Purchasing Policy

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REPEALING IN ITS ENTIRETY CHAPTER 2, ARTICLE V, DIVISION 2, ENTITLED "PURCHASING", AND REPLACING AND READOPTING IT AS REVISED DIVISION 2; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

Motion made to approve Ordinance 07-2023 by Commissioner Linden, Seconded by Commissioner Taylor.

Voting Yea: Mayor Michaud, Vice-Mayor Glas-Castro, Commissioner Thomas

Town Attorney Baird read the Ordinance by title only.

OLD BUSINESS:

NONE

NEW BUSINESS:

9. Resolution 72-09-23 A Resolution of the Town Commission of the Town of Lake Park, Florida authorizing and directing the Town Manager to renew for fiscal year 2023/ 2024 the Town's Property and Casualty Insurance through the Florida Municipal Insurance Trust; and providing an effective date.

Assistant Town Manager/Human Resources Director Bambi Turner explained the item.

Motion made to approve Resolution 72-09-23 by Commissioner Thomas, Seconded by Vice-Mayor Glas-Castro.

Voting Yea: Mayor Michaud, Commissioner Linden, Commissioner Taylor

10. Renaming Lake Shore Park Discussion

Town Manager D'Agostino explained the item. The Commission discussed the desire to change the name of both parks to Kelsey Park. Commissioner Thomas spoke about fine money and potential requirements for accessibility. The Commission agreed on changing the name of Lake Shore Park to Kelsey Park. Commissioner Thomas asked about the possibility of sending a survey to residents to see their feeling about renaming the park. The Commission did not reach a consensus on surveying residents.

11. Discussion on the Live Local Act and the possible implementation of a "Zoning in Progress".

Town Manager D'Agostino explained the item. Community Development Director Nadia DiTommaso explained the item in detail. She stated they are asking the Commission to consider a resolution implementing a "zoning in progress" to allow more time to review and implement changes that may be needed.

Mayor Michaud asked how this may affect any future proposed developments. Community Development Director DiTommaso explained that this would put a stop to the processing of an application. He also asked if developers would be informed of this act. She stated that yes, they would be informed and provided an opportunity to comment.

Commissioner Linden asked the attorneys opinion. Town Attorney Baird stated he feels they should move forward with this.

Town Manager D'Agostino recapped and made suggestions to move forward with this Act.
Vice-Mayor Glas-Castro agreed that this is a good idea.

REQUEST FOR FUTURE AGENDA ITEMS:

Commissioner Thomas asked for the dedication of the Tree before the end of November. Public Works Director Travieso commented that a tree planting would have to be done in conjunction with a capitol project or an arbor day planting. He asked to bring the item back in December in order to work out some things to effectively implement the program. Commissioner Thomas stated she can dig the spot herself, provide a tent and a dedicated tree. She's only asking for permission to plant it. Town Manager D'Agostino stated that insured employees should be the ones to do the work. The microphones went out at this point.

ADJOURNMENT:

8:33 P.M.

FUTURE MEETING DATE: Next Scheduled Regular Commission Meeting will be held on October 4, 2023

Mayor Roger D. Michaud

Town Seal

Vivian Mendez, Town Clerk

Laura Weidgans, Deputy Town Clerk

Approved on this _____ of _____, 2023



TOWN MANAGER COMMENTS

Item 5.

TOWN COMMISSION MEETING **Wednesday, September 20, 2023**

COMMUNITY DEVELOPMENT

- The gravel driveways discussion is estimated to come back to the Town Commission at the second meeting in November.
- Various Ordinances are being worked on and will come back at a later time. These include: Seawall Ordinance; Food Truck Ordinance; Parking Space amendments to the dimensional requirements for parking spaces in order to provide more flexibility; Landscaping modifications for the streetscape requirements for the Federal Highway corridor; Golf Carts Ordinance; Parks Ordinance; Accessory Dwelling Units.
- A presentation on the Code and Building Division Operations within the Community Development Department, as previously requested by Commissioner Linden, will be presented at the second meeting in November.
- The revised plans for 754 Park Avenue are still in permitting and awaiting applicant resubmittal. The owner still plans on completing the work sometime in 2024. Additional updates will be provided as it moves forward.
- One Park Place (801 Park Avenue) has been meeting with Staff and local restaurants to possibly create a unique restaurant concept within a portion of the ground floor space. This will not be immediate, but discussions have already been held with all the parties, including Seacoast, regarding the buildout needs of the vacant space. Additional updates will be provided as it moves forward.

HUMAN RESOURCES

Job Openings:

The Town is currently advertising to fill the following positions:

- Dock Attendant -- Pay range \$15.90 to \$24.65 per hour. Deadline for receipt of applications is **September 22, 2023**
- Events Coordinator -- Pay range \$17.02 to \$26.37 per hour. Deadline for receipt of applications is **September 29, 2023**
- Recreation Supervisor -- Salary range \$43,356.10 to \$67,201.95 per year. Deadline for receipt of applications is **September 29, 2023**
- Sanitation Truck Operator I -- Pay range \$15.90 to \$24.65 per hour. Deadline for receipt of applications is **September 29, 2023**
- Sanitation Truck Operator II -- Pay range: \$18.21 to \$28.22 per hour. Deadline for receipt of applications is **September 29, 2023**

To view the complete job posting for the above position or to download an employment application, please visit the Town's official website at www.lakeparkflorida.gov . For additional information please contact the Town's Human Resources Department at 561-881-3300 and choose Option 8.

PUBLIC WORKS

The Public Works Department is pleased to announce that construction activities associated with the 2nd Street Stormwater Improvements and Road Resurfacing Project are expected to commence during the first week of October 2023. This project will resolve nuisance street flooding along this key corridor while also improving the quality of the Town's stormwater discharges. Additional information is available by contacting the Public Works department at (561) 881-3348, via email at publicworks@lakeparkflorida.gov , or by visiting our website at <https://www.lakeparkflorida.gov/government/departments/public-works-department/new-projects>

SPECIAL EVENTS

Centennial Art & Music Festival

The Town will host the Centennial Art & Music Festival on **Saturday, September 23** from 11:00 a.m. – 5:00 p.m. on Park Avenue. There will be art, craft, food and beverage vendors. As well as live entertainment, games, activities, face painting and more. Admission and parking are free. For more information, contact the Special Events Department at 561-840-0160.

Sunset Celebration

The Sunset Celebration will be held on **Friday, September 29** from 6:00 p.m. – 9:00 p.m. at the Lake Park Harbor Marina. This month's event will feature live entertainment from The Samantha Russell Band! There will be a full bar, happy hour prices, and a variety of food and craft vendors. For more information, contact the Special Events Department at 561-840-0160.

TOWN COMMISSION CONSENSUS

P3 Workshop - As you know, the P3 Comprehensive Agreement was signed on 8/2/2023; however, there are tasks yet to be undertaken. I am seeking consensus to schedule a workshop on October 18, 2023 immediately prior to the Regular Commission meeting for the purpose of discussing the rules of engagement and the updated Critical Path.

Town Manager – Seeking authorization to spend \$800 for Surry BBQ for the Lake Park Elementary School's Centennial Celebration on September 27th as well as \$125.00 to Brooklyn Cupcakes for the Lake Park Elementary School's Celebration.



Item 5.

CENTENNIAL ART & MUSIC FESTIVAL

SATURDAY, SEPTEMBER 23, 2023

11:00 AM - 5:00 PM

LAKE PARK ARTS DISTRICT

DOWNTOWN PARK AVENUE

LAKE PARK, FL 33403

**ART, CRAFT, FOOD & BEVERAGE VENDORS
LIVE MUSICAL PERFORMANCES
GAMES * ACTIVITIES * CHILDREN'S AREA
FREE ADMISSION & PARKING**

**THIS EVENT IS IN CONJUNCTION WITH THE MONTHLY
RUST MARKET. FOR MORE INFORMATION AND TO
BECOME A VENDOR OR VOLUNTEER CONTACT
THE SPECIAL EVENTS DEPARTMENT AT 561-840-0160
OR EMAIL SPECIALEVENTS@LAKEPARKFLORIDA.GOV**

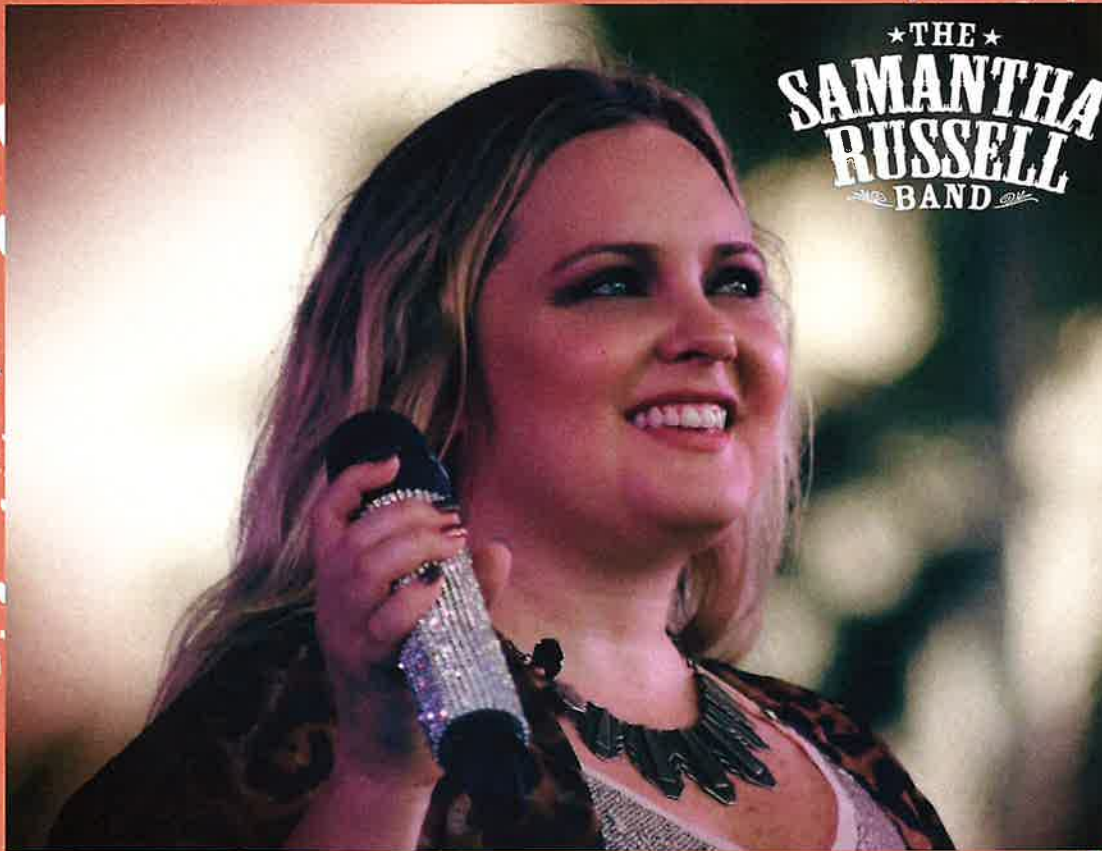


SUNSET CELEBRATION

Item 5.

FREE MUSIC CONCERT

FEATURING



LIVE MUSIC * HAPPY HOUR * FOOD VENDORS
FREE ADMISSION & PARKING

FRIDAY, SEPTEMBER 29

6:00 PM - 9:00 PM

LAKE PARK HARBOR MARINA

105 LAKE SHORE DRIVE

LAKE PARK, FL 33403

NO OUTSIDE FOOD OR DRINKS

FOR MORE INFORMATION

CALL 561-840-0160 OR EMAIL

SPECIALEVENTS@LAKEPARKFLORIDA.GOV



SURRY CO SMOKE HOUSE
826 PARK AVENUE
LAKE PARK
33403

INVOICE

Date – 09/20/2023

Bill to:

Town of Lake Park
535 Park Avenue
Lake Park, FL 33403

Re: **Lake Park Elementary Centennial Luncheon/ 100 guests**

Mixed Green Salad

Chicken Franchise W/Lemon Tomato and Basil Butter
Jasmine Spinach Rice
Medley of Garden Vegetables

| | |
|------------------|-----------------|
| SUB TOTAL | 2,100.00 |
| DISCOUNT. | 1,300.00 |
| TOTAL DUE | 800.00 |

Thank You

Janet Perry

From: John D'Agostino
Sent: Wednesday, September 20, 2023 2:13 PM
To: Janet Perry; John Linden
Subject: Fwd: Your invoice was updated (#000007)

Janet, please send Carmen the tax-exempt certificate for her records.

Get [Outlook for iOS](#)

From: Brooklyn Cupcake <messenger@messaging.squareup.com>
Sent: Wednesday, September 20, 2023 12:44 PM
To: John D'Agostino <jD'Agostino@lakeparkflorida.gov>
Subject: Your invoice was updated (#000007)

**Brooklyn Cupcake**

Invoice Updated

\$125.00

Due on September 20, 2023

Pay Invoice

Delivery 9/27

Invoice #000007

September 20, 2023

Customer

Lake Park elementary/Lake Park
jdagostino@lakeparkflorida.gov

Additional Recipients

jlinden@lakeparkflorida.gov

[Download Invoice PDF](#)

Invoice summary

| | |
|--------------------|-----------------|
| cupcakes | \$125.00 |
| (\$1 25 ea.) x 100 | |
| Discount | -\$8.18 |
| Subtotal | \$116.82 |
| Sales Tax | \$8.18 |
| Total Due | \$125.00 |

Brooklyn Cupcake

796 10th St
 Lake Park, FL 33403 United States
info@brooklyncupcake.com
 561-328-7257

Please contact Brooklyn Cupcake about its privacy practices.





TOWN OF LAKE PARK
PUBLIC COMMENT CARD

Item 5.

MEETING DATE: 9/20/23

Cards must be submitted before the item is discussed!!

*****Three (3) minute limitation on all comments**

Name: JAMES SULLIVAN

Address: 348 FLAGLER BLVD

If you are interested in receiving Town information through Email, please provide your E-mail address: _____

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

HON PHILADELPHIA, PENNSYLVANIA
HAS TAKEN A UNIQUE APPROACH TO
FLOODING AND URBAN SPIRAL ON A MAJOR ROAD

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



TOWN OF LAKE PARK
PUBLIC COMMENT CARD

MEETING DATE: 9/20/23

Cards must be submitted before the item is discussed!!

*****Three (3) minute limitation on all comments**

Name: JAMES SULLIVAN

Address: 348 FLAGLER DRIVE

If you are interested in receiving Town information through Email, please provide your E-mail address: _____

I would like to make comments on the following Agenda Item:

I would like to make comments on the following Non-Agenda Item(s):

ON HOW BRADLEY BEACH, NEW JERSEY
HAS TAKEN A NOVEL APPROACH TO
TRY AND IMPROVE AIR QUALITY

Instructions: Please complete this card, including your name and address; once the card has been completed, give it to the Town Clerk. The Mayor will call your name when it is time for you to speak. Comments are limited to three (3) minutes per individual.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Originating Department: Public Works

Agenda Title: Resolution Joining Other Southeast Florida Local and Tribal Governments, Endorsing the Southeast Florida Climate Action Pledge; Agreeing to Jointly Advance Strategic Climate Adaptation and Mitigation Planning, Programs, Policies, and Projects; and Advancing the Implementation of the Regional Climate Action Plan as Appropriate for Each Government.

Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake Park, ou=Town Manager, email=jdagostino@lakeparkflorida.gov, c=US
Date: 2023.09.29 16:35:30 -04'00' **Date:** _____

Cost of Item: N/A **Funding Source:** N/A

Account Number: N/A **Finance Signature:** _____

Advertised: N/A

Date: N/A **Newspaper:** N/A

Attachments: 1. Agenda Request Form
2. Resolution of Support

Please initial one:

MP ☒ Yes, I have notified everyone

☐ Not applicable in this case

Summary Explanation/Background:

Instituted in 2010, the Southeast Florida Regional Climate Change Compact (the Compact) established Southeast Florida as one of the nation's earliest leaders to conceive of and formalize a collaborative regional approach to address climate change. In 2012, the Compact codified its vision in its first Regional Climate Action Plan (RCAP). More than a decade later, in its most recent update, the RCAP continues to serve as a comprehensive, ambitious and timely playbook. Undoubtedly, climate change poses an immense threat to the region. But

addressing climate change holds enormous promise to transform Southeast Florida into a more resilient, equitable and thriving home for all. The RCAP supports collective efforts to seize this opportunity through recommended actions and interdependent strategies. It is a voluntary framework designed to align, guide, and support the acceleration of local and regional climate action in Southeast Florida toward a shared vision of a low-carbon, healthy, prosperous, more equitable and more resilient region.

The need for a regional approach is clear. Climate change impacts and the solutions required to address them extend beyond the jurisdictional boundaries of any one governing body or organization. The massive transformation necessary requires scaled, system-level solutions — involving transportation, energy, water, economic, social, and natural systems. The pace at which climate action must be accelerated demands synergistic approaches that maximize efficiency and effectiveness. While the climate change challenges the region faces have not decreased in the decade since the first RCAP, there has also been exponential growth in the opportunities, ingenuity and diversity of organizations and individuals involved in advancing solutions. This pivotal moment requires the commitment, diligence, and ambition of us all.

Recognizing that action by individual stakeholders is critical but insufficient to meet collective challenges, the RCAP calls on all entities and leaders across the region to take part in developing and implementing the plan — including those in the public and private sectors, as well as civil society. In this spirit, RCAP 3.0 was developed with the guidance of more than 150 subject matter experts as well as with the input of community members and stakeholders. Ultimately, the success of this plan — and the region — depends on the ability to catalyze broad and enduring engagement among the myriad of stakeholders who will translate these recommendations into urgent and steady action.

This document outlines goals, recommendations and supporting strategies across 11 focal areas to advance the objectives of achieving net-zero greenhouse gas emissions by 2050 compared to a 2005 baseline, and of strengthening the adaptive capacity and climate resilience of the region's communities, institutions, and economy. The RCAP serves Broward, Miami-Dade, Monroe, and Palm Beach counties, inclusive of 109 municipal governments, the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida, encompassing a total regional population of more than 6.2 million people.

The Compact aspires for this document to serve as a springboard to expedite and harmonize regional action, while at the same time respecting that climate action must reflect local conditions, priorities and needs. As an iterative, living document, the RCAP will continue to be refined, evolving over time with five-year updates that amplify its ambition while connecting and engaging an even wider network of partners critical to this journey.

Additionally, the Climate Action Pledge was first developed in 2012 after the release of the first RCAP document, in recognition of the significant climate leadership demonstrated by local and tribal governments and the central role that municipal and tribal government partners play in advancing toward a more resilient region. More than a third of local and tribal governments joined the four counties in adopting the 2012 Pledge.

A decade later, the Compact has updated the Climate Action Pledge to align with the RCAP 3.0 update and to reaffirm our shared commitment to a regionally collaborative approach to achieving climate adaptation and mitigation objectives.

At the request of the Town Manager, Town staff has prepared the attached Resolution as a show of support by the Town Commission.

Recommended Motion:

I move to Adopt Resolution No. 81-10-23.

RESOLUTION 81-10-23

A RESOLUTION OF THE TOWN COMMISSION OF TOWN OF LAKE PARK, FLORIDA, JOINING OTHER SOUTHEAST FLORIDA LOCAL AND TRIBAL GOVERNMENTS, ENDORSING THE SOUTHEAST FLORIDA CLIMATE ACTION PLEDGE; AGREEING TO JOINTLY ADVANCE STRATEGIC CLIMATE ADAPTATION AND MITIGATION PLANNING, PROGRAMS, POLICIES, AND PROJECTS; AND ADVANCING THE IMPLEMENTATION OF THE REGIONAL CLIMATE ACTION PLAN AS APPROPRIATE FOR EACH GOVERNMENT.

WHEREAS, Southeast Florida is considered one of the most vulnerable areas of the country to the consequences of global climate change, with impacts including sea level rise, elevated groundwater levels, rainfall intensification, extreme heat, and ocean acidification presenting extreme risk to Southeast Florida's communities, economy, and natural systems; and

WHEREAS, in recognition of the need for immediate, coordinated and visionary action to address the impacts of a changing climate and provide for economic and environmental resilience in Southeast Florida, in 2010 the counties of Broward, Miami-Dade, Monroe, and Palm Beach (Compact Partners) entered into the Southeast Florida Regional Climate Change Compact (Compact); and

WHEREAS, the Compact has been an international model for regional collaboration on climate action, with development of key tools, resources, and a Regional Climate Action Plan to expedite and harmonize efforts in support of 111 local and tribal governments across the four-county region; and

WHEREAS, to continue these efforts, the third iteration of the Regional Climate Action Plan (RCAP 3.0) was undertaken in 2022, through a collaborative process involving more than 150 subject matter experts representing public and private sectors, academic institutions, and not-for-profit organizations; and

WHEREAS, the RCAP 3.0 is voluntary framework designed to align, guide, and support the acceleration of local and regional climate action in Southeast Florida toward a shared vision of a low-carbon, healthy, prosperous, more equitable, and more resilient region; and

WHEREAS, local and tribal governments have individually demonstrated significant climate leadership, and the RCAP supports the alignment of these individual local efforts with the regional framework and vision; and

WHEREAS, the RCAP does not provide a mandate, but rather serves as a voluntary guidance document that local and tribal governments can adopt and utilize in a manner that reflects their unique context, priorities, and vision for the future of their community; and

WHEREAS, the Town's response to the climate crisis represents an opportunity to build more resilient, livable, equitable communities; bolster regional economic security and advance vibrant, low-carbon innovation economies; and deliver resilient infrastructure that meets community needs now and into the future; and

WHEREAS, there is power in the collective action of counties, municipalities, and tribal governments in jointly developing, advancing, and advocating for mutually beneficial regional, state, and national climate and energy strategies, policies, regulations, and agreements that are consequential to Southeast Florida's shared resilience and prosperity; and

WHEREAS, all local and tribal governments throughout Broward, Miami-Dade, Monroe, and Palm Beach counties are invited to sign on to the Southeast Florida Climate Action Pledge.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. The Town of Lake Park, Florida, pledges to jointly advance strategic climate adaptation and mitigation planning, programs, policies, and projects.

Section 2. The Town of Lake Park, Florida, pledges to support the implementation of the RCAP 3.0 through integrating its recommendations and strategies into existing and future relevant planning, program, policy, and project development as appropriate.

Section 3. The Town of Lake Park, Florida, pledges to utilize and integrate tools and resources developed by the Compact, as appropriate, in climate action planning and implementation, including application of the Regionally Unified Sea Level Rise Projection, participation in the Compact Climate Assessment Tool (C-CAT), and engagement in Compact events including RCAP Implementation Workshops and attendance at the Annual Climate Leadership Summit.

Section 4. This Resolution shall take effect immediately upon its execution.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Originating Department: Public Works

Agenda Title: Resolution Authorizing and Directing the Mayor to Execute a Contract with 1st Fire and Security, Inc., to Furnish, Install, Maintain, and Monitor the Town Hall Fire Alarm System.

Approved by Town Manager: John D'Agostino **Date:** _____

Digitally signed by John D'Agostino
 DN: cn=John D'Agostino, o=Town of Lake
 Park, ou=Town Manager,
 email=jdagostino@lakeparkflorida.gov,
 c=US
 Date: 2023.09.29 12:11:24 -0400

Cost of Item: \$86,510.00 **Funding Source:** Fund Balance

Account Number: 301-521-301-63100 **Finance Signature:** Jeffrey P. Duvall

Digitally signed by Jeffrey P. Duvall
 DN: cn=Jeffrey P. Duvall, o=, ou=,
 email=jduvall@lakeparkflorida.gov, c=US
 Date: 2023.09.28 17:17:41 -0400

Advertised:

Date: July 16, 2023 **Newspaper:** The Palm Beach Post

Attachments:

1. Agenda Request Form
2. Resolution
3. Contract between the Town of Lake Park and 1st Fire and Security
4. 1st Fire and Security submitted Response to RFP-112-2023

Please initial one:

X Yes, I have notified everyone

____ Not applicable in this case

Summary Explanation/Background:

The Town Hall of Lake Park, which was built in 1927, is a beautiful historic landmark that is registered on the National Register of Historic Places. This facility serves as the headquarters of the municipal government of the Town and is frequently visited by both community residents and local business owners.

Moreover, the Town Manager previously determined that the existing fire safety equipment and devices are outdated, in need of replacement, and that a contractor is required to provide fire safety equipment and device installation, maintenance, repair and monitoring services (the “Services”).

As a result, Town staff, at the direction of the Town Manager, published Request for Proposals (RFP) 112-2023 on July 17, 2023, seeking qualified fire alarm contractor to provide the Services for the historic Town Hall building.

Furthermore, on August 17, 2023, Town staff received one (1) fully responsive submittal from 1st Fire and Security, Inc.

The total cost to replace the fire safety equipment and devices and provide maintenance, repair, and monitoring services for a period of three (3) years (FY 2024-2026) is **\$86,510.00**, with the option of extending the contract for two (2) additional one (1) year terms.

The Following table provides a breakdown of the Services costs, per Fiscal Year:

| | FY-2024 | FY-2025 | FY-2026 | Total |
|---|----------------|----------------|----------------|---------------------|
| Fire Alarm System Purchase and Installation | \$73,250.00 | N/A | N/A | \$73,250.00 |
| Annual Testing and Inspection of Life Safety Devices | \$1,600.00 | \$1,600.00 | \$1,600.00 | \$4,800.00 |
| Semi-Annual Testing and Inspection of Life Safety Devices | \$800.00 | \$800.00 | \$800.00 | \$2,400.00 |
| Quarterly Testing and Inspection of Life Safety Devices | \$1,600.00 | \$1,600.00 | \$1,600.00 | \$4,800.00 |
| Twenty-four Hour Central Station Monitoring | \$420.00 | \$420.00 | \$420.00 | \$1,260.00 |
| Total Cost - Four-Years: | | | | \$86,510.00* |

*Excludes hourly rates and customary material markup.

Finally, the Town Manager recommends approval.

Recommended Motion:

I move to adopt Resolution No. _____

RESOLUTION 82-10-23**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH 1st FIRE AND SECURITY, INC., TO FURNISH, INSTALL, MAINTAIN AND MONITOR THE TOWN HALL FIRE ALARM SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town is a municipality with such powers and authority as is enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the Town Manager previously determined that there is a need for a contractor to replace, maintain, and monitor the fire alarm system of the Town Hall (the “Project”); and

WHEREAS, Town staff prepared Request for Proposal No. 112-2023 (RFP) to solicit bids from qualified bidders for the Project; and

WHEREAS, on August 17, 2023, Town staff received one (1) bid, and following its evaluation, it was determined that the bid provided by 1st Fire and Security, Inc., (the “Contractor”), in an amount of \$86,510.00, was a responsive and responsible bid; and

WHEREAS, in its response to the RFP, the Contractor represented that it is qualified, able, and willing to satisfactorily provide the labor, materials, equipment and services required to complete the project; and

WHEREAS, the Town Manager has recommended to the Town Commission that the Town enter into a contract with 1st Fire and Security, Inc., to replace, maintain, and monitor the Town Hall fire alarm system.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. The whereas clauses are hereby incorporated herein.

Section 2. The mayor is hereby authorized and directed to execute a contract with 1st Fire and Security, Inc., for the replacement of the Town Hall fire alarm system. A copy of the contract is attached hereto and incorporated herein as Exhibit A.

Section 3. This Resolution shall take effect immediately upon its execution.

CONTRACT FOR THE PURCHASE OF THE TOWN HALL FIRE ALARM SYSTEM

THIS CONTRACT FOR THE PURCHASE, INSTALLATION, MAINTENANCE AND MONITORING SERVICES FOR THE TOWN HALL FIRE ALARM SYSTEM (Contract) is made and entered into this _____ day of _____, 2023, by and between the Town of Lake Park, a municipal corporation of the State of Florida, having an address of 535 Park Avenue, Lake Park, Florida, 33403 ("Town") and 1st Fire and Security, Inc., 610 1st Street, Vero Beach, FL 32962 ("Contractor").

WITNESSETH THAT:

WHEREAS, the Town is a municipality with such powers and authority as is enumerated by Chapter 166 Florida Statutes and the Florida Constitution; and

WHEREAS, the Town Manager previously determined that there is a need for a contractor to replace, maintain, and monitor the fire alarm system of the Town Hall (the "Project"); and

WHEREAS, Town staff prepared Request for Proposal No. 112-2023 (RFP) to solicit bids from qualified bidders for the Project; and

WHEREAS, on August 17, 2023, Town staff received one (1) bid, and following its evaluation, it was determined that the bid provided by 1st Fire and Security, Inc., (the "Contractor"), in an amount of \$86,510.00, was a responsive and responsible bid; and

WHEREAS, in its response to the RFP, the Contractor represented that it is qualified, able, and willing to satisfactorily provide the labor, materials, equipment and services required to complete the project; and

WHEREAS, the Town Manager has recommended to the Town Commission that the Town enter into a contract with 1st Fire and Security, Inc., to replace, maintain, and monitor the Town Hall fire alarm system.

NOW, THEREFORE, the Town and the Contractor in consideration of the benefits flowing from each to the other do hereby agree as follows:

1. The above stated recitals are true and correct and are incorporated herein.

2. COST OF THE PROJECT

The cost for the Project is \$86,510.00.

3. LAWS AND REGULATIONS

The Contractor shall comply with all laws and regulations applicable to provide the goods or services necessary for the Project. The Contractor shall comply with all federal, state, and local laws in the performance of this Contract.

4. LICENSES, PERMITS AND FEES

The Contractor shall hold all licenses and/or certifications necessary to perform the construction work and services and shall obtain and pay for all permits and/or inspections, and comply with all laws, ordinances, regulations, and building code requirements applicable to the construction work and services to be provided. Damages, penalties, and/or fines incurred by or imposed on the Town or Contractor for failure to obtain and maintain any required licenses, certifications, permits, and/or inspections shall be the responsibility of the Contractor.

5. SUBCONTRACTING

The Contractor shall provide to the Town a list of all subcontractors the Contractor is using to complete the Project.

6. ASSIGNMENT

The Contractor shall not assign or transfer the Contract, including any rights, title, or interest therein, or its power to perform the services and work required for the Project to any person, company, or corporation without the prior written consent of the Town. The purported assignment without the prior consent of the Town may result in termination of the Contract.

7. CONTRACTOR'S EMPLOYEES

The employees of the Contractor shall be considered to be at all times its employees and shall not be considered to be employees or agents of the Town. The Contractor shall provide physically competent employees capable of performing the services and work for the Project. Employees shall be licensed or certified as may be necessary to perform the work and services for the Project. The Town may require the Contractor to remove any employee the Town deems to be unacceptable. All employees of the Contractor shall wear proper identification at all times while on Town properties.

It is the Contractor's responsibility to ensure that all its employees and any identified subcontractors comply with the employment regulations required by the United States Department of Homeland Security. The Town shall have no responsibility to check or verify the legal immigration status of any employee of the Contractor.

8. INDEMNIFICATION AND INSURANCE

The Contractor shall indemnify and hold harmless the Town and its elected and appointed officers, employees, and agents from any and all liability, losses, or damages, including attorney's fees and costs of defense, which the Town or its elected or appointed officers,

employees, or agents may incur as a result of any claims, fees, demands suits, causes of actions, or proceedings of any kind or nature arising out of, relating to, or resulting from the performance of the Contract by the Contractor or its employees, agents, servants, partners, principals, or subcontractors. The Contractor shall be responsible for paying all claims and losses, or fees in connection therewith, and shall investigate and defend all claims, suits, or actions of any kind or nature against the Town, for its negligence, acot or omission, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may be incurred thereon. The Contractor expressly understands and agrees that any insurance protection required by this Contract or otherwise provided by the Contractor shall in no way limit its responsibility to indemnify, keep and save harmless, and defend the Town or its elected and appointed officers, employees, and agents.

The Contractor shall have and maintain during the term insurance coverage is to be issued by an insurance company authorized, licensed, and registered to do business in the state of Florida, with a minimum rating of B+ or better, in accordance with the latest edition of A.M. Best's Insurance Guide. This insurance shall be documented in certificates of insurance which provides that the Town shall be notified at least 30 days in advance of cancellation, non-renewal, or adverse change. The receipt of certificates of insurance, including if requested by the Town policies or copies of policies by the Town or by any of its representatives, which indicate less coverage than is required, does not constitute a waiver of the selected Contractor's obligation to fulfill the insurance requirements herein. Deductibles must be acceptable to the Town.

The selected Contractor must submit a current Certificate of Insurance, naming the Town as an additional insured and listed as such on the insurance certificate. New certificates of insurance are to be provided to the Town upon expiration.

The selected Contractor shall provide insurance coverage as follows:

- a. **WORKERS' COMPENSATION INSURANCE** in accordance with statutory requirements and Employer's Liability Insurance with limits of not less than (\$100,000 for each accident, not less than \$100,000 for each disease, and not less than \$500,000 aggregate.
- b. **GENERAL LIABILITY INSURANCE** with each occurrence limits of not less than \$1,000,000.
- c. **PROFESSIONAL LIABILITY INSURANCE** with limits of not less than \$1,000,000 annual aggregate.
- d. **HIRED AND NON-HIRED VEHICLES** with limits of not less than \$500,000 per claim.

9. TIME FOR PERFORMANCE

The number of days within which, or the date by which, the work is to be completed shall be 90 calendar days from notice to proceed to substantial completion, plus 55

days from substantial completion to final completion, for a total contract time of 145 days.

10. LIQUIDATED DAMAGES

The parties agree that the precise damages to the Town for the Contractor's failure to timely complete the work cannot be determined. Accordingly, in the event the Contractor fails to timely complete the work, the Town may assess Liquidated Damages of \$100.00 for each calendar day beyond the completion time of the work.

11. MODIFICATION OF CONTRACT

The Contract may only be modified by the mutual consent, as evidenced by a written amendment to the Contract.

12. TERMINATION FOR CONVENIENCE

The Town, at its sole discretion, reserves the right to terminate this Contract for convenience and without cause upon providing 60 days' advance written notice to the Contractor. Upon receipt of such notice, the Contractor shall not continue to provide the work and services for the Project unless the Town shall have provided written authorization.

13. TERMINATION BY CONTRACTOR

The Contractor may terminate the Contract before the expiration of the Contract Time for completion of the Project provided it gives 90 days written notice of its intention to do so. In the event of termination by Contractor, the Town may procure the required goods and/or services from any source and use any method deemed in its best interest to provide the Services. All of the Town's re-procurement costs shall be borne by the Contractor.

14. ACCESS AND AUDIT OF RECORDS

The Town reserves the right to require the Contractor to submit to an audit by an auditor of the Town's choosing at the Contractor's expense of its records, which relate directly or indirectly to this Contract, at its place of business during regular business hours, or at such other places as mutually agreed to by the Town and Contractor.

The Contractor shall retain all records pertaining to this Contract, and upon request, make them available to the Town for three (3) years following expiration of the Contract. The Contractor agrees to provide such assistance as may be necessary to facilitate the review or audit by the Town to ensure compliance with applicable accounting and financial standards.

15. OFFICE OF THE INSPECTOR GENERAL

Palm Beach County has established the Office of the Inspector General (OIG), which is authorized and empowered to review past, present, and proposed Town programs, contracts, transactions, accounts, and records. The OIG has the power to subpoena witnesses, administer oaths, require the production of records, and monitor existing projects and programs. The OIG may, on a random basis, perform audits on all Town contracts.

16. BINDING EFFECT

All of the terms and provisions of this Contract, whether so expressed or not, shall be binding upon, inure to the benefit of, and be enforceable by the parties and their respective legal representatives, successors, and authorized assigns.

17. SEVERABILITY

If any part of this Contract is contrary to, prohibited by, or deemed invalid under applicable law or regulation, such provision shall be inapplicable and deemed omitted to the extent so contrary, prohibited, or invalid, but the remainder hereof shall not be invalidated thereby and shall be given full force and effect so far as possible.

18. GOVERNING LAW AND VENUE

The enforcement of this Contract shall be governed by and enforced in accordance with the laws of the state of Florida without regard to any contrary conflicts of law principle. Venue of all proceedings in connection herewith shall lie exclusively in Palm Beach County, Florida.

19. ATTORNEY'S FEES

If either party is required to initiate a legal action, including appeals, to enforce this Contract, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs.

20. EQUAL OPPORTUNITY AND ANTI-DISCRIMINATION

The Town complies with all laws of prohibiting discrimination on the basis of age, race, gender, religion, creed, political affiliation, sexual orientation, physical or mental disability, color or national origin, and therefore is committed to assuring equal opportunity in the award of contracts and encourages small, local, minority and female-owned businesses to participate.

During the performance of this Contract, Contractor shall not discriminate or permit discrimination in its hiring practices or in its performance of the Contract. The Contractor shall strictly adhere to the equal employment opportunity requirements and any applicable

requirements established by the state of Florida, Palm Beach County and the federal government.

The Contractor further acknowledges and agrees to provide the Town with all information and documentation that may be requested by the Town from time to time regarding the solicitation, selection, treatment, and payment of approved subcontractors, suppliers, and vendors in connection with this Contract.

21. NO DISCRIMINATION CLAUSE

The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin age pregnancy, handicap or marital status. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, up-grading, demotion, or transfer, recruitment or recruitment advertising; layout or termination; rates of pay or other forms of compensation, and selection of training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause."

22. MINIMUM WAGE REQUIREMENTS

The Contractor shall comply with all minimum wage requirements, such as Living Wage requirements, minimum wages based on Federal Law, minimum wages based on the Davis-Bacon Act, and the provisions of any other employment laws, as may be applicable to this Contract.

23. PUBLIC RECORDS

The Contractor shall comply with Florida's Public Records Law. Specifically, the Contractor shall:

- a. Keep and maintain public records required by the Town to perform the service.
- b. Upon the request of the Town's custodian of public records, provided the Town with such public records within a reasonable time at a cost that does not exceed the costs provided for in Chapter 119, Florida Statutes.
- c. Ensure that any public records that are exempt or confidential from public records disclosure are not disclosed except as authorized by law for the duration of the term of this Contract, and following completion of

this Contract if the Contactor does not transfer the records which are part of this Contract to the Town.

- d. Upon the completion of the term of the Contract, transfer, at no cost, to the Town all public records in possession of the Contactor; or keep and maintain the public records associated with the services provided for in the Contract. If the Contactor transfers all public records to the Town upon completion of the term of the Contract, the Consultant shall destroy any duplicate public records that are exempt of confidential from public records disclosure. If the Contractor keeps and maintains public records upon completion of the term of the Contract, the Contractor shall meet all applicable requirements pertaining to the retention of public records. All records stored electronically shall be provided to the Town, upon request from the Towns custodian of public records, in a format that is compatible with the information technology systems of the Town.
- e. IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, ITS DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, THE CONTACTOR SHOULD CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT: TOWN CLERK, 535 Park Avenue, Lake Park, Florida 33403, 561-881-3311, Townclerk@lakeparkflorida.gov.

23. ATTACHMENTS TO CONTRACT

The below listed attachments are considered to be documents included as part of this Contract:

- Attachment 1: Request for Proposal (RFP) No. 112-2023
Fire Alarm System Purchase and Installation for Town Hall
Including all related bid documents, addenda, plans, written scope of work, and submitted bid form documents.
- Attachment 2: Bid Response Proposal to RFP No. 112-2023
as submitted by 1st Fire and Security, Inc., on Thursday, August 17, 2023, at 2:00 p.m. Including Bid Documents / Certificate of Insurance / Permits & Licenses / and related bid form documents

IN WITNESS WHEREOF, the parties hereto have made and executed this Contract as of the day and year last executed below.

ATTEST:

TOWN OF LAKE PARK

By: _____
Vivian Mendez, TOWN Clerk

By: _____
Roger D. Michaud, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
Thomas J. Baird, Town Attorney

1st Fire and Security, Inc.
610 1st Street
Vero Beach, FL 32962

By: Elena Andrews
Printed Name: Elena Andrews

Its: Vice President
Title

P:\DOCS\26508\00001\EMAIL\28M1687.DOCX



FIRE ALARM SYSTEM PURCHASE AND INSTALLATION FOR TOWN HALL
RFP 112-2023

ADDENDUM #1:

Question: N/A

Response: Attached is Attachment 1 - Revised Price Proposal Form, which will apply to this project.

This document shall supersede the previous Attachment 1 - Price Proposal Form and shall become included as part of the project bid and contract documents.

Proposers must acknowledge receipt of this Addendum Number 1 in the space provided below. This addendum forms an integral part of the proposal document and therefore must be executed. **Failure to return this addendum with your proposal submittal will be cause for disqualification.**

Issued By: Town of Lake Park, Office of the Town Clerk

Date: _____

Vivian Mendez,

Signed By: **MMC** _____

Vivian Mendez, MMC
Town Clerk

Digitally signed by Vivian Mendez, MMC
 DN: cn=Vivian Mendez, MMC, o=Town of Lake
 Park, ou=Town Clerk,
 email=vmendez@lakeparkflorida.gov, c=US
 Date: 2023.07.31 13:48:24 -04'00'

Bidder Acknowledgement of Receipt of Addendum #1:

Company Name: 1st Fire and Security, Inc.

Authorized Signature: *Lena Andrews*

Print Name: Lena Andrews

Title: Vice-President

Date: August 17, 2023

ATTACHMENT 1
Revised
PRICE PROPOSAL FORM
RFP 112-2023

* In Consideration of the above attachments, the bidder will undertake the assignment for a:

* This includes **Town Hall Devices**, as shown in **Exhibits A and B**.

| | |
|--|---------------------------|
| Fire Alarm System Purchase and Installation cost | \$ <u>73,250.00</u> |
| <ul style="list-style-type: none"> Annual Testing and Inspection of Life Safety Devices | \$ <u>1,600.00</u> |
| <ul style="list-style-type: none"> Semi-Annual Testing and Inspection of Life Safety Devices | \$ <u>400.00 per test</u> |
| <ul style="list-style-type: none"> Quarterly Testing and Inspection of Life Safety Devices | \$ <u>400.00 per test</u> |
| <ul style="list-style-type: none"> Twenty-four-hour Central Station Monitoring | \$ <u>420.00 per year</u> |
| <ul style="list-style-type: none"> Hourly Rate for work that occurs outside of contract commitments | \$ <u>145.00 per hour</u> |
| <ul style="list-style-type: none"> Materials Markup of (Materials invoice plus associated markup) \$5,000 (in Materials) x <u>40</u> percentage x 100% The \$5,000 in Materials is an estimated amount for proposal purposes only. The contractor shall supply an invoice for the materials purchased for the work. | \$ <u>7,000.00</u> |

Important Note:

It is the responsibility of the bidder to visit the location, examine the equipment, and determine the information on the fire alarm system, and the specific and exact specifications for the components installed.

Please include, in a separate appendix, the cost for any renewal terms, if applicable.

ACKNOWLEDGEMENT OF ADDENDA**INSTRUCTIONS: COMPLETE PART I OR PART II, WHICHEVER APPLIES****PART I:**

List below the dates of issue for each addendum received in connection with this Solicitation:

Addendum #1, Dated 7/31/2023

Addendum #2, Dated _____

Addendum #3, Dated _____

Addendum #4, Dated _____

Addendum #5, Dated _____

Addendum #6, Dated _____

Addendum #7, Dated _____

Addendum #8, Dated _____

Addendum #9, Dated _____

Addendum #10, Dated _____

PART II:☐ NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS SOLICITATIONFirm Name: 1st Fire and Security, Inc.Signature: Name and title (Print or Type): Dane MarckelDate: August 17, 2023

RPF No. 112-2023 CHECKLIST PAGE

Instructions: This form constitutes item 'b' of Part I. Include this form, along with all other forms identified below in your response to this RFP.

In accordance with the plans, specifications, scope of services, and/or scope of work included in this RFP document, the **TOTAL PROPOSED PRICE (Years One - Three)** for this project is:

Eighty-six thousand five hundred ten dollars and 00/100 (\$ 86,510.00)

Are the required documents attached?

(Checklist)

PART 1

- Acknowledgement of Addenda
- Proposal Submittal Page (signed)
- Proposal Price Form fully completed.
- Conflict of Interest Disclosure Form
- Notification of Public Entity Crimes Law
- Drug-Free Workplace
- Non-Collusion Affidavit
- Truth-in-Negotiation Certificate
- List of References
- Anti-Kickback Affidavit
- List of Subcontractors, if applicable

X
X
X
X
X
X
X
X
X
X
X

PART 2

- Certificate of Insurance (per specification)

X

PART 3

- Copies of all licenses, certifications, and business tax receipts

X

PART 4 (OPTIONAL)

- Clarifications or Exceptions

X

Attachment 2

REQUIRED FORMS

PROPOSAL SUBMITTAL SIGNATURE PAGE

By signing this Proposal, the Proposer certifies that it satisfies all legal requirements as an entity to do business with the Town, including all Conflict of Interest and Code of Ethics provisions.

Firm Name:

1st Fire and Security, Inc.

Street Address:

610 1st Street, Vero Beach, FL 32962

Mailing Address (if different from Street Address):

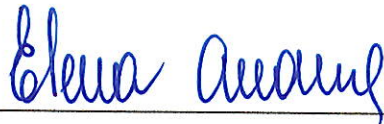
Telephone Number(s): 772-794-2220

Fax Number (s): 772-794-2204

Email Address: dane.marckel@1stfire.com

Federal Employer Identification Number: 80-0079555

Signature:



(Signature of authorized agent)

Print Name: Lena Andrews

Title: Vice-President

Date: August 17, 2023

By signing this document, the Proposer agrees to all terms and conditions of this Solicitation and the resulting contract/agreement.

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF THE PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED ABOVE BY AN AUTHORIZED REPRESENTATIVE SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE TOWN MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT THAT UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS PROPOSAL.

CONFLICT OF INTEREST DISCLOSURE FORM

The award of this contract is subject to the provisions of Chapter 112, Florida Statutes. All Proposers must disclose within their Proposal: the name of any officer, director, or agent who is also an employee of the Town of Lake Park.

Furthermore, all Proposers must disclose the name of any Town employee who owns, directly, or indirectly, an interest of more than five percent (5%) in the Proposer's firm or any of its branches.

The purpose of this disclosure form is to give the Town the information needed to identify potential conflicts of interest for evaluation team members and other key personnel involved in the award of this contract.

The term "conflict of interest" refers to situations in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee's professional judgment in exercising any Town duty or responsibility in administration, management, instruction, research, or other professional activities.

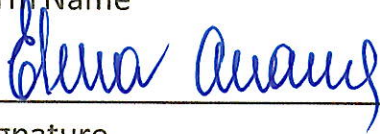
Please check one of the following statements and attach additional documentation if necessary:

- X To the best of my knowledge, the undersigned firm has no potential conflict of interest due to any other Cities, Counties, contracts, or property interest for the Proposal.
- The undersigned firm, by attachment to this form, submits information that may be a potential conflict of interest due to other Cities, Counties, contracts, or property interest for this Proposal.

Acknowledged by:

1st Fire and Security, Inc.

Firm Name



Signature

Lena Andrews Vice-President

Name and title (Print or Type)

August 17, 2023

Date

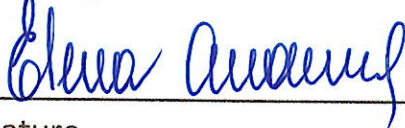
NOTIFICATION OF PUBLIC ENTITY CRIMES LAW

Pursuant to Section 287.133, Florida Statutes, you are hereby notified that a person or affiliate who has been placed on the convicted contractors list following a conviction for a public entity crime may not submit a Proposal on a contract to provide any goods or services to a public entity; may not submit a Proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit Proposals on leases or real property to a public entity; may not be awarded or perform work as a contractor, supplier, sub-vendor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 [F.S.] for Category Two [\$35,000.00] for a period of thirty-six (36) months from the date of being placed on the convicted contractors list.

Acknowledged by:

1st Fire and Security, Inc.

Firm Name



Signature

Lena Andrews Vice-President

Name and Title (Print or Type)

August 17, 2023

Date

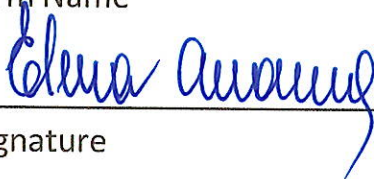
DRUG-FREE WORKPLACE

1st Fire and Security, Inc. _____ is a drug-free workplace and has a
(Company Name)
Substance abuse policy in accordance with and pursuant to Section 440.102, Florida Statutes.

Acknowledged by:

1st Fire and Security, Inc.

Firm Name



Signature

Lena Andrews Vice-President

Name and title (Print or Type)

August 17, 2023

Date

NON-COLLUSION AFFIDAVIT

STATE OF Florida

COUNTY OF Indian River

Before me, the undersigned authority personally appeared _____, who after being by me first duly sworn, deposes and says of his/her personal knowledge that:

- a. He/She is Lena Andrews of 1st Fire + Security, the Proposer that has submitted a Proposal to perform work for the following:

RFQ No.: 112-2023 Title: Fire Alarm System Purchase and Installation

- b. He/She is fully informed respecting the preparation and contents of the attached Request for Qualifications, and of all pertinent circumstances respecting such Solicitation.

Such Proposal is genuine and is not a collusive or sham Proposal.

- c. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other Proposer, firm or person to submit a collusive or sham Proposal in connection with the Solicitation and contract for which the attached Proposal has been submitted or to refrain from proposing in connection with such Solicitation and contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Proposer, firm, or person to fix the price or prices in the attached Proposal or any other Proposer, or to fix any overhead, profit or cost element of the Proposal price or the Proposal price of any other Proposer, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against the Town or any person interested in the proposed contract.
- d. The price or prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Proposer or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

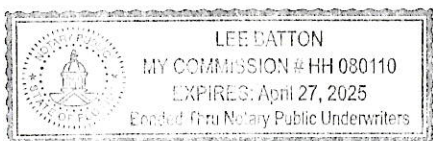
Elena Andrews

Signature

Subscribed and sworn to (or affirmed) before me this 17th day of August, 2023 by Elena Andrews, who is personally known to me or who has produced

_____, as identification.

SEAL



Notary Signature Lee Batton

Notary Name: Lee Batton

Notary Public (State): Florida

My Commission No.: HH 080110

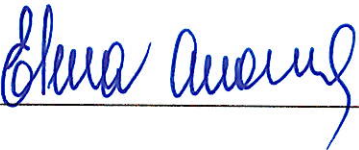
Expires on: 2025

TRUTH – IN – NEGOTIATION CERTIFICATE

The undersigned warrants (i) that it has not employed or retained any company or person, other than bona fide employees working solely for the undersigned, to solicit or secure the Agreements and (ii) that it has not paid or agreed to pay any person, company, corporation, individual or firm other than its bona fide employees working solely for the undersigned or agreed to pay any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of the Agreement.

The undersigned certifies that the wage rates and other factual unit costs used to determine the compensation provided for in the Agreement are accurate, complete, and current as of the date of the Agreement.

This document must be executed by a Corporate Officer.

By: 

Title: Vice - President

Date: August 17, 2023

LIST OF REFERENCES

Following are references from agencies/companies/individuals in which your company has provided similar services within the last 5 years:

REFERENCE #1

Company/Agency Name: Palm Beach County Capital Improvements
Address: 2633 Vista Parkway, West Palm Beach, FL 33411

Point of Contact: Ben Carroll
Phone Number: 561-233-2059
Fax Number:
E-mail: bmcarroll@pbcgov.org

REFERENCE #2

Company/Agency Name: Kravis Center
Address: 701 Okeechobee Blvd., West Palm Beach, FL 33401

Point of Contact: Owen Duncan
Phone Number: 954-812-1862
Fax Number:
E-mail: duncan@kravis.org

REFERENCE #3

Company/Agency Name: Indian River County School District
Address: 6500 57th Street, Vero Beach, FL 32967

Point of Contact: Mike Sturgis
Phone Number: 772-564-5022
Fax Number:
E-mail: michael.sturgis@indianriverschools.org



RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

Item 7.



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
ELECTRICAL CONTRACTORS LICENSING BOARD

THE ALARM SYSTEM CONTRACTOR I HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

ANDREWS, WILLIAM G

1ST FIRE & SECURITY, INC
610 1ST STREET
VERO BEACH FL 32962

LICENSE NUMBER: EF0001187

EXPIRATION DATE: AUGUST 31, 2020

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.



2023 Florida Annual Resale Certificate for Sales Tax

This Certificate Expires on December 31, 2023

Item 7.
D.R. 10
R. 10/22

Business Name and Location Address

Certificate Number

1ST FIRE & SECURITY INC
610 1ST ST
VERO BEACH, FL 32962-3601

41-8013224983-9

By extending this certificate or the certificate number to a selling dealer to make eligible purchases of taxable property or services exempt from sales tax and discretionary sales surtax, the person or business named above certifies that the taxable property or services purchased or rented will be resold or re-rented for one or more of the following purposes:

- Resale as tangible personal property
- Re-rental as tangible personal property
- Resale of services
- Re-rental as commercial real property
- Incorporation into tangible personal property being repaired
- Re-rental as transient rental property
- Incorporation as a material, ingredient, or component part of tangible personal property that is being produced for sale by manufacturing, compounding, or processing

Your *Florida Annual Resale Certificate for Sales Tax* (Annual Resale Certificate) allows you or your representatives to buy or rent property or services tax exempt when the property or service is resold or re-rented. You **may not** use your Annual Resale Certificate to make tax-exempt purchases or rentals of property or services that will be used by your business or for personal purposes. Florida law provides for criminal and civil penalties for fraudulent use of an Annual Resale Certificate.

As a seller, you must document each tax-exempt sale for resale using one of three methods. You can use a different method each time you make a tax-exempt sale for resale.

1. Obtain a copy (paper or electronic) of your customer's current Annual Resale Certificate.
2. For each sale, obtain a transaction authorization number using your customer's Annual Resale Certificate number.
3. Each calendar year, obtain annual vendor authorization numbers for your regular customers using their Annual Resale Certificate numbers.

Online: Visit floridarevenue.com/taxes/certificates

Phone: 877-357-3725 and enter your customer's Annual Resale Certificate number

Mobile App: Available for iPhone, iPad, and Android devices



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) **3/15/2023** Item 7.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | |
|---|--|
| PRODUCER Prime Insurance Solutions, Inc. 3040 N. Wickham RD. Suite 8 Melbourne FL, 32935 | CONTACT NAME: PHONE (A/C, No, Ext): (321) 259-7920 FAX (A/C, No): (321)259-7921 E-MAIL: ADDRESS: |
| INSURED 1ST FIRE & SECURITY INC 610 1ST STREET VERO BEACH, FL 32962 | INSURER(S) AFFORDING COVERAGE INSURER A : LLOYDS LONDON BROKERAGE INSURER B : INSURER C : INSURER D : INSURER E : INSURER F : |

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|--|----------|---------------|-------------------------|-------------------------|--|
| A | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | XX | | SP2220538 | 11/10/22 | 11/10/23 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | | | |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS | <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| | UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE | XX | | SP2X220538 | 11/10/22 | 11/10/23 | EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | N/A | | | | WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, ITS OFFICERS, EMPLOYEES AND AGENTS, C/O FACILITIES DEVELOPMENT & OPERATIONS DEPARTMENT ARE ADDITIONAL INSURED ON A PRIMARY BASIS.

CERTIFICATE HOLDER**CANCELLATION**

PALM BEACH COUNTY
C/O CAPITAL IMPROVEMENTS DIVISION
2633 VISTA PARKWAY
WEST PALM BEACH, FL 33411-5603

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.



CERTIFICATE OF LIABILITY INSURANCE

Item 7.

DATE (MM/DD/YYYY)

03/21/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

MIKE RICE STATE FARM
974 SW ST LUCIE WEST BLVD
PORT SAINT LUCIE, FL 34986

CONTACT NAME: MIKE RICE

PHONE: 772-878-7888

(A/C, No, Ext):

FAX: 772-878-8186

E-MAIL: mike.rice.ckmm@statefarm.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: State Farm Mutual Automobile Insurance Company

25178

INSURER B:

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED

1ST FIRE & SECURITY, INC.
610 1ST STREET
VERO BEACH, FL 32962

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL SUBR INSD WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-------------------------------------|--------------------------------------|--------------------------|--------------------------|---|
| | COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | | | EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRE AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY | Y | C23 4984-A31-590 E56 5587-E31-59A | 01/31/2023 11/30/2022 | 07/31/2023 05/31/2023 | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ 1,000,000 BODILY INJURY (Per accident) \$ 1,000,000 PROPERTY DAMAGE (Per accident) \$ 1,000,000 |
| | UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$ | | | | | EACH OCCURRENCE \$ AGGREGATE \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N <input type="checkbox"/> N/A | | | | PER STATUTE E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Palm Beach County Board of County Commissioners, a political subdivision of the State of Florida, its officers, employees and agents, c/o Facilities Development & Operations Department.

CERTIFICATE HOLDER

Palm Beach County
c/o Capital Improvements Division
2633 Vista Parkway
West Palm Beach, FL 33411-5603

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Kristen Cay For Agent Mike Rice



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/27/2023


THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER Arthur J. Gallagher Risk Services for CoAdvantage Jeffrey Rendel 250 Tequesta Drive Tequesta, FL 33418 | CONTACT NAME: PHONE (A/C, No, Ext): (866) 854-5423 FAX (A/C, No): E-MAIL ADDRESS: coi@coadvantage.com | | | | | | | | | | | | | | |
|---|---|-------------------------------|--------|--|-------|------------|--|------------|--|------------|--|------------|--|------------|--|
| INSURED CoAdvantage Corporation Alt. Emp: 1ST FIRE & SECURITY, INC. 101 Riverfront Blvd Suite 300 Bradenton, FL 34205 | <table border="1"> <tr> <th data-bbox="808 520 1409 548">INSURER(S) AFFORDING COVERAGE</th> <th data-bbox="1409 520 1544 548">NAIC #</th> </tr> <tr> <td data-bbox="808 548 1409 575">INSURER A: American Zurich Insurance Company</td> <td data-bbox="1409 548 1544 575">40142</td> </tr> <tr> <td data-bbox="808 575 1409 602">INSURER B:</td> <td data-bbox="1409 575 1544 602"></td> </tr> <tr> <td data-bbox="808 602 1409 630">INSURER C:</td> <td data-bbox="1409 602 1544 630"></td> </tr> <tr> <td data-bbox="808 630 1409 657">INSURER D:</td> <td data-bbox="1409 630 1544 657"></td> </tr> <tr> <td data-bbox="808 657 1409 684">INSURER E:</td> <td data-bbox="1409 657 1544 684"></td> </tr> <tr> <td data-bbox="808 684 1409 711">INSURER F:</td> <td data-bbox="1409 684 1544 711"></td> </tr> </table> | INSURER(S) AFFORDING COVERAGE | NAIC # | INSURER A: American Zurich Insurance Company | 40142 | INSURER B: | | INSURER C: | | INSURER D: | | INSURER E: | | INSURER F: | |
| INSURER(S) AFFORDING COVERAGE | NAIC # | | | | | | | | | | | | | | |
| INSURER A: American Zurich Insurance Company | 40142 | | | | | | | | | | | | | | |
| INSURER B: | | | | | | | | | | | | | | | |
| INSURER C: | | | | | | | | | | | | | | | |
| INSURER D: | | | | | | | | | | | | | | | |
| INSURER E: | | | | | | | | | | | | | | | |
| INSURER F: | | | | | | | | | | | | | | | |

| COVERAGES | CERTIFICATE NUMBER: 23FL090958349 | REVISION NUMBER: | | | | | |
|---|---|------------------|----------|---------------------------|-------------------------|-------------------------|---|
| THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. | | | | | | | |
| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
| <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | | | | | EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$ |
| <input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY | | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ | <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| A WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y / N <input checked="" type="checkbox"/> N <input type="checkbox"/> N/A | | | WC 56-11-942-09 | 04/01/2023 | 04/01/2024 | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 2,000,000 E.L. DISEASE - EA EMPLOYEE \$ 2,000,000 E.L. DISEASE - POLICY LIMIT \$ 2,000,000 |
| | | | | Location Coverage Period: | 04/01/2023 | 04/01/2024 | Client# 111401-FL |

| |
|---|
| DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Coverage is provided for only those co-employees of, but not subcontractors to: 1ST FIRE & SECURITY, INC. 610 1st Street Vero Beach, FL 32962-6516 |
|---|

| CERTIFICATE HOLDER | CANCELLATION |
|---|--|
| Palm Beach County C/O Insurance Tracking Services, (ITS) P.O. Box 20270 Long Beach, CA 90801 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |

CLARIFICATIONS/EXCEPTIONS

Please list any clarifications of your Proposal in this section, as well as any exceptions you may have.

The total pricing for this bid can be broken out as follows for the 1 - 3-year period mentioned in proposal documents.

| | | |
|---|---------------------------------------|----------------------------|
| Fire Alarm System Replacement: | | \$73,250.00 |
| Annual Testing and Inspection of Fire Alarm System: | \$1,600.00 per year | \$4,800.00 for 3-year term |
| Semi-Annual Testing and Inspection: | \$400.00 per test \$800.00 per year | \$2,400.00 for 3-year term |
| Quarterly Testing And Inspection: | \$400.00 per test \$1,600.00 per year | \$4,800.00 for 3-year term |
| 24 Hour Central Station Monitoring: | \$420.000 per year | \$1,260.00 for 3-year term |
| Hourly Work Rate: | \$145.00 per hour | |

Hourly Rate and Materials Mark-up is not included in Total Proposed Price of \$86,510.00



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Originating Department: Special Events

Agenda Title: Resolution Recognizing Florida City Government Week as October 16-22, 2023

Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov, c=US
Date: 2023.09.29 12:13:07 -04'00' **Date:** _____

Cost of Item: _____ **Funding Source:** _____

Account Number: _____ **Finance Signature:** _____

Advertised: _____

Date: _____ **Newspaper:** _____

Attachments: Resolution: Florida City Government Week

Please initial one:

_____ Yes I have notified everyone

X Not applicable in this case

Summary Explanation/Background:

The Florida League of Cities recognizes the benefits provided by municipal governments to the citizens of the State of Florida by sponsoring the *Florida City Government Week* annually in October. Municipalities are asked to recognize this occasion with a Resolution supporting the important role that municipal government and their employees play in the lives of their citizens. This year, Florida City Government Week will take place October 16-22, 2023. The Town of Lake Park will recognize Florida City Government Week on Friday, October 20 with 5th grade students from Lake Park Elementary School. Students will take a tour of Town Hall and the Lake Park Library, participate in a Mock Commission Meeting, skits with several department and view demonstrations by the Public Works Department and PBSO.

Recommended Motion:

I move to adopt the Resolution _____, 2023, recognizing Florida City Government Week as October 16-22, 2023.

RESOLUTION 83-10-23**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA RECOGNIZING CITY GOVERNMENT WEEK, OCTOBER 16-22, 2023 AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, municipal government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, municipal government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, municipal government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, *Florida City Government Week* is a very important time to recognize the important role played by municipal government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Florida that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, *Florida City Government Week* offers an important opportunity to convey to all the citizens of Florida that they can shape and influence government through their civic involvement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

Section 1. The foregoing recitals are adopted as true and correct findings of the Town Commission.

Section 2. That the Town of Lake Park does encourage all citizens, municipal government officials, and employees to do everything possible to ensure that this week is recognized and celebrated accordingly.

Section 3. That the Town of Lake Park does encourage educational partnerships between municipal government and schools.

Section 4. That the Town of Lake Park does support and encourage all municipal governments to actively promote and sponsor *Florida City Government Week*.

Section 5. This Resolution shall take effect upon adoption.



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Originating Department: Special Events

Agenda Title: RFQ 120-2023 : Centennial Celebration Festival Fireworks Display

Approved by Town Manager: John D'Agostino Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov,
c=US
Date: 2023.09.29 16:52:18 -0400 **Date:** _____

Cost of Item: \$34,000.00 **Funding Source:** FY 2022-2023 Budget

Account Number: 600-48058 **Finance Signature:** _____

Advertised: _____

Date: 9/15/23 **Newspaper:** _____

Attachments: RFQ 120-2023

My Three Sons Fireworks Company Proposal and Agreement

Please initial one:

X Yes I have notified everyone
____ Not applicable in this case

Summary Explanation/Background:

The Special Events Department published RFQ 120-2023 for the Centennial Celebration Festival Fireworks Display on September 15, 2023. At the submittal deadline line on Friday, September 22, 2023, one proposal was submitted by My Three Sons Fireworks Company. The Special Events Department proposes to move forward with My Three Sons as the vendor to produce the fireworks display at the final centennial event on Saturday, November 18, 2023.

Recommended Motion: I move to authorize the Town Manager to sign an agreement with My Three Sons Fireworks Company to produce the Centennial Celebration Festival Fireworks Display.

Lake Park Centennial Celebration

Item 9.

Fireworks Display Proposal

Prepared for:

City Official Town of Lake Park



About Us

My Three Sons Fireworks Company LLC is a premier fireworks display and special effects company catering towards private and public events all over the state of Florida. You may have guessed it! The owner of My Three Sons Fireworks Company, Josh Hite, does have three sons! Family is the most important thing in the world to Josh and his sons love his fireworks displays so much that he named the company after them. All of our technicians are proud members of the Florida Pyrotechnics Arts Guild and Pyrotechnics Guild International (PGI). All shows are fired electronically with safety as the number one concern. My Three Sons Fireworks Company does shows for clients because when we look at the sheer awe and enjoyment, the smiles, laughs and cries of the clients when watching our displays, it is one of the most satisfying feelings in the world.



Town of Lake Park's Event

We are very familiar with and have successfully assisted numerous clients in your industry providing jaw dropping displays. However you envision your event to be, we can make it happen.

Wedding Client Longboat Key, FL



Florida Fall Fireworks Festival and Four Season's Fireworks



Our Clients

We know how important your next event is and we want to take all of the stress out planning and organizing it for you while making sure it is a great success.



Silhouette Group

Award winning global event production and design agency. Fireworks displays for celebrities

December 2022

Alexis B

Wedding Client

2022

"Wanted to thank you SO very much for a phenomenal fireworks show! You were the hit of the evening! Everyone raved about how amazing the show was. You were an absolute pleasure to work with, and we can't thank you enough!"



Carey S

Leukemia & Lymphomas Society, Light The Night

November 2022

"My Three Sons Fireworks Company LLC is my fireworks company forever and ever!"



Tampa Bay Rowdies - Professional Soccer Team

Fireworks and Special Effects

2023 Season

Shell and Cake Sizes and Effects

Intracoastal Near Kelsey Park

Cakes

- Cake bore size will range from 0.8" - 3.0"
- Effects included include peonies, chrysanthemums, waterfalls, brocades, crackle, willows, and nishiki kamuros. Colors included are red, green, blue, yellow, gold and white.

Shells

- Shell size will be up to 6"
- Effects included include peonies, chrysanthemums, waterfalls, brocades, crackle, willows, and bowties. Colors included are red, green, blue, yellow, gold and white.

Comets, Modular Slice Cakes, and Mines

- Shell size will be between 1.0"- 2.0". Colors included are red, green, blue, yellow, gold and white. The colors may vary by show according to the choreography

Shot Counts

| Size | Shots |
|-------------------------------|-------|
| 1-3" Cakes, Slices and Comets | 2,130 |
| 3" | 420 |
| 4" | 150 |
| 5" | 100 |
| 6" | 36 |
| Grand Total | 2,836 |

We will use two vessels for this show where the barge vessel will hold the display shells and the 2nd vessel will hold the cakes, slices, comets and mines.

References

1. **Leukemia and Lymphoma Society.** Carey Stadler, 914-821-8954, carey.stadler@lls.org. *Public fireworks display for Light The Night event*
2. **Swanky Soiree Events.** Christina Harris, 941-893-7860, swankysoireeflorida@gmail.com. *Wedding fireworks displays*
3. **Sumter County.** Jenny Yoder, 352-748-6655, jennyy@tdpools.com. *Public fireworks display for the 4th of July*
4. **Village of Palm Springs.** Garrett Pearson, 561-584-8200, gpearson@vpsfl.org. *Public fireworks display for the 4th of July*
5. **Tampa Bay Rowdies.** Jeff Parkinson, 727-808-5931, jparkinson@rowdiessoccer.com. *Fireworks and special effects for professional soccer team.*

Examples of Past Work

Show design using our scripting software: <https://youtu.be/kSrIaon1ciY>

Highlight video from prior show in Sumter County: <https://youtu.be/W7exA4KEr5g>

Pyromusical for Four Seasons Fireworks in Clermont, FL: <https://vimeo.com/manage/videos/829424093>

Pricing

| Option 1 - 2,836 shots | Price | QTY | Subtotal |
|--------------------------------|-------------|-----|--------------------|
| Fireworks Display - 11/18/2023 | \$34,000.00 | 1 | \$34,000.00 |
| | | | \$34,000.00 |

This includes a 25 minute show with a clearly defined grand finale within the show. Please see Schedule A for the details of Our responsibilities. This price includes all product, labor, boat pilot, fire department permit application, barge and vessel, hazmat materials, fire watch, Air Traffic Control Notice to Airmen, USCG permit application, insurance and hazmat transportation.

Event Contract

This Event Contract (the “Contract”) states the terms and conditions that govern the contractual agreement between My Three Sons Fireworks Company LLC having its principal place of business at 11235 Millpond Greens Dr, Boynton Beach, FL, 33473 (the “Company”), and Town of Lake Park (the “Client”) who agrees to be bound by this Contract.

WHEREAS, the Client is conducting a fireworks display, on 11/18/2023 (the “Event”); and

WHEREAS, the Company agrees to manage the Event according to the terms and conditions herein.

NOW, THEREFORE, in consideration of the mutual covenants and promises made by the parties within this Contract, the Company and the Client (individually, each a “Party” and collectively, the “Parties”) covenant and agree as follows:

Services

On the dates as noted above with Pricing table, we will assemble a firework Show with 1.4g, 1.4g Pro Product, Articles of Pyrotechnic Product, and/or 1.3g product and will last for approximately 25 (twenty five) minutes with a clearly defined grand finale included within the 25 minutes. This will include: the product, insurance, set-up, and coordination of the show along with clean up. It is understood by both parties that We will clean up all major debris and debris that we are able to see at night time – it is

possible that there could be minor debris that we do not see such as paper and it is understood that Client would be responsible for that cleanup (or engaging a service to clean) if required by the venue.

The display shall be fired electronically using a Cobra Wireless Firing System.

The location for this services will be at and around Kelsey Park, 601 Federal Hwy, Lake Park, FL, 33403. The time of the services for the fireworks display 9:00pm as determined by Client.

Cancellations

If it is lighting or thundering the show may be delayed until it will be safe to fire, but the show will be shot if it is raining provided that the wind conditions are safe. The employees of The Company have the right to cancel or delay a show for any reason resulting in unsafe conditions. Outside of any of the above issues if the Client decides to cancel the event, the fireworks display may be moved to another day of the year 2023-2024 if the cancellation occurs more than 48 hours from the event date. If the cancellation occurs within 48 hours of the event, a 60% credit will be given towards another fireworks display in order to cover the cost of labor, restocking, and hazmat fees.

Payment

The payment shall be made to My Three Sons Fireworks LLC. Payments are accepted by cash, credit card, check, and bank transfer. The address if using a check is 11235 Millpond Greens Dr. Boynton Beach, FL, 33473. There is a 3.5% convenience fee for using a credit card. Payment details may be reviewed in Schedule B.

Warranties

We shall provide services and meet obligations under this Agreement in a timely and professional manner, using knowledge and recommendations for performing the services which meet generally acceptable standards in Our community and region, and will provide a standard of care equal to, or superior to, care used by service providers like Us on similar projects.

The Client also has a responsibility for the successful execution of the shows. The Client must provide a safe working area to Us and under no circumstances should an unauthorized person enter the fallout area which will be designed and marked off by the Us. We will not fire the show or work on the display leading to the show if there are unauthorized persons in the fallout zone. This is to maintain the highest degree of safety to ensure that The Company, The Client and spectators have a safe and pleasurable experience. It is The Client's responsibility to control the spectators and enforce the rules on not entering an unauthorized area. If the Client would like to enter into the fallout zone prior to the show, they must do so under escort of an employee from The Company.

The Company does have an active insurance policy that covers all our shows. We will clean all the major firework debris.

Remedies on Default

In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term or condition of this Agreement (including without limitation the failure to make a monetary payment when due), the other party may terminate the Agreement by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the default. The party receiving such notice shall have 30 days from the effective date of such notice to cure the default(s). Unless waived by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Agreement.

Entire Agreement

This agreement contains the entire agreement of the parties regarding the subject matter of this Agreement, and there are no other promises or conditions in any other agreement whether oral or written. This Agreement supersedes any prior written or oral agreements between the parties.

Amendment

This agreement may be modified or amended if the amendment is made in writing and signed by both parties.

Waiver of Contractual Right

The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.

Applicable Law

This Agreement shall be governed by and construed according to the laws of the State in which then event is taking place in.

Event Contract

IN WITNESS WHEREOF, each of the Parties has executed this Contract, both Parties by its duly authorized officer, as of the day and year set forth below:

My Three Sons Fireworks Company LLC

Town of Lake Park

Joshua Hite

City Official

Schedule A: My Three Sons Fireworks Company LLC's Duties

Pre-Event planning

My Three Sons Fireworks Company LLC will plan event according to Town of Lake Park's specifications. We will secure the permit required in order to execute the show on the date of the event.

Physical set up of Event site

My Three Sons Fireworks Company LLC will set up the Event bringing all product, racks, firing system and protective equipment.

Coordination

My Three Sons Fireworks Company LLC will work with the authority holding jurisdiction (AHJ), police and fire department. We will prepare the shoot site for the fire inspection and communicate as necessary the to AHJ, police and fire department.

Execution

My Three Sons Fireworks Company LLC electronically fire the display for the Town of Lake Park's Events. The show will be fired in accordance to NFPA 1123 standards. The show will be shot at the prior mentioned show length continuously with no extended delays of "black sky".

Cleanup

My Three Sons Fireworks Company LLC will clean the shoot sites to return them to condition that they were in prior to our arrival. This includes removal of major debris, sweeping and removal of any possible unexploded shells. If needed, we will coordinate with our Hazmat 24 hour response team to ensure proper hazardous material removal.

Licenses and Insurance

My Three Sons Fireworks Company LLC will provide certificates of insurance to the required parties. We will provide required parties the permit for the shows, our valid BATFE license and shooter certifications two weeks prior to the display.

Schedule B: Payment

Total amount: \$34,000

Schedule

50% due on acceptance

50% due on 11/17/2023



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: October 4, 2023

Agenda Item No.

Agenda Title: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-83 OF CHAPTER 78 OF THE TOWN CODE PERTAINING TO LANDSCAPING AND PUBLICLY ACCESSIBLE GREENWAY TREE PLANTING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

- | | | | |
|-------------------------------------|--|--------------------------|----------------|
| <input type="checkbox"/> | SPECIAL PRESENTATION/REPORTS | <input type="checkbox"/> | CONSENT AGENDA |
| <input type="checkbox"/> | BOARD APPOINTMENT | <input type="checkbox"/> | OLD BUSINESS |
| <input checked="" type="checkbox"/> | ORDINANCE ON 1st READING | | |
| <input type="checkbox"/> | NEW BUSINESS | | |
| <input type="checkbox"/> | OTHER | | |

John

Approved by Town Manager D'Agostino

Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of Lake
Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.gov, c=US
Date: 2023.09.28 10:39:00 -04'00'

Date: _____

Anders Viane / Planner

Name/Title

| | | |
|--|---|--|
| Originating Department: Community Development | Costs: \$ Legal Review Funding Source: Legal Acct: #108 <input type="checkbox"/> Finance <u>Jeffrey P. Duvall</u> <small>Digitally signed by Jeffrey P. Duvall DN: cn=Jeffrey P. Duvall, o.ou, email=jduvall@lakeparkflorida.gov, c=US Date: 2023.09.26 16:56:04 -04'00'</small> | Attachments: → Ordinance ____-2023 → TC Memo → Legal Ad Copy |
| Advertised: Date: September 2, 2023 Paper: Palm Beach Post <input type="checkbox"/> Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone AV or Not applicable in this case Please initial one. |

Summary Explanation/Background:

Staff has received feedback from both development partners and our consultant landscape architects that for our Mixed Use District Section 78-83, our street tree planting standards are difficult to adhere to for cost, availability, and long-term maintenance reasons. Specifically, the N220 project has experienced conflicts where the currently proposed landscaping specs for street tree plantings were too intense; the specimen trees required proved difficult to obtain at the required heights and furthermore created maintenance issues for both the property owner and

FDOT, as these large mature canopy trees create complications for both sidewalk and utility infrastructure upkeep. In order to address these issues and facilitate development along the US-1 corridor, staff has worked to create new regulations that allow for greater flexibility in street tree planting along the street while still retaining the intent of the street tree planting code by providing high quality shaded greenways throughout the Federal Highway Mixed Use Overlay District.

Planning & Zoning Board: This item was considered at the Monday, September 11, 2023 public meeting and the Board recommended **approval at a vote of (5-0)** with the recommendation that accommodation be made for utility conflicts, for which greater flexibility has been added to the text granting staff discretion to waive standards where conflicts with utilities can be documented. Additionally, language encouraging public drinking fountains as a street furnishing item has been removed on the board's recommendation and replaced with decorative fountains instead.

Recommended Motion: I MOVE TO **APPROVE** ORDINANCE NO. ____-2023 on first reading.



STAFF MEMO & PROPOSED ORDINANCE

PROPOSAL

Staff has received feedback from both development partners and our consultant landscape architects that for our Mixed Use District Section 78-83, our street tree planting standards are difficult to adhere to for cost, availability, and long-term maintenance reasons. Specifically, the N220 project has experienced conflicts where the currently proposed landscaping specs for street tree plantings were too intense; the specimen trees required proved difficult to obtain at the required heights and furthermore created maintenance issues for both the property owner and FDOT, as these large mature canopy trees create complications for both sidewalk and utility infrastructure upkeep. In order to address these issues and facilitate development along the US-1 corridor, staff has worked to create new regulations that allow for greater flexibility in street tree planting along the street while still retaining the intent of the street tree planting code by providing high quality shaded greenways throughout the Federal Highway Mixed Use Overlay District.

Planning & Zoning Board: This item was considered at the Monday, September 11, 2023 public meeting and the Board recommended **approval at a vote of (5-0)** with the recommendation that further accommodation be made for utility conflicts, for which greater flexibility has been added to the text granting staff discretion to waive standards where conflicts with utilities can be documented. Additionally, language encouraging public drinking fountains as a street furnishing item has been removed on the board's recommendation and replaced with decorative fountains instead.

The substance of the code change is detailed below:

- a. Providing a tree species that provides substantial shade along the street. Palm trees may compose no more than 25 percent of ~~shall not count toward~~ the required number of street trees.
 - i. A minimum of 75~~50~~ percent of the required street trees shall be shade trees, and the remaining street trees may be provided as medium or large flowering trees. Palm trees may be used over and above the minimum number of required street trees. Street trees shall be provided at a ratio of one street tree per 20 feet of street frontage, or a greater ratio thereof, not subtracting ingress and egress dimensions. Where overhead utilities exist, required street trees may be ~~small trees provided~~



**Town of Lake Park
Town Commission Meeting
Meeting Date: October 4, 2023
MIXED USE STREETSCAPE LANDSCAPING TEXT AMENDMENT**

Item 10.

~~at a ratio of one street tree per 20 feet of street frontage~~ modified as needed to address documented conflicts with utility infrastructure.

- b. Providing adequate street furnishings such as benches, bus shelters, ~~drinking~~ decorative water fountains etc.
- c. Providing a landscape plan illustrating a significant tree special along the greenway that is distinguishably different from the other streets in terms of color, type and shape.
- d. At the time of planting, the trunk of ~~shade the trees~~ shall be a minimum of ~~745~~ feet clear height to the bottom of the canopy, ~~flowering trees shall be a minimum of 6 feet~~ clear height to bottom of the canopy, and palm trees shall have a minimum of 12 feet of clear trunk.

Staff Recommendation: Approval

ORDINANCE 08-2023

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING SECTION 78-83 OF CHAPTER 78 OF THE TOWN CODE PERTAINING TO LANDSCAPING AND PUBLICLY ACCESSIBLE GREENWAY TREE PLANTING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission has developed a mixed use zoning code, which has been codified in Chapter 78, Article III, Section 78-83 of the Town's Code of Ordinances; and

WHEREAS, the Community Development staff has recommended that the Town Commission amend Town Code, Chapter 78, Article III, Section 78-83, to allow for flexibility in the landscaping requirements for street tree planting.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The whereas clauses are incorporated herein as true and correct and as the legislative findings of the Town Commission.

Section 2. Chapter 78, Article III, Section 78-83 of the Town Code is hereby amended to read as follows:

- a. Providing a tree species that provides substantial shade along the street. Palm trees may compose no more than 25 percent of ~~shall not count toward~~ the required number of street trees.
- i. A minimum of ~~75~~50-percent of the required street trees shall be shade trees, and the remaining street trees may be provided as medium or large flowering trees. Palm trees may be used over and above the minimum number of required street trees. Street trees shall be provided at a ratio of one street tree per 20 feet of street frontage, or a greater ratio thereof, not subtracting ingress and egress dimensions. Where overhead utilities exist, required street trees may be ~~small trees provided at a ratio of one street tree per 20 feet of street frontage~~ modified as needed to address documented conflicts with utility infrastructure.
- b. Providing adequate street furnishings such as benches, bus shelters, ~~drinking~~ decorative water fountains etc.

- c. Providing a landscape plan illustrating a significant tree special along the greenway that is distinguishably different from the other streets in terms of color, type and shape.
- d. At the time of planting, the trunk of shade ~~the trees~~ shall be a minimum of 7~~15~~ feet clear height to the bottom of the canopy, flowering trees shall be a minimum of 6 feet clear height to bottom of the canopy, and palm trees shall have a minimum of 12 feet of clear trunk.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Codification.

The Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "section", "article", or any other appropriate word.

Section 5. Repeal of Laws in Conflict.

All Ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon adoption by the Town Commission.

PUBLIC NOTICE TOWN OF LAKE PARK NOTICE OF PUBLIC HEARINGS

BE ADVISED THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONDUCT A PUBLIC MEETING AT 535 PARK AVENUE TO CONSIDER THE AGENDA ITEM LISTED BELOW ON MONDAY, SEPTEMBER 11, 2023 AT 6:30 PM, OR AS SOON THEREAFTER AS CAN BE HEARD. A QUORUM OF THE PLANNING & ZONING BOARD OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL.

THE TOWN COMMISSION WILL ALSO CONDUCT A PUBLIC HEARING AT 535 PARK AVENUE, LAKE PARK, TO CONSIDER THE AGENDA ITEM LISTED BELOW ON 1ST READING WEDNESDAY, OCTOBER 4, 2023 AT 6:30PM AND 2ND READING WEDNESDAY, OCTOBER 18, 2023, OR AS SOON THEREAFTER AS CAN BE HEARD. (TENTATIVE DATE, PLEASE MONITOR WWW.LAKEPARKFLORIDA.GOV FOR ANY CHANGES). A QUORUM OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA WILL CONVENE AND PUBLIC PARTICIPATION WILL OCCUR IN-PERSON AT TOWN HALL.

Agenda Item:

The Town of Lake Park is bringing forward text amendments to Section 78-83 of the Mixed Use District to modify certain requirements for street tree landscape plantings.

Records related to this item may be inspected by contacting the Community Development Department at 561-881-3320, or by emailing Anders Viane at aviane@lakeparkflorida.gov. If a person decides to appeal any decision made by the Planning and Zoning Board or Town Commission with respect to any hearing, they will need a record of the proceedings and for such purpose 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 to be based. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Town Clerk: Vivian Mendez

PUB: The Palm Beach Post – Saturday, September 2, 2023



Town of Lake Park Town Commission

Item 11.

Agenda Request Form

Meeting Date: October 4, 2023

Agenda Item No.

Agenda Title: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, DECLARING ZONING IN PROGRESS PERTAINING TO THE DEVELOPMENT OF REGULATIONS FOR AFFORDABLE OR WORKFORCE HOUSING TO IMPLEMENT THE LIVE LOCAL ACT, INCLUDING SPECIFICALLY SECTION 166.04151(7), FLORIDA STATUTES; PROVIDING THAT WHILE ZONING IN PROGRESS IS IN EFFECT THE TOWN'S COMMUNITY DEVELOPMENT DEPARTMENT SHALL NOT ACCEPT, REVIEW, PROCESS OR CONSIDER ANY APPLICATIONS FOR THE APPROVAL OF DEVELOPMENT ORDERS OR BUILDING PERMITS, ASSOCIATED WITH AFFORDABLE OR WORKFORCE HOUSING INCLUDING THOSE PROPOSED UNDER THE LIVE LOCAL ACT, FLA. STAT. §166.04151 (7), WHETHER THEY ARE REQUESTED TO BE ISSUED ADMINISTRATIVELY OR OTHERWISE; AND PROVIDING AN EFFECTIVE DATE.

[] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[] ORDINANCE
[] NEW BUSINESS
[X] OTHER - Resolution

Approved by Town Manager

John

D'Agostino

Digitally signed by John D'Agostino
DN: cn=John D'Agostino, o=Town of
Lake Park, ou=Town Manager,
email=jdagostino@lakeparkflorida.go
v=US
Date: 2023.09.28 10:37:15 -04'00'

Date: _____

Anders Viane – Planner

Name/Title

| | | |
|--|---|---|
| Originating Department: Town Manager/Town Attorney/Community Development | Costs: N/A at this time other than internal meetings with the Town Attorney for which a legal budget is available. Funding Source: Acct. [] Finance _____ | Attachments: -Resolution ____-10-23 -Senate Bill 102 |
| Advertised: Date: N/A Paper: [] Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone or Not applicable in this case ND Please initial one. |

Summary Explanation/Background:

At the September 20, 2023 meeting, the Town Commission directed Staff to bring forward a Zoning-in-Progress Resolution pursuant to the explanations/background provided below. Enclosed is the proposed Zoning-in-Progress Resolution reviewed and approved by the Town Attorney.

If approved, this Resolution will impose zoning in progress (a pause) on the acceptance,

processing, consideration or issuance of any applications for development orders, permits, or an application associated with affordable or workforce housing including those proposed under the Live Local Act, Fla. Stat. §166.04151 (7), until the Department of Community Development and the Town Attorney have concluded a study and the Commission has adopted such amendments to the Town's Comprehensive Plan and its LDRs as it deems necessary and appropriate to further the public's health, safety, and general welfare.

This zoning in progress is of a temporary nature to allow the Town Attorney and Department of Community Development to study and complete in a careful, but expeditious manner, regulations and procedures to provide for affordable and workforce housing, including under Fla. Stat. §166.04151 (7), and shall expire on September 30, 2024, or whenever the Town Commission establishes such regulations and procedures as it deems necessary to further the health safety and general welfare of the Town's residents and businesses, whichever comes sooner.

In July 2023 Senate Bill 102 (SB 102) was signed into law. It is known as the "Live Local Act". This new law allocates \$711 million dollars toward affordable housing initiatives statewide. However, SB 102 is far more than an appropriations bill. It aims to incentivize the development of affordable housing and provide new procedures to the development of housing. The new law has implications for both developers and local governments.

SB 102 makes a number of changes to Florida law impacting how local governments can treat certain proposed affordable housing developments. It also changes what policies local governments may enact to address housing. These changes are intended to align with the Florida Legislature's rewrite of section 420.0003, Florida Statutes, that deals with affordable housing. That section requires local governments provide incentives, such as density bonus incentives, to encourage the private sector to be the primary driver for developing affordable housing.

Rent Control

SB 102 amends sections 125.0103 and 166.043, Florida Statutes, to remove local government authority to enact rent control. Previously, local governments could enact rent control measures via a referendum for a period not exceeding one year in certain instances.

Development Incentives

SB 102 makes a number of changes to sections 125.01055 and 166.04151, Florida Statutes, which preempts local governments from enacting policies that would hinder the development of certain affordable housing projects. These changes sunset October 1, 2033.

SB 102 requires local governments to make multifamily and mixed-use residential allowable uses in areas zoned commercial, industrial, or mixed use if at least 40% of the proposed development's multifamily residential rental units are affordable as defined under state law (for at least 30 years as Affordable Multifamily Housing). SB 102 preempts local governments from taking a number of actions that might hinder the development of Affordable Multifamily Housing.

The amendments to these sections also remove the prohibition on developers of affordable housing from receiving funds from the State Apartment Incentive Loan (SAIL) Program provided that 10% of the units are dedicated for affordable housing.

Local Government Administration and Affordable Housing

SB 102 amends sections 125.379 and 166.0451, Florida Statutes, and requires local governments list real property owned in fee simple by any dependent special district within that local government's jurisdiction that is appropriate for affordable housing, as well as requiring the inventory list of properties be publicly available on the local governments' websites.

SB 102 amends section 553.792, Florida Statutes, to require local governments maintain a policy containing the procedures and expectations for expedited processing of building permits and development orders that are required to be expedited on the local governments' websites.

Taxes

SB 102 aims to encourage the development of affordable housing by lessening the associated tax burden.

- **Ad Valorem Property Tax Exemptions:** SB 102 enacts two separate ad valorem tax exemptions available to owners of property used for Affordable Multifamily Housing developments under sections 196.1978(3) and section 196.1979, Florida Statutes. A taxpayer may only receive one of these exemptions.
 1. **Sections 196.1978(3):** Section 196.1978(3), Florida Statutes, makes portions of property in a multifamily project eligible for a tax exemption by deeming such property to be used for a charitable purpose, pursuant to certain eligibility criteria. This section requires that qualified property which is available to house those whose annual household income is above 80% and below 120% of the median annual adjusted gross income for households within the metropolitan statistical area (MSA), or for households in a county that is not within an MSA, receive an ad valorem property tax exemption of 75% of the property's assessed value. However, if the property is used to house those with income that does not exceed 80% of the median annual adjusted gross income for households within the MSA or county, then the property is 100% exempt from ad valorem property taxes.
 2. **Section 196.1979:** Permits local governments to adopt an ordinance exempting portions of property used to provide affordable housing by deeming the property as being used for a charitable purpose, pursuant to certain eligibility criteria. If all the residential units in a multifamily development are not affordable housing, then the property's exemption may be up to 75% of the assessed value of each residential unit providing affordable housing. If all the residential units are affordable, then the exemption may be up to 100% of the assessed value on the multifamily residential units providing affordable housing.

SB 102 enacts several more tax exemption and credit programs, along with State housing programs, pursuant to certain eligibility criteria.

SB 102 has a number of provisions that direct local governments to take action. For example, section 420.0003, Florida Statutes, encourages local governments to adopt ordinances to promote innovative housing solutions, such as utilizing publicly held land to develop affordable housing. That section also encourages local governments to engage in community led planning focusing on urban infill, flexible zoning, redevelopment of commercial property into mixed-use property, resiliency, and furthering development with preexisting public services. It encourages the development of policies that maximize high-density, high-rise, and mixed-use, as well as mixed-income projects. It even encourages the development of policies to modernize housing specifically naming things such as tiny homes, 3D-printed homes, and accessory dwelling units.

Additionally, SB 102's amendments to sections 125.379 and 166.0451, Florida Statutes, encourage local governments to enact ordinances adopting best practices for surplus land programs. These best practices include establishing eligibility criteria for the receipt or purchase of surplus land by developers, making the process for requesting surplus lands publicly available, and ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring the reversion of property not used for affordable housing within a certain timeframe. Local governments that wish to enact an ordinance providing for an ad valorem tax exemption under section 196.1979, Florida Statutes, will have to do so in accordance with the provisions and restrictions set out in that section.

SB 102 also directs certain State agencies such as the Florida Housing Finance Corporation to adopt rules relating to the ad valorem exemption available under section 196.1978(3), Florida Statutes. It directs the Florida Department of Revenue to adopt rules governing the administration of the tax exemptions under sections 212.08 and 220.1878, Florida Statutes.

With all of the above being said, it may be prudent to adopt a Zoning in Progress Resolution in order to provide the necessary time for Staff to adequately interpret and work through the requirements of the new law. This would ensure our programs and regulations adhere to the requirements, so that we can properly review and process applications under the Live Local Act. This would also ensure that we properly administer and apply the new provisions for affordable housing, tax exemptions and other provisions in a way that safeguards the public's health, safety and welfare.

Recommended Motion: I move to APPROVE Resolution ____-10-23.

RESOLUTION NO. _____-10-23

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, DECLARING ZONING IN PROGRESS PERTAINING TO THE DEVELOPMENT OF REGULATIONS FOR AFFORDABLE OR WORKFORCE HOUSING TO IMPLEMENT THE LIVE LOCAL ACT, INCLUDING SPECIFICALLY SECTION 166.04151(7), FLORIDA STATUTES; PROVIDING THAT WHILE ZONING IN PROGRESS IS IN EFFECT THE TOWN'S COMMUNITY DEVELOPMENT DEPARTMENT SHALL NOT ACCEPT, REVIEW, PROCESS OR CONSIDER ANY APPLICATIONS FOR THE APPROVAL OF DEVELOPMENT ORDERS OR BUILDING PERMITS, ASSOCIATED WITH AFFORDABLE OR WORKFORCE HOUSING INCLUDING THOSE PROPOSED UNDER THE LIVE LOCAL ACT, FLA. STAT. §166.04151 (7), WHETHER THEY ARE REQUESTED TO BE ISSUED ADMINSTRATIVELY OR OTHERWISE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the Florida Constitution and Chapter 166, Florida Statutes, the Town Commission of the Town of Lake Park (Town) has the home rule powers and authority to govern development within the Town; and

WHEREAS, with the adoption of this resolution, the Town Commission hereby declares zoning in progress to be in effect and directs the Community Development Department (Department) in consultation with the Town Attorney to consider, study and prepare regulations addressing affordable and workforce housing in the Town, including regulations which may govern proposals to develop properties under Fla. Stat. §166.04151(7), known as the Live Local Act (the Act); and

WHEREAS, the Town Commission finds that zoning in progress is necessary to provide the Town Attorney and the Department with adequate time to review the Town's existing zoning and land development regulations and to consider regulations that would implement the Comprehensive Plan and the Act in furtherance of the public's health, safety and welfare; and

WHEREAS, the Act has pre-empted local control regarding affordable and workforce housing in certain aspects, and requires the development of mechanisms for the town to track and monitor the number of units developed under the Act; and

WHEREAS, the Act contains many ambiguities and little guidance to local governments regarding its implementation, administration, monitoring, and other matters; and

WHEREAS, the Act provides for tax exemptions for developers of affordable or workforce housing units, and the implications of the ad valorem taxes the town may receive are not clear, and thus there is the potential for adverse impacts on the ad valorem taxes the town may collect in any given fiscal year; and

WHEREAS, the Act must be reconciled with Policy 1.1 of the Comprehensive Plan Future Land Use Element which requires that the Town's Land Development Regulations be amended as necessary to regulate the use and intensity of land development consistent with this element to ensure the compatibility of adjacent land uses" and to encourage redevelopment, renewal or renovation, that maintains or improves existing neighborhoods and commercial areas"; and

WHEREAS, the Act authorizes the locations of residential structures without regard to the compatibility of development with surrounding properties as set forth in the Town's Comprehensive Plan and Land Development Regulations and for the impacts of height, density or intensity on adjacent existing properties, resulting in expected serious land use conflicts, impacts on and the cost of providing public services; and

WHEREAS, the Act allows eligible affordable and workforce housing units to be constructed in existing commercial, industrial, and mixed use zoning districts of the Town, which is not consistent with existing policies of the Town's Comprehensive Plan, including specifically Future Land Use Element **Policy 5.4** that requires that the Town utilize such techniques as distance requirements, buffering, landscaping, lower-intensity development, and scale-down requirements to provide appropriate transitions between high density uses and zoning districts having different intensities, densities, and functions; and

WHEREAS, in order to implement the Act, and ensure compliance and consistency with the Comprehensive Plan, and to meet the Town's existing Land Development Regulations, the Department and Town Attorney need adequate time to consider and prepare new regulations and comprehensive plan policies, and to amend existing regulations as may be necessary to implement the Act; and

WHEREAS, court decisions have upheld zoning in progress as a valid and necessary tool available to local governments to further the public's health, safety, morals, and general welfare; and

WHEREAS, during the zoning in progress period, the commission directs that the Department, in consultation with the Town Attorney, study and develop for the commission's consideration appropriate changes to the Land Development Code and Comprehensive Plan to insure an affordable and workforce housing program is established to implement the Act in a way to address the needs of the Town's residents and businesses.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The whereas clauses are incorporated herein, are true and correct, and represent the Commission's legislative findings and intent regarding the necessity of zoning in progress.

SECTION 2. Issuance of Development Permits Withheld. During the period of zoning in progress, the Department of Community Development is directed **not** to process or issue any applications for development permits or orders, amendments to site plans, or other zoning applications, whether administratively or otherwise, for applications submitted under the "Live Local Act," codified at Fla. Stat. §166.04151(7).

SECTION 3. Applicability. This Resolution shall apply to all properties within the corporate limits of the Town and to any applications which seek to use the Act.

SECTION 4. Zoning in Progress Declared. The Town Commission hereby imposes zoning in progress upon the acceptance, processing, consideration or issuance of any applications for development orders, permits, or any application associated with affordable or workforce housing including those proposed under the Live Local Act, Fla. Stat. §166.04151 (7), until the Department of Community Development and the Town Attorney have concluded a study and the Commission has adopted such amendments to the Town's Comprehensive Plan and its LDRs as it deems necessary and appropriate to further the public's health, safety, and general welfare.

SECTION 5. This zoning in progress is of a temporary nature to allow the Town Attorney and Department of Community Development to study and complete in a careful, but expeditious manner, regulations and procedures to provide for affordable and workforce housing, including under Fla. Stat. §166.04151 (7), and shall expire on September 30, 2024, or whenever the Town Commission establishes such regulations and procedures as it deems necessary to further the health safety and general welfare of the Town's residents and businesses, whichever comes sooner.

SECTION 6. Effective Date. This Resolution shall take effect immediately upon its execution.

CHAPTER 2023-17

Committee Substitute for Senate Bill No. 102

An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property

used to provide affordable housing meeting certain requirements; specifying requirements and limitations for the exemption; providing that vacant units may be eligible for the exemption under certain circumstances; specifying requirements for ordinances granting an exemption; specifying requirements for a rental market study; providing that ordinances must expire within a certain timeframe; requiring the property appraiser to take certain action in response to an improperly granted exemption; providing a penalty; providing applicability; amending s. 201.15, F.S.; suspending, for a specified period, the General Revenue Fund service charge on documentary stamp tax collections; providing for specified amounts of such collections to be credited to the State Housing Trust Fund for certain purposes; providing for certain amounts to be credited to the General Revenue Fund under certain circumstances; prohibiting the transfer of such funds to the General Revenue Fund in the General Appropriations Act; providing for the future expiration and reversion of specified statutory text; amending s. 212.08, F.S.; revising the total amount of community contribution tax credits which may be granted for certain projects; defining terms; providing a sales tax exemption for building materials used in the construction of affordable housing units; defining terms; specifying eligibility requirements; specifying requirements for applying for a sales tax refund with the Department of Revenue; specifying requirements for and limitations on refunds; providing requirements for the department in issuing refunds; authorizing the department to adopt rules; providing applicability; amending s. 213.053, F.S.; authorizing the department to make certain information available to the corporation to administer the Live Local Program; creating s. 215.212, F.S.; prohibiting the deduction of the General Revenue Fund service charge on documentary stamp tax proceeds; providing for future repeal; amending s. 215.22, F.S.; conforming a provision to changes made by the act; providing for the future expiration and reversion of specified statutory text; amending s. 220.02, F.S.; specifying the order of application of Live Local Program tax credits against the state corporate income tax; amending s. 220.13, F.S.; specifying requirements for the addition to adjusted federal income of amounts taken as a credit under the Live Local Program; amending s. 220.183, F.S.; conforming a provision to changes made by the act; amending s. 220.186, F.S.; providing applicability of Live Local Program tax credits to the Florida alternative minimum tax credit; creating s. 220.1878, F.S.; providing a credit against the state corporate income tax under the Live Local Program; specifying requirements and procedures for making eligible contributions and claiming the credit; amending s. 220.222, F.S.; requiring returns filed in connection with the Live Local Program tax credits to include the amount of certain credits; amending s. 253.034, F.S.; modifying requirements for the analysis included in land use plans; making technical changes; amending s. 253.0341, F.S.; requiring that local government requests for the state to surplus conservation or nonconservation lands for any means of transfer be expedited throughout the surplus process; amending s. 288.101, F.S.; authorizing the Governor, under the Florida Job Growth Grant Fund, to approve state or local public infrastructure projects to facilitate

the development or construction of affordable housing; providing for future repeal; amending s. 420.0003, F.S.; revising legislative intent for, and policies of, the state housing strategy; revising requirements for the implementation of the strategy; revising duties of the Shimberg Center for Housing Studies at the University of Florida; requiring the Office of Program Policy Analysis and Government Accountability to evaluate specified strategies, policies, and programs at specified intervals; specifying requirements for the office's analyses; authorizing rule amendments; amending s. 420.503, F.S.; revising the definition of the term "qualified contract" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.504, F.S.; revising the composition of the corporation's board of directors; providing specifications for filling vacancies on the board of directors; amending s. 420.507, F.S.; specifying a requirement for the corporation's annual budget request to the Secretary of Economic Opportunity; providing for the future expiration and reversion of specified statutory text; amending s. 420.5087, F.S.; revising prioritization of funds for the State Apartment Incentive Loan Program; creating s. 420.50871, F.S.; specifying requirements for, and authorized actions by, the corporation in allocating certain increased revenues during specified fiscal years to finance certain housing projects; providing construction; providing for future repeal; providing a directive to the Division of Law Revision; creating s. 420.50872, F.S.; defining terms; creating the Live Local Program; specifying responsibilities of the corporation; specifying the annual tax credit cap; specifying requirements for applying for tax credits with the department; providing requirements for the carryforward of credits; specifying restrictions on, and requirements for, the conveyance, transfer, or assignment of credits; providing requirements and procedures for the rescindment of credits; specifying procedures for calculating underpayments and penalties; providing construction; authorizing the department and the corporation to develop a cooperative agreement; authorizing the department to adopt rules; requiring the department to annually notify certain taxpayers of certain information; creating s. 420.5096, F.S.; providing legislative findings; creating the Florida Hometown Hero Program for a specified purpose; authorizing the corporation to underwrite and make certain mortgage loans; specifying terms for such loans and requirements for borrowers; authorizing loans made under the program to be used for the purchase of certain manufactured homes; providing construction; amending s. 420.531, F.S.; authorizing the Florida Housing Corporation to contract with certain entities to provide technical assistance to local governments in establishing selection criteria for proposals to use certain property for affordable housing purposes; amending s. 420.6075, F.S.; making technical changes; amending s. 553.792, F.S.; requiring local governments to maintain on their websites a policy relating to the expedited processing of certain building permits and development orders; amending s. 624.509, F.S.; specifying the order of application of Live Local Program tax credits against the insurance premium tax; amending s. 624.5105, F.S.; conforming a provision to changes made by the act; creating s. 624.51058, F.S.; providing a credit against the insurance premium tax under the Live Local

Program; providing a requirement for making eligible contributions; providing construction; providing applicability; exempting a certain initiative from certain evacuation time constraints; specifying that certain comprehensive plan amendments are valid; authorizing certain local governments to adopt local ordinances or regulations for certain purposes; authorizing the department to adopt emergency rules; providing for future expiration of such rulemaking authority; providing appropriations; providing a declaration of important state interest; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the “Live Local Act.”

Section 2. Section 125.0103, Florida Statutes, is amended to read:

125.0103 Ordinances and rules imposing price controls; ~~findings required; procedures.—~~

(1)(a) Except as hereinafter provided, ~~a no~~ county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule ~~that which~~ has the effect of imposing price controls upon a lawful business activity ~~that which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county’s ordinance does ~~shall~~ not apply within such municipality.

(2) ~~No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

(3) ~~Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

(4) ~~Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$250.~~

(5) A ~~No~~ municipality, county, or other entity of local government may not ~~shall~~ adopt or maintain in effect any law, ordinance, rule, or other measure that ~~which~~ would have the effect of imposing controls on rents unless:

(a) ~~Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

(b) ~~Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

(c) ~~Such measure is approved by the voters in such municipality, county, or other entity of local government.~~

(6) ~~In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

~~(3)~~(7) Notwithstanding any other provisions of this section, municipalities, counties, or other entities of local government may adopt and maintain

in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 3. Subsections (5) and (6) of section 125.01055, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

125.01055 Affordable housing.—

(5) Subsection ~~(4)~~ (2) does not apply in an area of critical state concern, as designated in s. 380.0552.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087. The provisions of this subsection are self-executing and do not require the board of county commissioners to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A county may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any unincorporated land in the county where residential development is allowed.

(c) A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land

development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.

(f) For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 4. Section 125.379, Florida Statutes, is amended to read:

125.379 Disposition of county property for affordable housing.—

(1) By October 1, 2023 ~~July 1, 2007~~, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county or any dependent special district within its boundaries holds fee simple title which ~~that~~ is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of such property following the public hearing. Each county shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be used for affordable housing through a long-term land lease requiring the development and

maintenance of affordable housing, offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.~~ Alternatively, the county or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3).

(3) Counties are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available;
and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 5. Subsections (5) and (6) of section 166.04151, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

166.04151 Affordable housing.—

(5) Subsection (4) ~~(2)~~ does not apply in an area of critical state concern, as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code.

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the governing body of a municipality may approve the development of housing that is affordable, as defined in s. 420.0004, including, but not limited to, a mixed-use residential development, on any parcel zoned for residential, commercial, or industrial use. ~~If a parcel is zoned for commercial or industrial use, an approval pursuant to this subsection may include any residential development project, including a mixed-use residential development project, so long as at least 10 percent of the units included in the project are for housing that is affordable and the developer of the project agrees not to apply for or receive funding under s. 420.5087.~~ The provisions of this subsection are self-executing and do not require the governing body to adopt an ordinance or a regulation before using the approval process in this subsection.

(7)(a) A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years,

affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any land in the municipality where residential development is allowed.

(c) A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

(f) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

Section 6. Section 166.043, Florida Statutes, is amended to read:

166.043 Ordinances and rules imposing price controls; findings required; procedures.—

(1)(a) Except as hereinafter provided, ~~a~~ no county, municipality, or other entity of local government may not ~~shall~~ adopt or maintain in effect an ordinance or a rule that ~~which~~ has the effect of imposing price controls upon a lawful business activity that ~~which~~ is not franchised by, owned by, or under contract with, the governmental agency, unless specifically provided by general law.

(b) This section does not prevent the enactment by local governments of public service rates otherwise authorized by law, including water, sewer, solid waste, public transportation, taxicab, or port rates, rates for towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, or rates for removal and storage of wrecked or disabled vehicles or vessels from an accident scene or the removal and storage of vehicles or vessels in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel.

(c) Counties must establish maximum rates which may be charged on the towing of vehicles or vessels from or immobilization of vehicles or vessels on private property, removal and storage of wrecked or disabled vehicles or vessels from an accident scene or for the removal and storage of vehicles or vessels, in the event the owner or operator is incapacitated, unavailable, leaves the procurement of wrecker service to the law enforcement officer at the scene, or otherwise does not consent to the removal of the vehicle or vessel. However, if a municipality chooses to enact an ordinance establishing the maximum rates for the towing or immobilization of vehicles or vessels as described in paragraph (b), the county's ordinance established under s. 125.0103 does ~~shall~~ not apply within such municipality.

~~(2) No law, ordinance, rule, or other measure which would have the effect of imposing controls on rents shall be adopted or maintained in effect except as provided herein and unless it is found and determined, as hereinafter provided, that such controls are necessary and proper to eliminate an existing housing emergency which is so grave as to constitute a serious menace to the general public.~~

~~(3) Any law, ordinance, rule, or other measure which has the effect of imposing controls on rents shall terminate and expire within 1 year and shall not be extended or renewed except by the adoption of a new measure meeting all the requirements of this section.~~

~~(4) Notwithstanding any other provisions of this section, no controls shall be imposed on rents for any accommodation used or offered for residential purposes as a seasonal or tourist unit, as a second housing unit, or on rents for dwelling units located in luxury apartment buildings. For the purposes of this section, a luxury apartment building is one wherein on~~

~~January 1, 1977, the aggregate rent due on a monthly basis from all dwelling units as stated in leases or rent lists existing on that date divided by the number of dwelling units exceeds \$250.~~

(5) A ~~No~~ municipality, county, or other entity of local government may not ~~shall~~ adopt or maintain in effect any law, ordinance, rule, or other measure that ~~which~~ would have the effect of imposing controls on rents unless:

(a) ~~Such measure is duly adopted by the governing body of such entity of local government, after notice and public hearing, in accordance with all applicable provisions of the Florida and United States Constitutions, the charter or charters governing such entity of local government, this section, and any other applicable laws.~~

(b) ~~Such governing body makes and recites in such measure its findings establishing the existence in fact of a housing emergency so grave as to constitute a serious menace to the general public and that such controls are necessary and proper to eliminate such grave housing emergency.~~

(c) ~~Such measure is approved by the voters in such municipality, county, or other entity of local government.~~

(6) ~~In any court action brought to challenge the validity of rent control imposed pursuant to the provisions of this section, the evidentiary effect of any findings or recitations required by subsection (5) shall be limited to imposing upon any party challenging the validity of such measure the burden of going forward with the evidence, and the burden of proof (that is, the risk of nonpersuasion) shall rest upon any party seeking to have the measure upheld.~~

(3)(7) Notwithstanding any other provisions of this section, municipalities, counties, or other entity of local government may adopt and maintain in effect any law, ordinance, rule, or other measure which is adopted for the purposes of increasing the supply of affordable housing using land use mechanisms such as inclusionary housing ordinances.

Section 7. Section 166.0451, Florida Statutes, is amended to read:

166.0451 Disposition of municipal property for affordable housing.—

(1) By October 1, 2023 ~~July 1, 2007~~, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality or any dependent special district within its boundaries holds fee simple title which ~~that~~ is appropriate for use as affordable housing. The inventory list must include the address and legal description of each such property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such

property. Each municipality shall make the inventory list publicly available on its website to encourage potential development.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be used for affordable housing through a long-term land lease requiring the development and maintenance of affordable housing, offered for sale and the proceeds ~~may be~~ used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, ~~or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing.~~ Alternatively, the municipality or special district may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term “affordable” has the same meaning as in s. 420.0004(3).

(3) Municipalities are encouraged to adopt best practices for surplus land programs, including, but not limited to:

(a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers;

(b) Making the process for requesting surplus lands publicly available; and

(c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property that would be sold or offered at market rate and by requiring reversion of property not used for affordable housing within a certain timeframe.

Section 8. Effective January 1, 2024, subsection (1) of section 196.1978, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

196.1978 Affordable housing property exemption.—

(1)(a) Property used to provide affordable housing to eligible persons as defined by s. 159.603 and natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004, which is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, is considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property that provide housing to natural persons or families classified as extremely low income, very low income, low income, or moderate income under s. 420.0004 are exempt from ad valorem taxation to the extent authorized under s. 196.196. All property identified in this subsection must comply with the criteria provided under s. 196.195 for determining exempt status and

applied by property appraisers on an annual basis. The Legislature intends that any property owned by a limited liability company which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) be treated as owned by its sole member. If the sole member of the limited liability company that owns the property is also a limited liability company that is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii), the Legislature intends that the property be treated as owned by the sole member of the limited liability company that owns the limited liability company that owns the property. Units that are vacant and units that are occupied by natural persons or families whose income no longer meets the income limits of this subsection, but whose income met those income limits at the time they became tenants, shall be treated as portions of the affordable housing property exempt under this subsection if a recorded land use restriction agreement in favor of the Florida Housing Finance Corporation or any other governmental or quasi-governmental jurisdiction requires that all residential units within the property be used in a manner that qualifies for the exemption under this subsection and if the units are being offered for rent.

(b) Land that is owned entirely by a nonprofit entity that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, and is leased for a minimum of 99 years for the purpose of, and is predominantly used for, providing housing to natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004 is exempt from ad valorem taxation. For purposes of this paragraph, land is predominantly used for qualifying purposes if the square footage of the improvements on the land used to provide qualifying housing is greater than 50 percent of the square footage of all improvements on the land. This paragraph first applies to the 2024 tax roll and is repealed December 31, 2059.

(3)(a) As used in this subsection, the term:

1. "Corporation" means the Florida Housing Finance Corporation.
2. "Newly constructed" means an improvement to real property which was substantially completed within 5 years before the date of an applicant's first submission of a request for certification or an application for an exemption pursuant to this section, whichever is earlier.
3. "Substantially completed" has the same meaning as in s. 192.042(1).

(b) Notwithstanding ss. 196.195 and 196.196, portions of property in a multifamily project are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption if such portions:

1. Provide affordable housing to natural persons or families meeting the income limitations provided in paragraph (d);

2. Are within a newly constructed multifamily project that contains more than 70 units dedicated to housing natural persons or families meeting the income limitations provided in paragraph (d); and

3. Are rented for an amount that does not exceed the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of paragraph (m), whichever is less.

(c) If a unit that in the previous year qualified for the exemption under this subsection and was occupied by a tenant is vacant on January 1, the vacant unit is eligible for the exemption if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this subsection and a reasonable effort is made to lease the unit to eligible persons or families.

(d)1. Qualified property used to house natural persons or families whose annual household income is greater than 80 percent but not more than 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, must receive an ad valorem property tax exemption of 75 percent of the assessed value.

2. Qualified property used to house natural persons or families whose annual household income does not exceed 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides, is exempt from ad valorem property taxes.

(e) To receive an exemption under this subsection, a property owner must submit an application on a form prescribed by the department by March 1 for the exemption, accompanied by a certification notice from the corporation to the property appraiser.

(f) To receive a certification notice, a property owner must submit a request to the corporation for certification on a form provided by the corporation which includes all of the following:

1. The most recently completed rental market study meeting the requirements of paragraph (m).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under paragraph (c), the property owner must provide evidence of the published rent amount for each vacant unit.

4. A sworn statement, under penalty of perjury, from the applicant restricting the property for a period of not less than 3 years to housing persons or families who meet the income limitations under this subsection.

(g) The corporation shall review the request for certification and certify property that meets the eligibility criteria of this subsection. A determination by the corporation regarding a request for certification does not constitute final agency action pursuant to chapter 120.

1. If the corporation determines that the property meets the eligibility criteria for an exemption under this subsection, the corporation must send a certification notice to the property owner and the property appraiser.

2. If the corporation determines that the property does not meet the eligibility criteria, the corporation must notify the property owner and include the reasons for such determination.

(h) The corporation shall post on its website the deadline to submit a request for certification. The deadline must allow adequate time for a property owner to submit a timely application for exemption to the property appraiser.

(i) The property appraiser shall review the application and determine if the applicant is entitled to an exemption. A property appraiser may grant an exemption only for a property for which the corporation has issued a certification notice.

(j) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this subsection was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(k) Units subject to an agreement with the corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide housing to natural persons or families meeting

the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004 are not eligible for this exemption.

(l) Property receiving an exemption pursuant to s. 196.1979 is not eligible for this exemption.

(m) A rental market study submitted as required by paragraph (f) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser as defined in s. 475.611 may issue a rental market study. The certified general appraiser must be independent of the property owner who requests the rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(n) The corporation may adopt rules to implement this section.

(o) This subsection first applies to the 2024 tax roll and is repealed December 31, 2059.

Section 9. Section 196.1979, Florida Statutes, is created to read:

196.1979 County and municipal affordable housing property exemption.

(1)(a) Notwithstanding ss. 196.195 and 196.196, the board of county commissioners of a county or the governing body of a municipality may adopt an ordinance to exempt those portions of property used to provide affordable housing meeting the requirements of this section. Such property is considered property used for a charitable purpose. To be eligible for the exemption, the portions of property:

1. Must be used to house natural persons or families whose annual household income:

a. Is greater than 30 percent but not more than 60 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides; or

b. Does not exceed 30 percent of the median annual adjusted gross income for households within the metropolitan statistical area or, if not within a metropolitan statistical area, within the county in which the person or family resides;

2. Must be within a multifamily project containing 50 or more residential units, at least 20 percent of which are used to provide affordable housing that meets the requirements of this section;

3. Must be rented for an amount no greater than the amount as specified by the most recent multifamily rental programs income and rent limit chart posted by the corporation and derived from the Multifamily Tax Subsidy Projects Income Limits published by the United States Department of Housing and Urban Development or 90 percent of the fair market value rent as determined by a rental market study meeting the requirements of subsection (4), whichever is less;

4. May not have been cited for code violations on three or more occasions in the 24 months before the submission of a tax exemption application;

5. May not have any cited code violations that have not been properly remedied by the property owner before the submission of a tax exemption application; and

6. May not have any unpaid fines or charges relating to the cited code violations. Payment of unpaid fines or charges before a final determination on a property's qualification for an exemption under this section will not exclude such property from eligibility if the property otherwise complies with all other requirements for the exemption.

(b) Qualified property may receive an ad valorem property tax exemption of:

1. Up to 75 percent of the assessed value of each residential unit used to provide affordable housing if fewer than 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

2. Up to 100 percent of the assessed value if 100 percent of the multifamily project's residential units are used to provide affordable housing meeting the requirements of this section.

(c) The board of county commissioners of the county or the governing body of the municipality, as applicable, may choose to adopt an ordinance that exempts property used to provide affordable housing for natural persons or families meeting the income limits of sub-subparagraph (a)1.a., natural persons or families meeting the income limits of sub-subparagraph (a)1.b., or both.

(2) If a residential unit that in the previous year qualified for the exemption under this section and was occupied by a tenant is vacant on January 1, the vacant unit may qualify for the exemption under this section if the use of the unit is restricted to providing affordable housing that would otherwise meet the requirements of this section and a reasonable effort is made to lease the unit to eligible persons or families.

(3) An ordinance granting the exemption authorized by this section must:

(a) Be adopted under the procedures for adoption of a nonemergency ordinance by a board of county commissioners specified in chapter 125 or by a municipal governing body specified in chapter 166.

(b) Designate the local entity under the supervision of the board of county commissioners or governing body of a municipality which must develop, receive, and review applications for certification and develop notices of determination of eligibility.

(c) Require the property owner to apply for certification by the local entity in order to receive the exemption. The application for certification must be on a form provided by the local entity designated pursuant to paragraph (b) and include all of the following:

1. The most recently completed rental market study meeting the requirements of subsection (4).

2. A list of the units for which the property owner seeks an exemption.

3. The rent amount received by the property owner for each unit for which the property owner seeks an exemption. If a unit is vacant and qualifies for an exemption under subsection (2), the property owner must provide evidence of the published rent amount for the vacant unit.

(d) Require the local entity to verify and certify property that meets the requirements of the ordinance as qualified property and forward the certification to the property owner and the property appraiser. If the local entity denies the exemption, it must notify the applicant and include reasons for the denial.

(e) Require the eligible unit to meet the eligibility criteria of paragraph (1)(a).

(f) Require the property owner to submit an application for exemption, on a form prescribed by the department, accompanied by the certification of qualified property, to the property appraiser no later than March 1.

(g) Specify that the exemption applies only to the taxes levied by the unit of government granting the exemption.

(h) Specify that the property may not receive an exemption authorized by this section after expiration or repeal of the ordinance.

(i) Identify the percentage of the assessed value which is exempted, subject to the percentage limitations in paragraph (1)(b).

(j) Identify whether the exemption applies to natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.a., natural persons or families meeting the income limits of sub-subparagraph (1)(a)1.b., or both.

(k) Require that the deadline to submit an application for certification be published on the county's or municipality's website. The deadline must allow adequate time for a property owner to make a timely application for exemption to the property appraiser.

(l) Require the county or municipality to post on its website a list of certified properties for the purpose of facilitating access to affordable housing.

(4) A rental market study submitted as required by paragraph (3)(c) must identify the fair market value rent of each unit for which a property owner seeks an exemption. Only a certified general appraiser, as defined in s. 475.611, may issue a rental market study. The certified general appraiser must be independent of the property owner who requests a rental market study. In preparing the rental market study, a certified general appraiser shall comply with the standards of professional practice pursuant to part II of chapter 475 and use comparable property within the same geographic area and of the same type as the property for which the exemption is sought. A rental market study must have been completed within 3 years before submission of the application.

(5) An ordinance adopted under this section must expire before the fourth January 1 after adoption; however, the board of county commissioners or the governing body of the municipality may adopt a new ordinance to renew the exemption. The board of county commissioners or the governing body of the municipality shall deliver a copy of an ordinance adopted under this section to the department and the property appraiser within 10 days after its adoption. If the ordinance expires or is repealed, the board of county commissioners or the governing body of the municipality must notify the department and the property appraiser within 10 days after its expiration or repeal.

(6) If the property appraiser determines that for any year during the immediately previous 10 years a person who was not entitled to an exemption under this section was granted such an exemption, the property appraiser must serve upon the owner a notice of intent to record in the public records of the county a notice of tax lien against any property owned by that person in the county, and that property must be identified in the notice of tax lien. Any property owned by the taxpayer and situated in this state is subject to the taxes exempted by the improper exemption, plus a penalty of 50 percent of the unpaid taxes for each year and interest at a rate of 15 percent per annum. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the property owner improperly receiving the exemption may not be assessed a penalty or interest.

(7) This section first applies to the 2024 tax roll.

Section 10. Section 201.15, Florida Statutes, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter are hereby pledged and shall be first made available to make payments when due on bonds issued pursuant to s. 215.618 or s. 215.619, or any other bonds authorized to be issued on a parity basis with such bonds. Such pledge and availability for the payment of these bonds shall have priority over any requirement for the payment of service charges or costs of collection and enforcement under this section. ~~All taxes collected under this chapter, except taxes distributed to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), are subject to the service charge imposed in s. 215.20(1).~~ Before distribution pursuant to this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter. The costs ~~and service charge~~ may not be levied against any portion of taxes pledged to debt service on bonds to the extent that the costs ~~and service charge~~ are required to pay any amounts relating to the bonds. All of the costs of the collection and enforcement of the tax levied by this chapter ~~and the service charge~~ shall be available and transferred to the extent necessary to pay debt service and any other amounts payable with respect to bonds authorized before January 1, 2017, secured by revenues distributed pursuant to this section. All taxes remaining after deduction of costs shall be distributed as follows:

(1) Amounts necessary to make payments on bonds issued pursuant to s. 215.618 or s. 215.619, as provided under paragraphs (3)(a) and (b), or on any other bonds authorized to be issued on a parity basis with such bonds shall be deposited into the Land Acquisition Trust Fund.

(2) If the amounts deposited pursuant to subsection (1) are less than 33 percent of all taxes collected after first deducting the costs of collection, an amount equal to 33 percent of all taxes collected after first deducting the costs of collection, minus the amounts deposited pursuant to subsection (1), shall be deposited into the Land Acquisition Trust Fund.

(3) Amounts on deposit in the Land Acquisition Trust Fund shall be used in the following order:

(a) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts payable with respect to Florida Forever bonds issued pursuant to s. 215.618. The amount used for such purposes may not exceed \$300 million in each fiscal year. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2040. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act or other law with respect to bonds issued for the purposes of s. 373.4598.

(b) Payment of debt service or funding of debt service reserve funds, rebate obligations, or other amounts due with respect to Everglades

restoration bonds issued pursuant to s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

Bonds issued pursuant to s. 215.618 or s. 215.619 are equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund.

(4) After the required distributions to the Land Acquisition Trust Fund pursuant to subsections (1) and (2), the lesser of 8 percent of the remainder or \$150 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be expended pursuant to s. 420.50871. If 8 percent of the remainder is greater than \$150 million in any fiscal year, the difference between 8 percent of the remainder and \$150 million shall be paid into the State Treasury to the credit of the General Revenue Fund, and deduction of the service charge imposed pursuant to s. 215.20(1). The remainder shall be distributed as follows:

(a) The lesser of 20.5453 percent of the remainder or \$466.75 million in each fiscal year shall be paid into the State Treasury to the credit of the State Transportation Trust Fund. Notwithstanding any other law, the amount credited to the State Transportation Trust Fund shall be used for:

1. Capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, in the amount of 10 percent of the funds;

2. The Small County Outreach Program specified in s. 339.2818, in the amount of 10 percent of the funds;

3. The Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, in the amount of 75 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2.; and

4. The Transportation Regional Incentive Program specified in s. 339.2819, in the amount of 25 percent of the funds after deduction of the payments required pursuant to subparagraphs 1. and 2. The first \$60 million of the funds allocated pursuant to this subparagraph shall be allocated annually to the Florida Rail Enterprise for the purposes established in s. 341.303(5).

(b) The lesser of 0.1456 percent of the remainder or \$3.25 million in each fiscal year shall be paid into the State Treasury to the credit of the Grants and Donations Trust Fund in the Department of Economic Opportunity to fund technical assistance to local governments.

Moneys distributed pursuant to paragraphs (a) and (b) may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(c) An amount equaling 4.5 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. The funds shall be used as follows:

1. Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Half of that amount shall be paid into the State Treasury to the credit of the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(d) An amount equaling 5.20254 percent of the remainder in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund. Of such funds:

1. Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and expended by the Department of Economic Opportunity and the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

2. Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

(e) The lesser of 0.017 percent of the remainder or \$300,000 in each fiscal year shall be paid into the State Treasury to the credit of the General Inspection Trust Fund to be used to fund oyster management and restoration programs as provided in s. 379.362(3).

(f) A total of \$75 million shall be paid into the State Treasury to the credit of the State Economic Enhancement and Development Trust Fund within the Department of Economic Opportunity.

(g) An amount equaling 5.4175 percent of the remainder shall be paid into the Resilient Florida Trust Fund to be used for the purposes for which the Resilient Florida Trust Fund was created and exists by law. Funds may be used for planning and project grants.

(h) An amount equaling 5.4175 percent of the remainder shall be paid into the Water Protection and Sustainability Program Trust Fund to be used to fund wastewater grants as specified in s. 403.0673.

(5) Notwithstanding s. 215.32(2)(b)4.a., funds distributed to the State Housing Trust Fund and expended pursuant to s. 420.50871 and funds distributed to the State Housing Trust Fund and the Local Government Housing Trust Fund pursuant to paragraphs (4)(c) and (d) paragraph (4)(e) may not be transferred to the General Revenue Fund in the General Appropriations Act.

(6) After the distributions provided in the preceding subsections, any remaining taxes shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 11. The amendments made by this act to s. 201.15, Florida Statutes, expire on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 12. Paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended, and paragraph (v) is added to that subsection, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) *Community contribution tax credit for donations.*—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than \$200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Department of Economic Opportunity.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph and ss. 220.183 and 624.5105 is \$25 ~~\$14.5~~

million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households and \$4.5 million in the ~~2022-2023~~ fiscal year and in each fiscal year thereafter for all other projects. As used in this paragraph, the term “person with special needs” has the same meaning as in s. 420.0004 and the terms “low-income person,” “low-income household,” “very-low-income person,” and “very-low-income household” have the same meanings as in s. 420.9071.

f. A person who is eligible to receive the credit provided in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under one section of the person’s choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property, including 100 percent ownership of a real property holding company;

(III) Goods or inventory; or

(IV) Other physical resources identified by the Department of Economic Opportunity.

For purposes of this sub-subparagraph, the term “real property holding company” means a Florida entity, such as a Florida limited liability company, that is wholly owned by the person; is the sole owner of real property, as defined in s. 192.001(12), located in this ~~the~~ state; is disregarded as an entity for federal income tax purposes pursuant to 26 C.F.R. s. 301.7701-3(b)(1)(ii); and at the time of contribution to an eligible sponsor, has no material assets other than the real property and any other property that qualifies as a community contribution.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term “project” means activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income households or very-low-income households; designed to provide housing opportunities for persons with special needs; designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to a project approved

between January 1, 1996, and December 31, 1999, and located in an area which was in an enterprise zone designated pursuant to s. 290.0065 as of May 1, 2015. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income households or very-low-income households on scattered sites or housing opportunities for persons with special needs. With respect to housing, contributions may be used to pay the following eligible special needs, low-income, and very-low-income housing-related activities:

(I) Project development impact and management fees for special needs, low-income, or very-low-income housing projects;

(II) Down payment and closing costs for persons with special needs, low-income persons, and very-low-income persons;

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to special needs, low-income, or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments if satisfaction of the lien is a necessary precedent to the transfer of the property to a low-income person or very-low-income person for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an “eligible sponsor,” which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for persons with special needs, low-income households, or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s. 163.356;

(VI) A historic preservation district agency or organization;

(VII) A local workforce development board;

(VIII) A direct-support organization as provided in s. 1009.983;

(IX) An enterprise zone development agency created under s. 290.0056;

(X) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s.

501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XI) Units of local government;

(XII) Units of state government; or

(XIII) Any other agency that the Department of Economic Opportunity designates by rule.

A contributing person may not have a financial interest in the eligible sponsor.

d. The project must be located in an area which was in an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, or a Front Porch Florida Community, unless the project increases access to high-speed broadband capability in a rural community that had an enterprise zone designated pursuant to chapter 290 as of May 1, 2015, but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income households or very-low-income households or housing opportunities for persons with special needs is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed \$200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed \$200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing

opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for less than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide housing opportunities for persons with special needs or homeownership opportunities for low-income households or very-low-income households are received for more than the annual tax credits available for those projects, the Department of Economic Opportunity shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. An eligible sponsor seeking to participate in this program must submit a proposal to the Department of Economic Opportunity which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. A person seeking to participate in this program must submit an application for tax credit to the Department of Economic Opportunity which sets forth the name of the sponsor; a description of the project; and the type, value, and purpose of the contribution. The sponsor shall verify, in writing, the terms of the application and indicate its receipt of the contribution, and such verification must accompany the application for tax credit. The person must submit a separate tax credit application to the Department of Economic Opportunity for each individual contribution that it makes to each individual project.

c. A person who has received notification from the Department of Economic Opportunity that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within a 12-month period.

4. Administration.—

a. The Department of Economic Opportunity may adopt rules necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the Department of Economic Opportunity must be in writing, and, if approved, the notification shall state the maximum credit

allowable to the person. Upon approval, the Department of Economic Opportunity shall transmit a copy of the decision to the department.

c. The Department of Economic Opportunity shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The Department of Economic Opportunity shall, in consultation with the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(v) *Building materials used in construction of affordable housing units.*

1. As used in this paragraph, the term:

a. “Affordable housing development” means property that has units subject to an agreement with the Florida Housing Finance Corporation pursuant to chapter 420 recorded in the official records of the county in which the property is located to provide affordable housing to natural persons or families meeting the extremely-low-income, very-low-income, or low-income limits specified in s. 420.0004.

b. “Building materials” means tangible personal property that becomes a component part of eligible residential units in an affordable housing development. The term includes appliances and does not include plants, landscaping, fencing, and hardscaping.

c. “Eligible residential units” means newly constructed units within an affordable housing development which are restricted under the land use restriction agreement.

d. “Newly constructed” means improvements to real property which did not previously exist or the construction of a new improvement where an old improvement was removed. The term does not include the renovation, restoration, rehabilitation, modification, alteration, or expansion of buildings already located on the parcel on which the eligible residential unit is built.

e. “Real property” has the same meaning as provided in s. 192.001(12).

f. “Substantially completed” has the same meaning as in s. 192.042(1).

2. Building materials used in eligible residential units are exempt from the tax imposed by this chapter if an owner demonstrates to the satisfaction of the department that the requirements of this paragraph have been met. Except as provided in subparagraph 3., this exemption inures to the owner at the time an eligible residential unit is substantially completed, but only through a refund of previously paid taxes. To receive a refund pursuant to this paragraph, the owner of the eligible residential units must file an

application with the department. The application must include all of the following:

- a. The name and address of the person claiming the refund.
- b. An address and assessment roll parcel number of the real property that was improved for which a refund of previously paid taxes is being sought.
- c. A description of the eligible residential units for which a refund of previously paid taxes is being sought, including the number of such units.
- d. A copy of a valid building permit issued by the county or municipal building department for the eligible residential units.
- e. A sworn statement, under penalty of perjury, from the general contractor licensed in this state with whom the owner contracted to build the eligible residential units which specifies the building materials, the actual cost of the building materials, and the amount of sales tax paid in this state on the building materials, and which states that the improvement to the real property was newly constructed. If a general contractor was not used, the owner must make the sworn statement required by this sub-subparagraph. Copies of the invoices evidencing the actual cost of the building materials and the amount of sales tax paid on such building materials must be attached to the sworn statement provided by the general contractor or by the owner. If copies of such invoices are not attached, the cost of the building materials is deemed to be an amount equal to 40 percent of the increase in the final assessed value of the eligible residential units for ad valorem tax purposes less the most recent assessed value of land for the units.
- f. A certification by the local building code inspector that the eligible residential unit is substantially completed.
- g. A copy of the land use restriction agreement with the Florida Housing Finance Corporation for the eligible residential units.

3. The exemption under this paragraph inures to a municipality, county, other governmental unit or agency, or nonprofit community-based organization through a refund of previously paid taxes if the building materials are paid for from the funds of a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program. To receive a refund, a municipality, county, other governmental unit or agency, or nonprofit community-based organization must submit an application that includes the same information required under subparagraph 2. In addition, the applicant must include a sworn statement signed by the chief executive officer of the municipality, county, other governmental unit or agency, or nonprofit community-based organization seeking a refund which states that the building materials for which a refund is sought were

funded by a community development block grant, the State Housing Initiatives Partnership Program, or a similar grant or loan program.

4. The person seeking a refund must submit an application for refund to the department within 6 months after the eligible residential unit is deemed to be substantially completed by the local building code inspector or by November 1 after the improved property is first subject to assessment.

5. Only one exemption through a refund of previously paid taxes may be claimed for any eligible residential unit. A refund may not be granted unless the amount to be refunded exceeds \$500. A refund may not exceed the lesser of \$5,000 or 97.5 percent of the Florida sales or use tax paid on the cost of building materials as determined pursuant to sub-subparagraph 2.e. The department shall issue a refund within 30 days after it formally approves a refund application.

6. The department may adopt rules governing the manner and format of refund applications and may establish guidelines as to the requisites for an affirmative showing of qualification for exemption under this paragraph.

7. This exemption under this paragraph applies to sales of building materials that occur on or after July 1, 2023.

Section 13. Subsection (24) is added to section 213.053, Florida Statutes, to read:

213.053 Confidentiality and information sharing.—

(24) The department may make available to the Florida Housing Finance Corporation, exclusively for official purposes, information for the purpose of administering the Live Local Program pursuant to s. 420.50872.

Section 14. Section 215.212, Florida Statutes, is created to read:

215.212 Service charge elimination.—

(1) Notwithstanding s. 215.20(1), the service charge provided in s. 215.20(1) may not be deducted from the proceeds of the taxes distributed under s. 201.15.

(2) This section is repealed July 1, 2033.

Section 15. Paragraph (i) of subsection (1) of section 215.22, Florida Statutes, is amended to read:

215.22 Certain income and certain trust funds exempt.—

(1) The following income of a revenue nature or the following trust funds shall be exempt from the appropriation required by s. 215.20(1):

(i) Bond proceeds or revenues dedicated for bond repayment, ~~except for the Documentary Stamp Clearing Trust Fund administered by the Department of Revenue.~~

Section 16. The amendment made by this act to s. 215.22, Florida Statutes, expires on July 1, 2033, and the text of that section shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act must be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of the text which expire pursuant to this section.

Section 17. Subsection (8) of section 220.02, Florida Statutes, is amended to read:

220.02 Legislative intent.—

(8) It is the intent of the Legislature that credits against either the corporate income tax or the franchise tax be applied in the following order: those enumerated in s. 631.828, those enumerated in s. 220.191, those enumerated in s. 220.181, those enumerated in s. 220.183, those enumerated in s. 220.182, those enumerated in s. 220.1895, those enumerated in s. 220.195, those enumerated in s. 220.184, those enumerated in s. 220.186, those enumerated in s. 220.1845, those enumerated in s. 220.19, those enumerated in s. 220.185, those enumerated in s. 220.1875, those enumerated in s. 220.1876, those enumerated in s. 220.1877, those enumerated in s. 220.1878, those enumerated in s. 220.193, those enumerated in s. 288.9916, those enumerated in s. 220.1899, those enumerated in s. 220.194, those enumerated in s. 220.196, those enumerated in s. 220.198, and those enumerated in s. 220.1915.

Section 18. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 “Adjusted federal income” defined.—

(1) The term “adjusted federal income” means an amount equal to the taxpayer’s taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) *Additions.*—There shall be added to such taxable income:

1.a. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

b. Notwithstanding sub-subparagraph a., if a credit taken under s. 220.1875, s. 220.1876, ~~or s. 220.1877~~, or s. 220.1878 is added to taxable income in a previous taxable year under subparagraph 11. and is taken as a deduction for federal tax purposes in the current taxable year, the amount of

the deduction allowed shall not be added to taxable income in the current year. The exception in this sub-subparagraph is intended to ensure that the credit under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878 is added in the applicable taxable year and does not result in a duplicate addition in a subsequent year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount taken as a credit under s. 220.195 which is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. Any amount taken as a credit for the taxable year under s. 220.1875, s. 220.1876, ~~or~~ s. 220.1877, or s. 220.1878. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against

the tax. This addition is not intended to result in adding the same expense back to income more than once.

12. The amount taken as a credit for the taxable year under s. 220.193.

13. Any portion of a qualified investment, as defined in s. 288.9913, which is claimed as a deduction by the taxpayer and taken as a credit against income tax pursuant to s. 288.9916.

14. The costs to acquire a tax credit pursuant to s. 288.1254(5) that are deducted from or otherwise reduce federal taxable income for the taxable year.

15. The amount taken as a credit for the taxable year pursuant to s. 220.194.

16. The amount taken as a credit for the taxable year under s. 220.196. The addition in this subparagraph is intended to ensure that the same amount is not allowed for the tax purposes of this state as both a deduction from income and a credit against the tax. The addition is not intended to result in adding the same expense back to income more than once.

17. The amount taken as a credit for the taxable year pursuant to s. 220.198.

18. The amount taken as a credit for the taxable year pursuant to s. 220.1915.

Section 19. Paragraph (c) of subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 624.5105 is ~~\$25~~ \$14.5 million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 and homeownership opportunities for low-income households or very-low-income households as defined in s. 420.9071 and \$4.5 million in the 2022-2023 fiscal year and in each fiscal year thereafter for all other projects.

Section 20. Subsection (2) of section 220.186, Florida Statutes, is amended to read:

220.186 Credit for Florida alternative minimum tax.—

(2) The credit pursuant to this section shall be the amount of the excess, if any, of the tax paid based upon taxable income determined pursuant to s. 220.13(2)(k) over the amount of tax which would have been due based upon taxable income without application of s. 220.13(2)(k), before application of this credit without application of any credit under s. 220.1875, s. 220.1876, or s. 220.1877, or s. 220.1878.

Section 21. Section 220.1878, Florida Statutes, is created to read:

220.1878 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under this chapter after the application of any other allowable credits by the taxpayer. An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to s. 220.222. The credit granted by this section must be reduced by the difference between the amount of federal corporate income tax, taking into account the credit granted by this section, and the amount of federal corporate income tax without application of the credit granted by this section.

(2) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis; however, the total credit taken by the affiliated group is subject to the limitation established under subsection (1).

(3) Section 420.50872 applies to the credit authorized by this section.

(4) If a taxpayer applies and is approved for a credit under s. 420.50872 after timely requesting an extension to file under s. 220.222(2):

(a) The credit does not reduce the amount of tax due for purposes of the department's determination as to whether the taxpayer was in compliance with the requirement to pay tentative taxes under ss. 220.222 and 220.32.

(b) The taxpayer's noncompliance with the requirement to pay tentative taxes shall result in the revocation and rescindment of any such credit.

(c) The taxpayer shall be assessed for any taxes, penalties, or interest due from the taxpayer's noncompliance with the requirement to pay tentative taxes.

Section 22. Paragraph (c) of subsection (2) of section 220.222, Florida Statutes, is amended to read:

220.222 Returns; time and place for filing.—

(2)

(c)1. For purposes of this subsection, a taxpayer is not in compliance with s. 220.32 if the taxpayer underpays the required payment by more than the greater of \$2,000 or 30 percent of the tax shown on the return when filed.

2. For the purpose of determining compliance with s. 220.32 as referenced in subparagraph 1., the tax shown on the return when filed must include the amount of the allowable credits taken on the return pursuant to s. 220.1878.

Section 23. Subsection (5) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner adopted by rule of the board of trustees and in accordance with s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year after the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner adopted by rule of the board of trustees. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules adopted by the board of trustees pursuant to this section. All nonconservation land use plans, whether for single-use or multiple-use properties, shall be managed to provide the greatest benefit to the state. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property which includes the potential of the property to generate revenues to enhance the management of the property. In addition, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands and whether nonconservation lands would be more appropriately transferred to the county or municipality in which the land is located for the purpose of providing affordable multifamily rental housing that meets the criteria of s. 420.0004(3). If a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is completed.

(a) State conservation lands shall be managed to ensure the conservation of this the state's plant and animal species and to ensure the accessibility of state lands for the benefit and enjoyment of all people of this the state, both present and future. Each land management plan for state conservation lands shall provide a desired outcome, describe both short-term and long-term management goals, and include measurable objectives to achieve those goals. Short-term goals shall be achievable within a 2-year planning period, and long-term goals shall be achievable within a 10-year

planning period. These short-term and long-term management goals shall be the basis for all subsequent land management activities.

(b) Short-term and long-term management goals for state conservation lands shall include measurable objectives for the following, as appropriate:

1. Habitat restoration and improvement.
2. Public access and recreational opportunities.
3. Hydrological preservation and restoration.
4. Sustainable forest management.
5. Exotic and invasive species maintenance and control.
6. Capital facilities and infrastructure.
7. Cultural and historical resources.
8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.

(c) The land management plan shall, at a minimum, contain the following elements:

1. A physical description of the land.
2. A quantitative data description of the land which includes an inventory of forest and other natural resources; exotic and invasive plants; hydrological features; infrastructure, including recreational facilities; and other significant land, cultural, or historical features. The inventory shall reflect the number of acres for each resource and feature, when appropriate. The inventory shall be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan. All quantitative data collected shall be aggregated, standardized, collected, and presented in an electronic format to allow for uniform management reporting and analysis. The information collected by the Department of Environmental Protection pursuant to s. 253.0325(2) shall be available to the land manager and his or her assignee.
3. A detailed description of each short-term and long-term land management goal, the associated measurable objectives, and the related activities that are to be performed to meet the land management objectives. Each land management objective must be addressed by the land management plan, and if practicable, a land management objective may not be performed to the detriment of the other land management objectives.
4. A schedule of land management activities which contains short-term and long-term land management goals and the related measurable objective and activities. The schedule shall include for each activity a timeline for completion, quantitative measures, and detailed expense and manpower

budgets. The schedule shall provide a management tool that facilitates development of performance measures.

5. A summary budget for the scheduled land management activities of the land management plan. For state lands containing or anticipated to contain imperiled species habitat, the summary budget shall include any fees anticipated from public or private entities for projects to offset adverse impacts to imperiled species or such habitat, which fees shall be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat. The summary budget shall be prepared in such manner that it facilitates computing an aggregate of land management costs for all state-managed lands using the categories described in s. 259.037(3).

(d) Upon completion, the land management plan must be transmitted to the Acquisition and Restoration Council for review. The council shall have 90 days after receipt of the plan to review the plan and submit its recommendations to the board of trustees. During the review period, the land management plan may be revised if agreed to by the primary land manager and the council taking into consideration public input. The land management plan becomes effective upon approval by the board of trustees.

(e) Land management plans are to be updated every 10 years on a rotating basis. Each updated land management plan must identify any conservation lands under the plan, in part or in whole, that are no longer needed for conservation purposes and could be disposed of in fee simple or with the state retaining a permanent conservation easement.

(f) In developing land management plans, at least one public hearing shall be held in any one affected county.

(g) The Division of State Lands shall make available to the public an electronic copy of each land management plan for parcels that exceed 160 acres in size. The division shall review each plan for compliance with the requirements of this subsection, the requirements of chapter 259, and the requirements of the rules adopted by the board of trustees pursuant to this section. The Acquisition and Restoration Council shall also consider the propriety of the recommendations of the managing entity with regard to the future use of the property, the protection of fragile or nonrenewable resources, the potential for alternative or multiple uses not recognized by the managing entity, and the possibility of disposal of the property by the board of trustees. After its review, the council shall submit the plan, along with its recommendations and comments, to the board of trustees. The council shall specifically recommend to the board of trustees whether to approve the plan as submitted, approve the plan with modifications, or reject the plan. If the council fails to make a recommendation for a land management plan, the Secretary of Environmental Protection, Commissioner of Agriculture, or executive director of the Fish and Wildlife Conservation Commission or their designees shall submit the land management plan to the board of trustees.

(h) The board of trustees shall consider the land management plan submitted by each entity and the recommendations of the Acquisition and Restoration Council and the Division of State Lands and shall approve the plan with or without modification or reject such plan. The use or possession of any such lands that is not in accordance with an approved land management plan is subject to termination by the board of trustees.

(i)1. State nonconservation lands shall be managed to provide the greatest benefit to the state. State nonconservation lands may be grouped by similar land use types under one land use plan. Each land use plan shall, at a minimum, contain the following elements:

a. A physical description of the land to include any significant natural or cultural resources as well as management strategies developed by the land manager to protect such resources.

b. A desired development outcome.

c. A schedule for achieving the desired development outcome.

d. A description of both short-term and long-term development goals.

e. A management and control plan for invasive nonnative plants.

f. A management and control plan for soil erosion and soil and water contamination.

g. Measureable objectives to achieve the goals identified in the land use plan.

2. Short-term goals shall be achievable within a 5-year planning period and long-term goals shall be achievable within a 10-year planning period.

3. The use or possession of any such lands that is not in accordance with an approved land use plan is subject to termination by the board of trustees.

4. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan.

Section 24. Subsection (1) of section 253.0341, Florida Statutes, is amended to read:

253.0341 Surplus of state-owned lands.—

(1) The board of trustees shall determine which lands, the title to which is vested in the board, may be surplus. For all conservation lands, the Acquisition and Restoration Council shall make a recommendation to the board of trustees, and the board of trustees shall determine whether the lands are no longer needed for conservation purposes. If the board of trustees determines the lands are no longer needed for conservation purposes, it may dispose of such lands by an affirmative vote of at least three members. In the

case of a land exchange involving the disposition of conservation lands, the board of trustees must determine by an affirmative vote of at least three members that the exchange will result in a net positive conservation benefit. For all nonconservation lands, the board of trustees shall determine whether the lands are no longer needed. If the board of trustees determines the lands are no longer needed, it may dispose of such lands by an affirmative vote of at least three members. Local government requests for the state to surplus conservation or nonconservation lands, whether for purchase, ~~or exchange,~~ or any other means of transfer, ~~must shall~~ be expedited throughout the surplus process. Property jointly acquired by the state and other entities may not be surplus without the consent of all joint owners.

Section 25. Subsection (2) of section 288.101, Florida Statutes, is amended to read:

288.101 Florida Job Growth Grant Fund.—

(2) The department and Enterprise Florida, Inc., may identify projects, solicit proposals, and make funding recommendations to the Governor, who is authorized to approve:

(a) State or local public infrastructure projects to promote:

1. Economic recovery in specific regions of this the state;;
2. Economic diversification;; or
3. Economic enhancement in a targeted industry.

(b) State or local public infrastructure projects to facilitate the development or construction of affordable housing. This paragraph is repealed July 1, 2033.

(c) Infrastructure funding to accelerate the rehabilitation of the Herbert Hoover Dike. The department or the South Florida Water Management District may enter into agreements, as necessary, with the United States Army Corps of Engineers to implement this paragraph.

(d)(e) Workforce training grants to support programs at state colleges and state technical centers that provide participants with transferable, sustainable workforce skills applicable to more than a single employer, and for equipment associated with these programs. The department shall work with CareerSource Florida, Inc., to ensure programs are offered to the public based on criteria established by the state college or state technical center and do not exclude applicants who are unemployed or underemployed.

Section 26. Section 420.0003, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 420.0003, F.S., for present text.)

420.0003 State housing strategy.—

(1) LEGISLATIVE INTENT.—It is the intent of this act to articulate a state housing strategy that will carry the state toward the goal of ensuring that each Floridian has safe, decent, and affordable housing. This strategy must involve state and local governments working in partnership with communities and the private sector and must involve financial, as well as regulatory, commitment to accomplish this goal.

(2) POLICIES.—

(a) Housing production and rehabilitation programs.—Programs to encourage housing production or rehabilitation must be guided by the following general policies, as appropriate for the purpose of the specific program:

1. State and local governments shall provide incentives to encourage the private sector to be the primary delivery vehicle for the development of affordable housing. When possible, state funds should be heavily leveraged to achieve the maximum federal, local, and private commitment of funds and be used to ensure long-term affordability. To the maximum extent possible, state funds should be expended to create new housing stock and be used for repayable loans rather than grants. Local incentives to stimulate private sector development of affordable housing may include establishment of density bonus incentives.

2. State and local governments should consider and implement innovative solutions to housing issues where appropriate. Innovative solutions include, but are not limited to:

a. Utilizing publicly held land to develop affordable housing through state or local land purchases, long-term land leasing, and school district affordable housing programs. To the maximum extent possible, state-owned lands that are appropriate for the development of affordable housing must be made available for that purpose.

b. Community-led planning that focuses on urban infill, flexible zoning, redevelopment of commercial property into mixed-use property, resiliency, and furthering development in areas with preexisting public services, such as wastewater, transit, and schools.

c. Project features that maximize efficiency in land and resource use, such as high density, high rise, and mixed use.

d. Mixed-income projects that facilitate more diverse and successful communities.

e. Modern housing concepts such as manufactured homes, tiny homes, 3D-printed homes, and accessory dwelling units.

3. State funds should be available only to local governments that provide incentives or financial assistance for housing. State funding for housing should not be made available to local governments whose comprehensive plans have been found not in compliance with chapter 163 and who have not entered into a stipulated settlement agreement with the department to bring the plans into compliance. State funds should be made available only for projects consistent with the local government's comprehensive plan.

4. Local governments are encouraged to enter into interlocal agreements, as appropriate, to coordinate strategies and maximize the use of state and local funds.

5. State-funded development should emphasize use of developed land, urban infill, and the transformation of existing infrastructure in order to minimize sprawl, separation of housing from employment, and effects of increased housing on ecological preservation areas. Housing available to the state's workforce should prioritize proximity to employment and services.

(b) *Public-private partnerships.*—Cost-effective public-private partnerships must emphasize production and preservation of affordable housing.

1. Data must be developed and maintained on the affordable housing activities of local governments, community-based organizations, and private developers.

2. The state shall assist local governments and community-based organizations by providing training and technical assistance.

3. In coordination with local activities and with federal initiatives, the state shall provide incentives for public sector and private sector development of affordable housing.

(c) *Preservation of housing stock.*—The existing stock of affordable housing must be preserved and improved through rehabilitation programs and expanded neighborhood revitalization efforts to promote suitable living environments for individuals and families.

(d) *Unique housing needs.*—The wide range of need for safe, decent, and affordable housing must be addressed, with an emphasis on assisting the neediest persons.

1. State housing programs must promote the self-sufficiency and economic dignity of the people of this state, including elderly persons and persons with disabilities.

2. The housing requirements of special needs populations must be addressed through programs that promote a range of housing options bolstering integration with the community.

3. All housing initiatives and programs must be nondiscriminatory.

4. The geographic distribution of resources must provide for the development of housing in rural and urban areas.

5. The important contribution of public housing to the well-being of citizens in need shall be acknowledged through efforts to continue and bolster existing programs. State and local government funds allocated to enhance public housing must be used to supplement, not supplant, federal support.

(3) IMPLEMENTATION.—The state, in carrying out the strategy articulated in this section, shall have the following duties:

(a) State fiscal resources must be directed to achieve the following programmatic objectives:

1. Effective technical assistance and capacity-building programs must be established at the state and local levels.

2. The Shimberg Center for Housing Studies at the University of Florida shall develop and maintain statewide data on housing needs and production, provide technical assistance relating to real estate development and finance, operate an information clearinghouse on housing programs, and coordinate state housing initiatives with local government and federal programs.

3. The corporation shall maintain a consumer-focused website for connecting tenants with affordable housing.

(b) The long-range program plan of the department must include specific goals, objectives, and strategies that implement the housing policies in this section.

(c) The Shimberg Center for Housing Studies at the University of Florida, in consultation with the department and the corporation, shall perform functions related to the research and planning for affordable housing. Functions must include quantifying affordable housing needs, documenting results of programs administered, and inventorying the supply of affordable housing units made available in this state. The recommendations required in this section and a report of any programmatic modifications made as a result of these policies must be included in the housing report required by s. 420.6075. The report must identify the needs of specific populations, including, but not limited to, elderly persons, persons with disabilities, and persons with special needs, and may recommend statutory modifications when appropriate.

(d) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall evaluate affordable housing issues pursuant to the schedule set forth in this paragraph. OPPAGA may coordinate with and rely upon the expertise and research activities of the Shimberg Center for Housing Studies in conducting the evaluations. The analysis may include relevant reports prepared by the Shimberg Center for Housing Studies, the department, the corporation, and the provider of the Affordable Housing

Catalyst Program; interviews with the agencies, providers, offices, developers, and other organizations related to the development and provision of affordable housing at the state and local levels; and any other relevant data. When appropriate, each report must recommend policy and statutory modifications for consideration by the Legislature. Each report must be submitted to the President of the Senate and the Speaker of the House of Representatives pursuant to the schedule. OPPAGA shall review and evaluate:

1. By December 15, 2023, and every 5 years thereafter, innovative affordable housing strategies implemented by other states, their effectiveness, and their potential for implementation in this state.

2. By December 15, 2024, and every 5 years thereafter, affordable housing policies enacted by local governments, their effectiveness, and which policies constitute best practices for replication across this state. The report must include a review and evaluation of the extent to which interlocal cooperation is used, effective, or hampered.

3. By December 15, 2025, and every 5 years thereafter, existing state-level housing rehabilitation, production, preservation, and finance programs to determine their consistency with relevant policies in this section and effectiveness in providing affordable housing. The report must also include an evaluation of the degree of coordination between housing programs of this state, and between state, federal, and local housing activities, and shall recommend improved program linkages when appropriate.

(e) The department and the corporation should conform the administrative rules for each housing program to the policies stated in this section, provided that such changes in the rules are consistent with the statutory intent or requirements for the program. This authority applies only to programs offering loans, grants, or tax credits and only to the extent that state policies are consistent with applicable federal requirements.

Section 27. Subsection (36) of section 420.503, Florida Statutes, is amended to read:

420.503 Definitions.—As used in this part, the term:

(36) “Qualified contract” has the same meaning as in 26 U.S.C. s. 42(h)(6)(F) in effect on the date of the preliminary determination certificate for the low-income housing tax credits for the development that is the subject of the qualified contract request, unless the Internal Revenue Code requires a different statute or regulation to apply to the development. The corporation shall deem a bona fide contract to be a qualified contract at the time the bona fide contract is presented to the owner and the initial second-earnest money deposit is deposited in escrow in accordance with the terms of the bona fide contract, and, in such event, the corporation is deemed to have fulfilled its responsibility to present the owner with a qualified contract.

Section 28. Subsection (3) and paragraph (a) of subsection (4) of section 420.504, Florida Statutes, are amended to read:

420.504 Public corporation; creation, membership, terms, expenses.—

(3) The corporation is a separate budget entity and is not subject to control, supervision, or direction by the department of ~~Economic Opportunity~~ in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters. The corporation shall consist of a board of directors composed of the Secretary of Economic Opportunity as an ex officio and voting member, or a senior-level agency employee designated by the secretary, one member appointed by the President of the Senate, one member appointed by the Speaker of the House of Representatives, and eight members appointed by the Governor subject to confirmation by the Senate from the following:

(a) One citizen actively engaged in the residential home building industry.

(b) One citizen actively engaged in the banking or mortgage banking industry.

(c) One citizen who is a representative of those areas of labor engaged in home building.

(d) One citizen with experience in housing development who is an advocate for low-income persons.

(e) One citizen actively engaged in the commercial building industry.

(f) One citizen who is a former local government elected official.

(g) Two citizens of the state who are not principally employed as members or representatives of any of the groups specified in paragraphs (a)-(f).

(4)(a) Members of the corporation shall be appointed for terms of 4 years, except that any vacancy shall be filled for the unexpired term. Vacancies on the board shall be filled by appointment by the Governor, the President of the Senate, or the Speaker of the House of Representatives, respectively, depending on who appointed the member whose vacancy is to be filled or whose term has expired.

Section 29. Subsection (30) of section 420.507, Florida Statutes, is amended to read:

420.507 Powers of the corporation.—The corporation shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this part, including the following powers which are in addition to all other powers granted by other provisions of this part:

(30) To prepare and submit to the Secretary of Economic Opportunity a budget request for purposes of the corporation, which request must shall, notwithstanding the provisions of chapter 216 and in accordance with s. 216.351, contain a request for operational expenditures and separate requests for other authorized corporation programs. The request must include, for informational purposes, the amount of state funds necessary to use all federal housing funds anticipated to be received by, or allocated to, the state in the fiscal year in order to maximize the production of new, affordable multifamily housing units in this state. The request need not contain information on the number of employees, salaries, or any classification thereof, and the approved operating budget therefor need not comply with s. 216.181(8)-(10). The secretary may include within the department's budget request the corporation's budget request in the form as authorized by this section.

Section 30. The amendment made by this act to s. 420.507(30), Florida Statutes, expires July 1, 2033, and the text of that subsection shall revert to that in existence on June 30, 2023, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text which expire pursuant to this section.

Section 31. Subsection (10) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(10) The corporation may prioritize a portion of the program funds set aside under paragraph (3)(d) for persons with special needs as defined in s. 420.0004(13) to provide funding for the development of newly constructed permanent rental housing ~~on a campus~~ that provides housing for persons in foster care or persons aging out of foster care pursuant to s. 409.1451. Such housing shall promote and facilitate access to community-based supportive, educational, and employment services and resources that assist persons aging out of foster care to successfully transition to independent living and adulthood. The corporation must consult with the Department of Children and Families to create minimum criteria for such housing.

Section 32. Section 420.50871, Florida Statutes, is created to read:

420.50871 Allocation of increased revenues derived from amendments to s. 201.15 made by this act.—Funds that result from increased revenues to the State Housing Trust Fund derived from amendments made to s. 201.15 made by this act must be used annually for projects under the State Apartment Incentive Loan Program under s. 420.5087 as set forth in this section, notwithstanding ss. 420.507(48) and (50) and 420.5087(1) and (3).

The Legislature intends for these funds to provide for innovative projects that provide affordable and attainable housing for persons and families working, going to school, or living in this state. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and annually for 10 years thereafter:

(1) The corporation shall allocate 70 percent of the funds provided by this section to issue competitive requests for application for the affordable housing project purposes specified in this subsection. The corporation shall finance projects that:

(a) Both redevelop an existing affordable housing development and provide for the construction of a new development within close proximity to the existing development to be rehabilitated. Each project must provide for building the new affordable housing development first, relocating the tenants of the existing development to the new development, and then demolishing the existing development for reconstruction of an affordable housing development with more overall and affordable units.

(b) Address urban infill, including conversions of vacant, dilapidated, or functionally obsolete buildings or the use of underused commercial property.

(c) Provide for mixed use of the location, incorporating nonresidential uses, such as retail, office, institutional, or other appropriate commercial or nonresidential uses.

(d) Provide housing near military installations in this state, with preference given to projects that incorporate critical services for service-members, their families, and veterans, such as mental health treatment services, employment services, and assistance with transition from active-duty service to civilian life.

(2) From the remaining funds, the corporation shall allocate the funds to issue competitive requests for application for any of the following affordable housing purposes specified in this subsection. The corporation shall finance projects that:

(a) Propose using or leasing public lands. Projects that propose to use or lease public lands must include a resolution or other agreement with the unit of government owning the land to use the land for affordable housing purposes.

(b) Address the needs of young adults who age out of the foster care system.

(c) Meet the needs of elderly persons.

(d) Provide housing to meet the needs in areas of rural opportunity, designated pursuant to s. 288.0656.

(3) Under any request for application under this section, the corporation shall coordinate with the appropriate state department or agency and prioritize projects that provide for mixed-income developments.

(4) This section does not prohibit the corporation from allocating additional funds to the purposes described in this section. In any fiscal year, if the funds allocated by the corporation to any request for application under subsections (1) and (2) are not fully used after the application and award processes are complete, the corporation may use those funds to supplement any future request for application under this section.

(5) This section is repealed June 30, 2033.

Section 33. The Division of Law Revision is directed to replace the phrase “this act” wherever it occurs in s. 420.50871, Florida Statutes, as created by this act, with the assigned chapter number of this act.

Section 34. Section 420.50872, Florida Statutes, is created to read:

420.50872 Live Local Program.—

(1) DEFINITIONS.—As used in this section, the term:

(a) “Annual tax credit amount” means, for any state fiscal year, the sum of the amount of tax credits approved under paragraph (3)(a), including tax credits to be taken under s. 220.1878 or s. 624.51058, which are approved for taxpayers whose taxable years begin on or after January 1 of the calendar year preceding the start of the applicable state fiscal year.

(b) “Eligible contribution” means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to the corporation for use in the State Apartment Incentive Loan Program under s. 420.5087. The taxpayer making the contribution may not designate a specific project, property, or geographic area of this state as the beneficiary of the eligible contribution.

(c) “Live Local Program” means the program described in this section whereby eligible contributions are made to the corporation.

(d) “Tax credit cap amount” means the maximum annual tax credit amount that the Department of Revenue may approve for a state fiscal year.

(2) RESPONSIBILITIES OF THE CORPORATION.—The corporation shall:

(a) Expend 100 percent of eligible contributions received under this section for the State Apartment Incentive Loan Program under s. 420.5087. However, the corporation may use up to \$25 million of eligible contributions to provide loans for the construction of large-scale projects of significant regional impact. Such projects must include a substantial civic, educational, or health care use and may include a commercial use, any of which must be

incorporated within or contiguous to the project property. Such a loan must be made, except as otherwise provided in this subsection, in accordance with the practices and policies of the State Apartment Incentive Loan Program. Such a loan is subject to the competitive application process and may not exceed 25 percent of the total project cost. The corporation must find that the loan provides a unique opportunity for investment alongside local government participation that would enable creation of a significant amount of affordable housing. Projects approved under this section are intended to provide housing that is affordable as defined in s. 420.0004, notwithstanding the income limitations in s. 420.5087(2).

(b) Upon receipt of an eligible contribution, provide the taxpayer that made the contribution with a certificate of contribution. A certificate of contribution must include the taxpayer's name; its federal employer identification number, if available; the amount contributed; and the date of contribution.

(c) Within 10 days after issuing a certificate of contribution, provide a copy to the Department of Revenue.

(3) LIVE LOCAL TAX CREDITS; APPLICATIONS, TRANSFERS, AND LIMITATIONS.—

(a) Beginning in the 2023-2024 fiscal year, the tax credit cap amount is \$100 million in each state fiscal year.

(b) Beginning October 1, 2023, a taxpayer may submit an application to the Department of Revenue for an allocation of the tax credit cap for tax credits to be taken under either or both of s. 220.1878 or s. 624.51058.

1. The taxpayer shall specify in the application each tax for which the taxpayer requests a credit and the applicable taxable year. For purposes of s. 220.1878, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that year pursuant to s. 220.222. For purposes of s. 624.51058, a taxpayer may apply for a credit to be used for a prior taxable year before the date the taxpayer is required to file a return for that prior taxable year pursuant to ss. 624.509 and 624.5092. The Department of Revenue shall approve tax credits on a first-come, first-served basis.

2. Within 10 days after approving or denying an application, the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(c) If a tax credit approved under paragraph (b) is not fully used for the specified taxable year for credits under s. 220.1878 or s. 624.51058 because of insufficient tax liability on the part of the taxpayer, the unused amount may be carried forward for a period not to exceed 10 taxable years. For purposes of s. 220.1878, a credit carried forward may be used in a subsequent year

after applying the other credits and unused carryovers in the order provided in s. 220.02(8).

(d) A taxpayer may not convey, transfer, or assign an approved tax credit or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, a tax credit under s. 220.1878 or s. 624.51058 may be conveyed, transferred, or assigned between members of an affiliated group of corporations if the type of tax credit under s. 220.1878 or s. 624.51058 remains the same. A taxpayer shall notify the Department of Revenue of its intent to convey, transfer, or assign a tax credit to another member within an affiliated group of corporations. The amount conveyed, transferred, or assigned is available to another member of the affiliated group of corporations upon approval by the Department of Revenue.

(e) Within any state fiscal year, a taxpayer may rescind all or part of a tax credit allocation approved under paragraph (b). The amount rescinded must become available for that state fiscal year to another eligible taxpayer as approved by the Department of Revenue if the taxpayer receives notice from the Department of Revenue that the rescindment has been accepted by the Department of Revenue. Any amount rescinded under this paragraph must become available to an eligible taxpayer on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the Department of Revenue.

(f) Within 10 days after approving or denying the conveyance, transfer, or assignment of a tax credit under paragraph (d), or the rescindment of a tax credit under paragraph (e), the Department of Revenue shall provide a copy of its approval or denial letter to the corporation.

(g) For purposes of calculating the underpayment of estimated corporate income taxes under s. 220.34 and tax installment payments for taxes on insurance premiums or assessments under s. 624.5092, the final amount due is the amount after credits earned under s. 220.1878 or s. 624.51058 for contributions to eligible charitable organizations are deducted.

1. For purposes of determining if a penalty or interest under s. 220.34(2)(d)1. will be imposed for underpayment of estimated corporate income tax, a taxpayer may, after earning a credit under s. 220.1878, reduce any estimated payment in that taxable year by the amount of the credit.

2. For purposes of determining if a penalty under s. 624.5092 will be imposed, an insurer, after earning a credit under s. 624.51058 for a taxable year, may reduce any installment payment for such taxable year of 27 percent of the amount of the net tax due as reported on the return for the preceding year under s. 624.5092(2)(b) by the amount of the credit.

(4) PRESERVATION OF CREDIT.—If any provision or portion of this section, s. 220.1878, or s. 624.51058 or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise

declared invalid, the unconstitutionality or invalidity does not affect any credit earned under s. 220.1878 or s. 624.51058 by any taxpayer with respect to any contribution paid to the Live Local Program before the date of a determination of unconstitutionality or invalidity. The credit must be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law may result in the allowance of any credit to any taxpayer in excess of \$1 of credit for each dollar paid to an eligible charitable organization.

(5) ADMINISTRATION; RULES.—

(a) The Department of Revenue and the corporation may develop a cooperative agreement to assist in the administration of this section, as needed.

(b) The Department of Revenue may adopt rules necessary to administer this section, s. 220.1878, and s. 624.51058, including rules establishing application forms, procedures governing the approval of tax credits and carryforward tax credits under subsection (3), and procedures to be followed by taxpayers when claiming approved tax credits on their returns.

(c) By August 15, 2023, and by each August 15 thereafter, the Department of Revenue shall determine the 500 taxpayers with the greatest total corporate income or franchise tax due as reported on the taxpayer's return filed pursuant to s. 220.22 during the previous calendar year and notify those taxpayers of the existence of the Live Local Program and the process for obtaining an allocation of the tax credit cap. The Department of Revenue shall confer with the corporation in the drafting of the notification. The Department of Revenue may provide this notification by electronic means.

Section 35. Section 420.5096, Florida Statutes, is created to read:

420.5096 Florida Hometown Hero Program.—

(1) The Legislature finds that individual homeownership is vital to building long-term housing and financial security. With rising home prices, down payment and closing costs are often significant barriers to homeownership for working Floridians. Each person in Florida's hometown workforce is essential to creating thriving communities, and the Legislature finds that the ability of Floridians to reside within the communities in which they work is of great importance. Therefore, the Legislature finds that providing assistance to homebuyers in this state by reducing the amount of down payment and closing costs is a necessary step toward expanding access to homeownership and achieving safe, decent, and affordable housing for all Floridians.

(2) The Florida Hometown Hero Program is created to assist Florida's hometown workforce in attaining homeownership by providing financial

assistance to residents to purchase a home as their primary residence. Under the program, a borrower may apply to the corporation for a loan to reduce the amount of the down payment and closing costs paid by the borrower by a minimum of \$10,000 and up to 5 percent of the first mortgage loan, not exceeding \$35,000. Loans must be made available at a zero percent interest rate and must be made available for the term of the first mortgage. The balance of any loan is due at closing if the property is sold, refinanced, rented, or transferred, unless otherwise approved by the corporation.

(3) For loans made available pursuant to s. 420.507(23)(a)1. or 2., the corporation may underwrite and make those mortgage loans through the program to persons or families who have household incomes that do not exceed 150 percent of the state median income or local median income, whichever is greater. A borrower must be seeking to purchase a home as a primary residence; a first-time homebuyer and a Florida resident; and employed full-time by a Florida-based employer. The borrower must provide documentation of full-time employment, or full-time status for self-employed individuals, of 35 hours or more per week. The requirement to be a first-time homebuyer does not apply to a borrower who is an active duty service-member of a branch of the armed forces or the Florida National Guard, as defined in s. 250.01, or a veteran.

(4) Loans made under the Florida Hometown Hero Program may be used for the purchase of manufactured homes, as defined in s. 320.01(2)(b), which were constructed after July 13, 1994; which are permanently affixed to real property in this state, whether owned or leased by the borrower; and which are titled and financed as tangible personal property or as real property.

(5) This program is intended to be evergreen, and repayments for loans made under this program shall be retained within the program to make additional loans.

Section 36. Subsection (3) is added to section 420.531, Florida Statutes, to read:

420.531 Affordable Housing Catalyst Program.—

(3) The corporation may contract with the entity providing statewide training and technical assistance to provide technical assistance to local governments to establish selection criteria and related provisions for requests for proposals or other competitive solicitations for use or lease of government-owned real property for affordable housing purposes. The entity providing statewide training and technical assistance may develop best practices or other key elements for successful use of public property for affordable housing, in conjunction with technical support provided under subsection (1).

Section 37. Section 420.6075, Florida Statutes, is amended to read:

420.6075 Research and planning for affordable housing; annual housing report.—

(1) The research and planning functions of the department shall include the collection of data on the need for affordable housing in this state and the extent to which that need is being met through federal, state, and local programs, in order to facilitate planning to meet the housing needs in this state and to enable the development of sound strategies and programs for affordable housing. To fulfill this function, the Shimberg Center for Housing Studies ~~Affordable Housing~~ at the University of Florida shall perform the following functions:

(a) Quantify affordable housing needs in ~~this the~~ state by analyzing available data, including information provided through the housing elements of local comprehensive plans, and identify revisions in the housing element data requirements that would result in more uniform, meaningful information being obtained.

(b) Document the results since 1980 of all programs administered by the department which provide for or act as incentives for housing production or improvement. Data on program results must include the number of units produced and the unit cost under each program.

(c) Inventory the supply of affordable housing units made available through federal, state, and local programs. Data on the geographic distribution of affordable units must show the availability of units in each county and municipality.

(2) By December 31 of each year, the Shimberg Center for Housing Studies ~~Affordable Housing~~ shall submit to the Legislature an updated housing report describing the supply of and need for affordable housing. This annual housing report shall include:

(a) A synopsis of training and technical assistance activities and community-based organization housing activities for the year.

(b) A status report on the degree of progress toward meeting the housing objectives of the department's agency functional plan.

(c) Recommended housing initiatives for the next fiscal year and recommended priorities for assistance to the various target populations within the spectrum of housing need.

(3) The Shimberg Center for Housing Studies ~~Affordable Housing~~ shall:

(a) Conduct research on program options to address the need for affordable housing.

(b) Conduct research on training models to be replicated or adapted to meet the needs of community-based organizations and state and local government staff involved in housing development.

Section 38. Paragraph (a) of subsection (1) of section 553.792, Florida Statutes, is amended to read:

553.792 Building permit application to local government.—

(1)(a) Within 10 days of an applicant submitting an application to the local government, the local government shall advise the applicant what information, if any, is needed to deem the application properly completed in compliance with the filing requirements published by the local government. If the local government does not provide written notice that the applicant has not submitted the properly completed application, the application shall be automatically deemed properly completed and accepted. Within 45 days after receiving a completed application, a local government must notify an applicant if additional information is required for the local government to determine the sufficiency of the application, and shall specify the additional information that is required. The applicant must submit the additional information to the local government or request that the local government act without the additional information. While the applicant responds to the request for additional information, the 120-day period described in this subsection is tolled. Both parties may agree to a reasonable request for an extension of time, particularly in the event of a force majeure or other extraordinary circumstance. The local government must approve, approve with conditions, or deny the application within 120 days following receipt of a completed application. A local government shall maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

Section 39. Subsection (7) of section 624.509, Florida Statutes, is amended to read:

624.509 Premium tax; rate and computation.—

(7) Credits and deductions against the tax imposed by this section shall be taken in the following order: deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220 and the credit allowed under subsection (5), as these credits are limited by subsection (6); the credit allowed under s. 624.51057; the credit allowed under s. 624.51058; all other available credits and deductions.

Section 40. Paragraph (c) of subsection (1) of section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is ~~\$25~~ \$14.5 million in the 2023-2024 ~~2022-2023~~ fiscal year and in each fiscal year thereafter for projects that provide housing opportunities for persons with special needs as defined in s. 420.0004 or homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071 and \$4.5 million in the ~~2022-2023~~ fiscal year and in each fiscal year thereafter for all other projects.

Section 41. Section 624.51058, Florida Statutes, is created to read:

624.51058 Credit for contributions to the Live Local Program.—

(1) For taxable years beginning on or after January 1, 2023, there is allowed a credit of 100 percent of an eligible contribution made to the Live Local Program under s. 420.50872 against any tax due for a taxable year under s. 624.509(1) after deducting from such tax deductions for assessments made pursuant to s. 440.51; credits for taxes paid under ss. 175.101 and 185.08; credits for income taxes paid under chapter 220; and the credit allowed under s. 624.509(5), as such credit is limited by s. 624.509(6). An eligible contribution must be made to the Live Local Program on or before the date the taxpayer is required to file a return pursuant to ss. 624.509 and 624.5092. An insurer claiming a credit against premium tax liability under this section is not required to pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such credit. Section 624.5091 does not limit such credit in any manner.

(2) Section 420.50872 applies to the credit authorized by this section.

Section 42. The Department of Economic Opportunity's Keys Workforce Housing Initiative, approved by the Administration Commission on June 13, 2018, is considered an exception to the evacuation time constraints of s. 380.0552(9)(a)2., Florida Statutes, by requiring deed-restricted affordable workforce housing properties receiving permit allocations to agree to evacuate at least 48 hours in advance of hurricane landfall. A comprehensive plan amendment approved by the Department of Economic Opportunity to implement the initiative is hereby valid and the respective local governments may adopt local ordinances or regulations to implement such plan amendment.

Section 43. (1) The Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under s. 120.54(4), Florida Statutes, for the purpose of implementing provisions related to the Live Local Program created by this act. Notwithstanding any other law, emergency rules adopted under this section are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

(2) This section expires July 1, 2026.

Section 44. For the 2023-2024 fiscal year, the sum of \$100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement the Florida Hometown Hero Housing Program established in s. 420.5096, Florida Statutes, as created by this act.

Section 45. For the 2023-2024 fiscal year, the sum of \$252 million in nonrecurring funds from the Local Government Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - State Housing Initiatives Partnership (SHIP) Program appropriation category to the Florida Housing Finance Corporation.

Section 46. For the 2023-2024 fiscal year, the sum of \$150 million in recurring funds and \$109 million in nonrecurring funds from the State Housing Trust Fund is appropriated in the Grants and Aids - Housing Finance Corporation (HFC) - Affordable Housing Programs appropriation category to the Florida Housing Finance Corporation. The recurring funds are appropriated to implement s. 420.50871, Florida Statutes, as created by this act.

Section 47. For the 2022-2023 fiscal year, the sum of \$100 million in nonrecurring funds from the General Revenue Fund is appropriated to the Florida Housing Finance Corporation to implement a competitive assistance loan program for new construction projects in the development pipeline that have not commenced construction and are experiencing verifiable cost increases due to market inflation. These funds are intended to support the corporation's efforts to maintain the viability of projects in the development pipeline as the unprecedented economic factors coupled with the housing crisis makes it of upmost importance to deliver much-needed affordable housing units in communities in a timely manner. Eligible projects are those that accepted an invitation to enter credit underwriting by the corporation for funding during the period of time of July 1, 2020, through June 30, 2022. The corporation may establish such criteria and application processes as necessary to implement this section. The unexpended balance of funds appropriated to the corporation as of June 30, 2023, shall revert and is appropriated to the corporation for the same purpose for the 2023-2024 fiscal year. Any funds not awarded by December 1, 2023, must be used for the State Apartment Incentive Loan Program under s. 420.5087, Florida Statutes. This section is effective upon becoming a law.

Section 48. The Legislature finds and declares that this act fulfills an important state interest.

Section 49. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2023.

Approved by the Governor March 29, 2023.

Filed in Office Secretary of State March 29, 2023.