



The CITY OF DAYTONA BEACH

REDEVELOPMENT & NEIGHBORHOOD SERVICES DIVISION

POST OFFICE BOX 2451
DAYTONA BEACH, FLORIDA 32115-2451
PHONE (386) 671-8180

AGENDA

MIDTOWN REDEVELOPMENT BOARD
TUESDAY, October 10, 2023 – 6:00 P.M.
City Commission Chambers - City Hall

NOTICE – Pursuant to Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by this Board at this public meeting, such person will need a record of the proceedings and, for that purpose, such person 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. The City does not prepare or provide such a record.

	For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8023		Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.
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In accordance with the Americans with Disabilities Act (ADA), persons with a disability needing a special accommodation to participate in the Board meeting should contact the City Clerk's Office, 301 S. Ridgewood Ave, Room 210, Daytona Beach, FL 32114, Ph: (386) 671-8023, Email: clerk@codb.us not later than 72 hours prior to the proceedings. If you are hearing or voice impaired contact the relay operator at 1-800-955-8771.

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge of Allegiance to the Flag
5. Approval of Agenda
6. Approval of Minutes
September 12, 2023 Board Meeting
7. Staff Reports
 - 7a. Police Department – Captain Leonardo Conde
 - 7b. Code Compliance – Ms. Sara Kirk, Code Compliance Inspector
 - 7c. Redevelopment Projects – Ms. Michele Toliver, Project Manager
8. Presentation - Spotlight on Midtown
 - 8a. Mrs. Hannah Chehab, Pasha Middle East Café, 919 W. International Speedway Blvd.
9. Old Business
No Old Business

Agenda Approval	Date
 Redevelopment & Neighborhood Services Director	10/4/2023
____ Assistant City Attorney	____
____ City Manager	____

10. New Business

- 10a. Wall Graphic – 1008 W International Speedway Blvd
A request by Mr. Clifford Grosvenor, applicant and property owner's representative of Daytona Center, to apply wall graphics to the south wall of the building.
- 10b. Funding Sources
- 10c. Amending CRA Boundaries
- 10d. Appointment of Nominations Committee for 2024 New Officers

11. Public Comments

12. Board Comments

13. Meeting Recap/Follow-ups for the Next Board Meeting

14. Adjournment

MIDTOWN REDEVELOPMENT BOARD
MINUTES OF THE REGULAR MEETING

TUESDAY, September 12, 2023

The regular meeting of the Midtown Redevelopment Board was held Tuesday September 12, 2023, at 6:00 p.m. in the City Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members Present

Mr. Shawn Collins, Chairman
Mr. Lynn Thompson
Ms. Joan Sheppard
Ms. Renee Richardson
Mrs. Tangela Hardy
Ms. Davita Bonner, Excused

Board Members Absent

Mr. Nathan Mugala, Vice Chairman, Excused
Ms. Cathy Washington

Staff Members Present

Mr. Ken Thomas, Redevelopment Director
Ms. Michele Toliver, Redevelopment Project Manager
Ms. Angela Armstrong, Redevelopment Project Manager
Mr. David Russell, Assistant City Attorney
Captain Leonardo Conde, Daytona Beach Police Department
Ms. Sara Kirk, Code Compliance Inspector
Mrs. Mandana Carry, Board Secretary

1. Call to Order

Mr. Collins called the meeting to order at 6:00 p.m.

2. Roll Call

Mrs. Carry called roll and noted members present as stated above.

3. Invocation

Mr. Thompson gave the invocation.

4. Pledge of Allegiance to the Flag

The Pledge of Allegiance was stated by the board.

5. Approval of Agenda

6. Approval of Minutes

A motion was made to approve the minutes for August 8, 2023 meeting by Mr. Thompson, seconded by Ms. Richardson, Motion was carried 6-0.

7. Staff Reports

7a. Captain Leonardo Conde, Daytona Beach Police Department, provided a summary of the crime statistics, recent special events and answered Board members' questions.

7b. Ms. Sara Kirk, Code Compliance Inspector, provided a summary of Code Compliance cases and answered Board members' questions.

7c. Ms. Michele Toliver, Project Manager, provided the Board members with copies of maps with the City Commission zone resulting from redistricting. She also provided Board members with a copy of the letter of support for the Volusia County's' Transform386 Program signed by the Chairman.

Mr. Thomas answered questions about the letter of support.

Ms. Sheppard stated that we should have a liaison with the Board then, and it should be Davita Bonner, as she is also our liaison with the college.

A motion was made by Ms. Sheppard for Davita Bonner to be the liaison for this Board when meetings occur between Bethune Cookman University the City and th University about street closures; it was seconded by Mrs. Richardson (6-0). The motion carried (6-0).

Ms. Toliver reported on the success of the play, "A Chance for Redemption" and the food truck event.

Mr. Collins stated it would be nice to see Midtown folks and local promoters doing more at these food truck events.

8. Presentation – Spotlight on Midtown

Mr. Pierre Louis introduced Mr. Curtis Vreen.

8a. Mr. Curtis Vreen, Chef, 240 S Martin Luther King Jr. Blvd., Vreen Catering, stated his specialization in the bakery and catering business. He shared in culinary experience as a Daytona Beach native and his website: Vreenqualitycatering.com.

9. Old Business

9a. Status of 562 W International Speedway

Mr. Thomas stated that the City purchased the property at 562 W ISB and needs to acquire the insurance building and the car lot next door to this location.

Mr. Thomas stated that the City's Finance department negotiated a loan for \$6.5 million with TRUIST bank to help redevelop Midtown.

9. New Business

There were no new business to discuss.

10. Public Comments

Pierre Louis, 137 Franklin Street, shared a list of suggestions to get investment in Midtown resulting from a survey he did with residents and some of the comments were that the Midtown area is dirty. He stated that others commented about Midtown signage.

Mr. Louis responded to Mr. Collins question about the future of the AMVET building on Orange Avenue. The building will be demolished.

Mr. Thomas stated that the City's building official has discussed a lodge or club use for the AMVET property when the organization rebuilds.

Anne Ruby, 137 Park Avenue, commented on the recent play, "A Chance for Redemption" and a neighborhood meeting she attended and business owners discussed the need for synergy in Midtown. She asked about the progress of the database for Midtown and it can be used to start a Midtown Merchant Association.

Ronnie Mack, 318 N Carolina Street, thanked the Redevelopment team the Façade grant for a fence at his home.

11. Board Comments:

Board members commented.

Mr. Collins requested that staff provide a list of funding sources for Midtown and process to change the boundaries.

12. Adjournment

Mr. Collins called the adjournment at 7:46 p.m.

Shawn Collins, Chair

Mandana Carry, Board Secretary



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The following board is supported by The City of Daytona Beach Redevelopment staff.
The schedule listed below for the Midtown Board is subject to change or cancellation.
Please check the City's official calendar on the City's website for any revisions to this schedule.

Board Meeting Schedule 2024
MRB
Midtown Redevelopment Board
2 nd Tuesday
Commission Chambers
6:00 pm – 8:00 pm
January 9
February 13
March 12
April 9
May 14
June 11
July 9
August 13
September 10
October 8
November 12
December 10



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MEMORANDUM

DATE: October 2, 2023
TO: Midtown Redevelopment Board
FROM: Michele Toliver, Redevelopment Project Manager
SUBJECT: Wall Graphic – 1008 W International Speedway Blvd

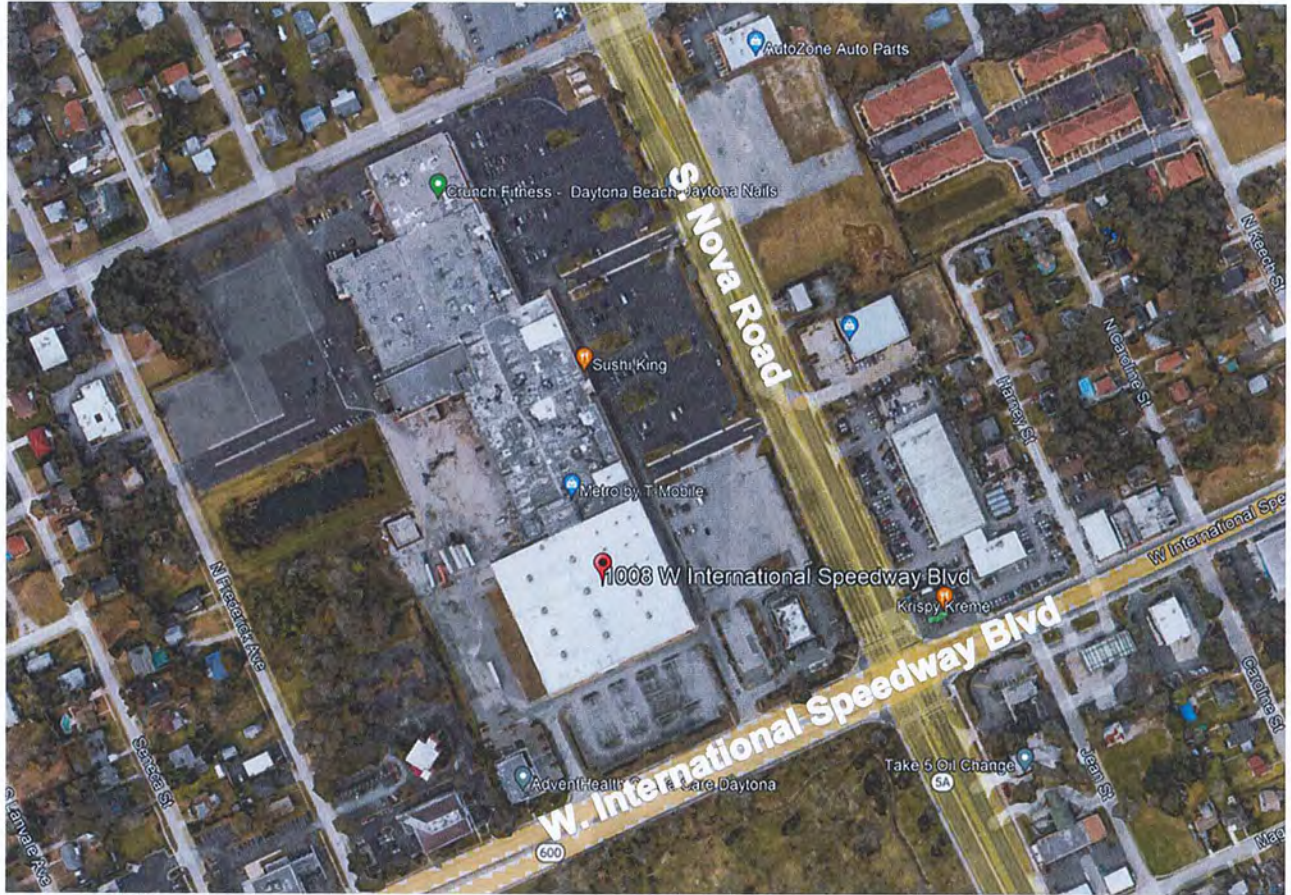
Mr. Clifford Grosvenor, applicant and property owner's representative of Daytona Center, is requesting the Redevelopment Board to approve their proposed mural (wall graphics) to be located on the south wall of the building located at 1008 W. International Speedway Blvd. at the northwest corner of W. International Speedway and N. Nova Road.

The property (formerly Burlington's) is being renovated as a new business for the Daytona Aquarium & Rainforest Adventure. A location map and picture of the building are attached together with a conceptual mural to be placed along the south side of the building.

The Board shall determine if the proposed wall graphic is an aesthetic enhancement of the building and that the scale, design, intensity, and character are consistent with the design of the building and compatible with the building and surrounding structures in compliance with the Land Development Code (LDC) requirements in Section 6.10.J.13 - Wall Graphics and Architectural Embellishments (attached).

Staff recommends that the Board consider approval of the wall graphic as presented by the applicant, an important step in revitalizing the building.

PROPOSED WALL GRAPHIC LOCATION



PROPOSED WALL GRAPHIC



Land Development Code requirements in Section 6.10.J.13

13. Wall Graphics and Architectural Embellishments.

- a. A wall graphic is a wall decoration that depicts a scene, picture, illustration, or design with no written message, word, insignia, arrow, or logo.
- b. An architectural embellishment is a three-dimensional architectural decoration added to a building for aesthetic purposes.
- c. Wall graphics and architectural embellishments may be permitted in any district, subject to the review and approval as follows:
 - i. In Redevelopment Areas, wall graphics and architectural embellishments may be permitted by the Redevelopment Board for the area.
 - ii. In other areas of the City, wall graphics are subject to review and approval by the Planning Board and architectural embellishments are subject to review and approval by City staff.
- d. Wall graphics and architectural embellishments shall comply with the following standards:
 - i. The wall graphic or architectural embellishment shall be applied to a prepared wall surface free of cracks, peeling paint, or stucco, and shall be covered with a protective coat to minimize deterioration.
 - ii. Wall graphics and embellishments shall be for the aesthetic enhancement of the building. Scale, design, intensity, and character shall be consistent with the design of the building, and compatible with the building and surrounding structures.
 - iii. No written messages, logos, arrows, or bare bulbs shall be part of the wall graphic or embellishment.
 - iv. Wall graphics or embellishments shall be applied and constructed strictly in accordance with the approved application. Any deviation from the approved plan or rendering, in materials or style, shall require removal of the wall graphic or embellishment within five days of notice.
- e. Any variance from these standards or appeal from a determination made pursuant to this paragraph shall be reviewed by the Planning Board, whose decision shall be final administrative action.

Community Redevelopment Agency - City of Daytona Beach

Adopted Budget

FY 2023/24



Community Redevelopment Agency - City of Daytona Beach
Adopted Budget
Adopted Budget - FY 2023/24

Fund	Revenue	Operating	Transfer	Projects	Reserve/ Contingency	Expenditures
130 - Redevelopment - Downtown	2,261,817	1,583,164	172,339	506,314	-	2,261,817
131 - Redevelopment - Main St	5,630,327	847,460	2,511,260	2,271,607	-	5,630,327
132 - Redevelopment - Ballough Road	258,324	140,121	-	118,203	-	258,324
133 - Redevelopment-Midtown	1,031,664	395,957	214,741	420,966	-	1,031,664
134 - Redevelopment-South Atl	424,380	31,562	-	392,818	-	424,380
	<u>\$ 9,606,512</u>	<u>\$ 2,998,264</u>	<u>\$ 2,898,340</u>	<u>\$ 3,709,908</u>	<u>\$ -</u>	<u>\$ 9,606,512</u>

Community Redevelopment Agency

City of Daytona Beach

Adopted Budget

FY 2023/24

Table of Contents

Budget Summary.....	i
Revenue Detail by Fund	1
Operating Budget by Fund	3
Transfers	9
Projects and Capital Items.....	11
Budget Resolution.....	13

Community Redevelopment Agency - City of Daytona Beach

Revenue Detail by Fund Adopted Budget - FY 2023/24

Account			Title	FY 2021/22	FY 2022/23 (to date)		FY 2023/24
Cost Center	Object	Project		Actual	Amended Budget	YTD	Adopted Budget
130 - Redevelopment - Downtown							
000000	361101	000000	Interest On Investments	4,461	-	9,793	-
000000	369914	000000	Miscellaneous Revenue	-	1	-	-
000000	399001	000000	Appropriation Of Fund Balance	-	1,045,140	-	-
150210	329506	000000	Permits - Sidewalk Cafe	88	1,884	1,732	621
150210	338003	000000	Increment - Downtown Redev	976,303	1,024,902	1,024,171	1,140,684
150210	345900	000000	Payment From Component Unit	101,295	117,643	117,961	135,000
150210	381005	000000	Transfer - General Fund	772,344	874,402	873,818	985,512
				1,854,490	3,063,972	2,027,475	2,261,817
131 - Redevelopment - Main St							
000000	344505	000000	Parking - On Street-Corbin Lot	23,260	8,229	48,972	-
000000	361101	000000	Interest On Investments	18,977	-	53,836	-
000000	362017	000000	Rent - 146 & 148 S. Grandview	7,412	6,125	12,250	10,324
000000	362056	000000	Rent - Corbin Bldg	-	60,000	96,000	-
000000	364001	000000	Sale Of Land	-	427,800	427,800	-
000000	369914	000000	Miscellaneous Revenue	-	12	5,128	-
000000	399001	000000	Appropriation Of Fund Balance	-	4,711,316	-	-
150001	369905	000000	Reimbursement Of Expense	-	-	170	-
150220	329506	000000	Permits - Sidewalk Cafe	11,377	11,440	3,258	12,679
150220	338004	000000	Increment - Main St Redev	2,436,797	2,793,914	2,792,615	3,008,280
150220	381005	000000	Transfer - General Fund	1,925,978	2,383,647	2,383,083	2,599,044
				4,423,801	10,402,483	5,823,112	5,630,327
132 - Redevelopment - Ballough Road							
000000	361101	000000	Interest On Investments	5,655	-	12,281	-
000000	399001	000000	Appropriation Of Fund Balance	-	1,638,149	-	-
150230	338005	000000	Increment - Ballough Rd Redev	116,686	124,266	124,265	138,588
150230	381005	000000	Transfer - General Fund	92,225	106,018	106,018	119,736
				214,566	1,868,433	242,564	258,324
133 - Redevelopment-Midtown							
000000	361101	000000	Interest On Investments	5,730	-	13,713	-
000000	364001	000000	Sale Of Land	24,000	-	-	-
000000	399001	000000	Appropriation Of Fund Balance	-	1,669,067	-	-
150240	338006	000000	Increment - Midtown	410,181	459,209	449,912	553,476
150240	381005	000000	Transfer - General Fund	324,277	391,778	392,690	478,188
				764,188	2,520,054	856,315	1,031,664
134 - Redevelopment-South Atl							
000000	361101	000000	Interest On Investments	2,824	-	7,032	-
000000	399001	000000	Appropriation Of Fund Balance	-	822,274	-	-
150250	338007	000000	Increment - So Atlantic	127,125	179,874	179,875	227,676
150250	381005	000000	Transfer - General Fund	104,161	153,461	153,461	196,704
				234,110	1,155,609	340,368	424,380
				\$ 7,491,154	\$ 19,010,551	\$ 9,289,834	\$ 9,606,512

Community Redevelopment Agency - City of Daytona Beach
Operating Budget by Fund
Adopted Budget - FY 2023/24

	FY 2021/22	FY 2022/23	FY 2023/24
	Actual	Amended Budget	Adopted Budget
		YTD	
130 - Redevelopment - Downtown			
329506 Permits - Sidewalk Cafe	\$ 88	\$ 1,884	\$ 1,732
338003 Increment - Downtown Redev	976,303	1,024,902	1,024,171
345900 Payment From Component Unit	101,295	117,643	117,961
361101 Interest On Investments	4,461	-	9,793
369914 Miscellaneous Revenue	-	1	-
381005 Transfer - General Fund	772,344	874,402	873,818
399001 Appropriation Of Fund Balance	-	1,045,140	-
	1,854,490	3,063,972	2,027,475
			2,261,817
512001 Regular Salaries & Wages	86,390	69,208	70,543
512004 Personal Leave Payoff	25,366	-	-
513001 Other Personal Services	2,359	-	2,906
514001 Overtime	-	-	33
521001 Fica Taxes	7,746	5,294	5,041
522005 State Retirement	24,509	18,981	18,469
523001 Ad & D	18	17	16
523008 Group Health Insurance	9,669	9,606	9,470
523009 Group Life Insurance	86	91	63
524001 Workers' Compensation	460	410	376
532001 Accounting & Auditing	1,762	1,759	1,759
534019 Projects	-	4,314	-
534900 Other Contractual Services	800,000	800,000	800,000
540001 Car Allowance	2,886	1,560	1,470
540002 Travel And Per Diem	-	1,000	-
540003 Care And Subsistence	301	1,200	494
541001 Cell Phone Stipend	423	379	357
542001 Postage & Freight	-	300	48
543001 Utilities - Electricity	57,111	67,000	51,308
543003 Utilities - Water & Sewer	277	-	263
544006 Lease/Rent - Public Parking	9,000	18,000	-
544007 Lease/Rent - Other	59,428	60,000	51,009
546001 Maintenance And Repair	-	75,000	19,805
546008 M&R - Property Maintenance	3,793	-	-
546020 M&R - Streetscape	29,166	-	-
547001 Printing & Binding	-	2,000	90
548005 Promo - Marketing	-	35,000	32,403
549002 Advertising Legal/Recruiting	113	2,000	218
549401 Facade Grant	67,375	145,500	110,903
549501 Safety Administration	57	60	59

Community Redevelopment Agency - City of Daytona Beach
Operating Budget by Fund
Adopted Budget - FY 2023/24

	FY 2021/22	FY 2022/23	FY 2023/24
	Actual	Amended Budget	Adopted Budget
549502 Employee Benefits Admin	51	266	261
549503 Employment Services	158	314	140
549702 Fixed Cost - Info Sys	3,106	3,477	3,962
551001 Office Supplies	717	1,000	1,500
552999 Other Material & Supplies	-	1,251	250
554001 Memberships	545	1,000	1,500
554002 Subscriptions & Publications	-	200	250
555001 Education And Training	-	2,000	2,000
564001 Cap Out - Machine & Equipment	-	1,749	-
591001 Payment To Component Unit	101,295	117,643	135,000
591116 Trans - Loan Prog - Downtown	172,037	172,277	172,339
	<u>1,466,207</u>	<u>1,619,856</u>	<u>1,476,543</u>
			<u>1,755,503</u>

131 - Redevelopment - Main St

329506 Permits - Sidewalk Cafe	11,377	11,440	3,258	12,679
338004 Increment - Main St Redev	2,436,797	2,793,914	2,792,615	3,008,280
344505 Parking - On Street-Corbin Lot	23,260	8,229	48,972	-
361101 Interest On Investments	18,977	-	53,836	-
362017 Rent - 146 & 148 S. Grandview	7,412	6,125	12,250	10,324
362056 Rent - Corbin Bldg	-	60,000	96,000	-
364001 Sale Of Land	-	427,800	427,800	-
369905 Reimbursement Of Expense	-	-	170	-
369914 Miscellaneous Revenue	-	12	5,128	-
381005 Transfer - General Fund	1,925,978	2,383,647	2,383,083	2,599,044
399001 Appropriation Of Fund Balance	-	4,711,316	-	-
	<u>4,423,801</u>	<u>10,402,483</u>	<u>5,823,112</u>	<u>5,630,327</u>

512001 Regular Salaries & Wages	112,383	222,591	134,533	222,019
512004 Personal Leave Payoff	38,048	-	-	-
513001 Other Personal Services	1,180	-	1,453	-
514001 Overtime	-	-	50	-
521001 Fica Taxes	14,507	17,028	11,774	16,984
522005 State Retirement	41,208	42,619	34,701	48,339
523001 Ad & D	35	53	34	53
523008 Group Health Insurance	19,818	33,530	23,656	36,473
523009 Group Life Insurance	8	294	122	293
524001 Workers' Compensation	887	1,317	1,207	1,707
531900 Prof Serv - Other	2,770	-	-	-
532001 Accounting & Auditing	4,022	4,023	4,023	4,412
534019 Projects	30,000	75,000	-	150,000

Community Redevelopment Agency - City of Daytona Beach
Operating Budget by Fund
Adopted Budget - FY 2023/24

	FY 2021/22	FY 2022/23	FY 2023/24	
	Actual	Amended Budget	YTD	Adopted Budget
534037 Maint Contr-Pinewood Cemetary	-	3,600	-	3,600
534041 Jrbp Parking Expense	5,152	-	156	-
534900 Other Contractual Services	-	19,977	3,052	10,000
540001 Car Allowance	6,317	8,190	5,543	8,190
541001 Cell Phone Stipend	749	839	998	1,109
542001 Postage & Freight	-	200	-	200
543001 Utilities - Electricity	3,539	5,000	1,866	5,000
543003 Utilities - Water & Sewer	620	-	106	18,897
546001 Maintenance And Repair	-	135,000	52,861	165,000
546005 M&R - Paver Cleaning Program	44,291	-	-	-
546008 M&R - Property Maintenance	9,998	-	-	-
546020 M&R - Streetscape	29,934	-	-	-
546999 Non Capital From Capital	59,211	-	-	-
547001 Printing & Binding	-	5,000	327	1,000
549002 Advertising Legal/Recruiting	77	2,500	182	500
549016 Credit Card/Bank Fees	393	-	1,721	1,500
549401 Facade Grant	5,529	594,000	51,948	98,000
549501 Safety Administration	258	577	343	520
549502 Employee Benfits Admin	233	855	310	777
549503 Employment Services	877	3,028	959	1,136
549702 Fixed Cost - Info Sys	18,195	35,704	32,729	45,551
551001 Office Supplies	4,447	2,500	2,028	1,500
552999 Other Material & Supplies	-	1,456	858	1,000
554001 Memberships	1,500	1,500	1,500	1,500
554002 Subscriptions & Publications	-	200	-	200
555001 Education And Training	25	2,500	1,027	2,000
564001 Cap Out - Machine & Equipment	-	2,544	2,544	-
565999 Capital Outlay Reclassify	(59,211)	-	-	-
591135 Trans - Cap Impr Note 2020	2,507,835	2,507,570	2,507,570	2,511,260
	<u>2,904,835</u>	<u>3,729,195</u>	<u>2,880,182</u>	<u>3,358,720</u>

132 - Redevelopment - Ballough Road

338005 Increment - Ballough Rd Redev	116,686	124,266	124,265	138,588
361101 Interest On Investments	5,655	-	12,281	-
381005 Transfer - General Fund	92,225	106,018	106,018	119,736
399001 Appropriation Of Fund Balance	-	1,638,149	-	-
	<u>214,566</u>	<u>1,868,433</u>	<u>242,564</u>	<u>258,324</u>

512001 Regular Salaries & Wages	7,570	58,463	30,962	53,892
521001 Fica Taxes	1,472	4,472	2,152	4,123

Community Redevelopment Agency - City of Daytona Beach
Operating Budget by Fund
Adopted Budget - FY 2023/24

	FY 2021/22	FY 2022/23		FY 2023/24
	Actual	Amended Budget	YTD	Adopted Budget
522005 State Retirement	2,136	6,963	3,468	7,313
523001 Ad & D	4	14	5	13
523008 Group Health Insurance	2,491	9,391	4,559	9,831
523009 Group Life Insurance	18	78	15	71
524001 Workers' Compensation	94	346	317	421
532001 Accounting & Auditing	250	252	252	209
540001 Car Allowance	994	2,925	1,669	2,925
541001 Cell Phone Stipend	57	135	231	270
543001 Utilities - Electricity	461	300	301	300
547001 Printing & Binding	-	548	48	548
549401 Facade Grant	5,000	14,681	6,000	15,000
549402 Dev Gt-Tif Agreement Payment	36,036	38,319	38,319	39,319
549501 Safety Administration	83	239	124	207
549502 Employee Benfits Admin	75	225	112	189
549503 Employment Services	231	1,258	343	453
549702 Fixed Cost - Info Sys	936	1,050	963	4,688
551001 Office Supplies	-	200	317	350
561000 Land Acquisition	-	-	-	118,203
	57,907	139,859	90,156	258,324

133 - Redevelopment-Midtown

338006 Increment - Midtown	410,181	459,209	449,912	553,476
361101 Interest On Investments	5,730	-	13,713	-
364001 Sale Of Land	24,000	-	-	-
381005 Transfer - General Fund	324,277	391,778	392,690	478,188
399001 Appropriation Of Fund Balance	-	1,669,067	-	-
	764,188	2,520,054	856,315	1,031,664

512001 Regular Salaries & Wages	65,730	58,992	45,337	54,560
513001 Other Personal Services	1,180	-	1,453	-
521001 Fica Taxes	1,598	4,513	2,301	4,174
522005 State Retirement	2,206	7,026	3,620	7,404
523001 Ad & D	4	14	5	13
523008 Group Health Insurance	2,586	9,488	4,655	9,941
523009 Group Life Insurance	19	78	16	72
524001 Workers' Compensation	97	349	320	421
531900 Prof Serv - Other	2,795	24,906	16,736	25,000
532001 Accounting & Auditing	390	391	391	472
534006 Demoltions And Condemnations	-	7,200	7,125	-
534019 Projects	-	24,000	591	50,000

Community Redevelopment Agency - City of Daytona Beach
Operating Budget by Fund
Adopted Budget - FY 2023/24

	FY 2021/22	FY 2022/23		FY 2023/24
	Actual	Amended Budget	YTD	Adopted Budget
540001 Car Allowance	994	2,925	1,669	2,925
541001 Cell Phone Stipend	57	135	231	270
543001 Utilities - Electricity	1,527	4,000	1,103	4,000
546001 Maintenance And Repair	-	11,300	-	23,000
546008 M&R - Property Maintenance	1,788	-	-	-
546020 M&R - Streetscape	1,995	-	-	-
547001 Printing & Binding	151	500	294	500
549002 Advertising Legal/Recruiting	701	4,609	1,063	4,609
549401 Facade Grant	11,254	172,700	42,949	200,000
549501 Safety Administration	85	242	126	210
549502 Employee Benfits Admin	77	227	114	191
549503 Employment Services	237	1,269	350	459
549702 Fixed Cost - Info Sys	974	1,093	1,002	4,737
552999 Other Material & Supplies	-	1,205	317	1,000
555001 Education And Training	417	1,800	1,739	2,000
564001 Cap Out - Machine & Equipment	-	795	795	-
591101 Trans - 2010 Bond Debt Serv	212,899	213,805	213,804	214,741
	309,759	553,562	348,104	610,698

134 - Redevelopment-South Atl

338007 Increment - So Atlantic	127,125	179,874	179,875	227,676
361101 Interest On Investments	2,824	-	7,032	-
381005 Transfer - General Fund	104,161	153,461	153,461	196,704
399001 Appropriation Of Fund Balance	-	822,274	-	-
	234,110	1,155,609	340,368	424,380

532001 Accounting & Auditing	76	75	75	137
546001 Maintenance And Repair	-	5,000	2,543	5,000
546008 M&R - Property Maintenance	103	-	-	-
547001 Printing & Binding	-	925	112	925
549002 Advertising Legal/Recruiting	-	500	-	500
549401 Facade Grant	-	25,000	2,118	25,000
	179	31,500	4,849	31,562

Community Redevelopment Agency - City of Daytona Beach

Transfers Out

Adopted Budget - FY 2023/24

Fund	Object	FY 2021/22	FY 2022/23		FY 2023/24
		Actual	Amended Budget	YTD	Adopted Budget
130 - Redevelopment - Downtown					
	591116 Trans - Loan Prog - Downtown	\$ 172,037	\$ 172,277	\$ 172,276	\$ 172,339
131 - Redevelopment - Main St					
	591135 Trans - Cap Impr Note 2020	2,507,835	2,507,570	2,507,570	2,511,260
133 - Redevelopment-Midtown					
	591101 Trans - 2010 Bond Debt Serv	212,899	213,805	213,804	214,741
		\$ 2,892,771	\$ 2,893,652	\$ 2,893,650	\$ 2,898,340

Community Redevelopment Agency - City of Daytona Beach
Projects and Capital Items
Adopted Budget - FY 2023/24

Fund	Project	Detail	Amount
130 - Redevelopment - Downtown			
	151925	Beach Street Redevelopment	<u>506,314</u>
131 - Redevelopment - Main St			
	151406	East ISB Streetscape	<u>2,271,607</u>
132 - Redevelopment - Ballough Road			
	151006	Land Acquisition	<u>118,203</u>
133 - Redevelopment-Midtown			
	151213	West ISB Streetscape	<u>420,866</u>
134 - Redevelopment-South Atl			
	152002	South Atlantic CRA Streetscape	<u>392,818</u>
			<u><u>\$ 3,709,808</u></u>

RESOLUTION NO. CRA 2023-009

A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2023, TO SEPTEMBER 30, 2024, FOR THE COMMUNITY REDEVELOPMENT AGENCY; PRESCRIBING THE NET SOURCES OF REVENUE IN THE ESTIMATED AMOUNT OF \$ 9,606,512; SETTING FORTH OPERATING EXPENDITURES, TRANSFERS, AND CAPITAL EXPENDITURES IN THE AMOUNT OF \$ 9,606,512; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Community Redevelopment Director has prepared a budget for the Fiscal Year 2023/24 and has submitted the same to the Community Redevelopment Agency; and

WHEREAS, the proposed budget sets forth in detail all information required in accordance with § 189.418, Florida Statutes, and has been posted on the City's website at least two days prior to adoption; and

WHEREAS, a Public Hearing was conducted by the Community Redevelopment Agency on September 6, 2023, at 6:00 p.m. in the City Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida; and

WHEREAS, the Community Redevelopment Agency has made a study of the recommended budget, has made any desired adjustments, and has tentatively adopted the Budget on September 6, 2023, at 6:00 p.m. in the City Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida; and

WHEREAS, the Budget is available for public inspection in the Office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. It is hereby found that a Public Hearing has been conducted on September 20, 2023, at 6:00 p.m., Eastern Daylight Savings Time, in the City Commission Chambers, Room 290, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

SECTION 2. The amounts anticipated for the various funds are as follows:

Community Redevelopment Agency
Budget Summary
FY 2023/24

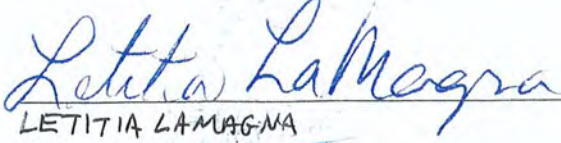
Fund	Description	Revenues	Expenditures
130	REDEVELOPMENT - DOWNTOWN	\$ 2,261,817	\$ 2,261,817
131	REDEVELOPMENT – MAIN ST	5,630,327	5,630,327
132	REDEVELOPMENT – BALLOUGH ROAD	258,324	258,324
133	REDEVELOPMENT - MIDTOWN	1,031,664	1,031,664
134	REDEVELOPMENT – SOUTH ATLANTIC	424,380	424,380
		<u>\$ 9,606,512</u>	<u>\$ 9,606,512</u>

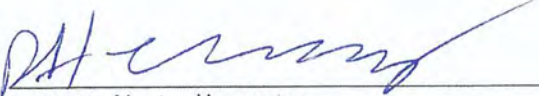
SECTION 3. The FY 2023/24 Budget setting forth the expenditures is hereby adopted and made a part of this Resolution.

SECTION 4. The Budget adopted in the preceding section shall govern the expenditures of the Community Redevelopment Agency for the fiscal year commencing October 1, 2023, and ending September 30, 2024.

SECTION 5. The Budget adopted in the preceding sections will be incorporated as part of the Budget of the City of Daytona Beach for the fiscal year commencing October 1, 2023, and ending September 30, 2024.

SECTION 6. This Resolution shall take effect October 1, 2023.


LETITIA LAMAGNA
CITY CLERK


DERRICK L. HENRY
CHAIR

Adopted: September 20, 2023

Rebuild Florida Business Loan Fund

Frequently Asked Questions



Q. What is required to be eligible?

A. You must have a business located in the state of Florida:

- Be authorized to work in the state of Florida; and
- Operate primarily in the state of Florida.
- Have a business owned and controlled by persons who are lawfully in the U.S. and have an appropriate work Visa.
- Be legally able to contract debt.

Q. What is considered allowable lending?

A. Loans can be used for the following purposes:

- Working Capital Needs
 - A line of credit
 - Purchase order
 - Seasonal financing
 - Purchase inventory
 - Refinancing business debt (Note: For this purpose, the borrower must demonstrate a sound economic justification in the loan documentation provided. Reducing the risk of loss to an existing lender(s) or lowering the cost of financing to a borrower shall not, without other indicia, constitute a sound economic justification.)
- Fixed Assets
 - Construction (renovation, expansion and leasehold improvements)
 - Machinery and equipment
 - Acquisition of land for business development
 - Furniture, fixtures and equipment
- Both Working Capital and Fixed Assets
 - Business acquisition
 - Business expansion
 - Landscape and property improvements

Q. What are the loan terms?

A. See the below table for the loan terms based on the loan type:

Loan Type	Loan Amount	Loan Terms	Loan Fees	Equity (min 10%)
Express	\$350,000 maximum	3-5 years	2% loan	Cash
Standard	\$2,500,000 maximum	5-20 years	2% loan	Cash

Q. What are the required application documents?

A. Include the following documents for a complete application:

- Copy of valid ID for each owner
- Copy of current County Business License
- Previous 6 months bank statements for both personal and business accounts
- Business plan
- Three-year schedule of jobs that will be created due to the loan with the average wage salary
- Income statements from previous 3 years
- Business organizational documents
- Articles of Incorporation or Organization
- Resumes of key management personnel
- Personal financial statement of owner(s)
- Business financial statement of owner(s)
- Business liability insurance policy
- Proof credit is not available elsewhere
- Credit Check Authorization
- Environmental Certification
- Summary of collateral (if applicable)
- Environmental narrative (if applicable)
- Signed borrower certification

Q. Where can I go for assistance with my application?

A. You can go to one of the following third-party lenders or your local Florida Small Business Development Centers (SBDC) for assistance with your application:

- Federally-regulated lender
- State-regulated lender
- Small Business Lending Company (SBLC)
- Certified Development Company (CDC's)
- Find your [local SBDC Office](#)

Q. How do I apply?

A. Visit www.FloridaJobs.org/RebuildFlorida/BusinessRecovery to begin the application. You will need to create login information or sign-in using your existing login to apply.

Q. What are the lending guidelines?

- All owners of 20% or more of the borrowing entity must guarantee the loan and, therefore, provide all required documentation;
- An Experian credit score of 650 or higher (please note: a score below 650 may be considered in certain circumstances and additional collateral may be requested.);
- No bankruptcy within the last five (5) years;
- Provide contracts, bids or estimates for the following purposes:
 - Real estate, furniture, fixtures and equipment; and/or
 - Renovation, improvement or construction

Q. Is collateral required?

A. Loans over \$25,000 may require collateral. A discount rate may be used to reduce collateral value. Valuation of collateral and discount rates will be assessed on a per loan basis.

Q. How are you approved or denied?

A. All applications and documents are sent to a Loan Review Committee for review. The following will be reviewed to make a loan decision:

- Application
- Project summary
- Loan summary
- Due diligence and underwriting
- Credit score

Q. What is the purpose of the Florida Emergency Bridge Loan?

A. The Florida Small Business Emergency Bridge Loan (EBL) is intended to “bridge the gap” between when a declared disaster occurs and when additional funding sources, such as U.S. Small Business Administration (SBA) or commercial loans, can be secured in order for business owners to maintain operations.

Q. How much is available for the Hurricane Idalia EBL program?

A. On September 1, 2023, Governor DeSantis activated the Florida Small Business Emergency Bridge Loan Program, making \$20 million available. \$5 million has been set aside for agriculture and aquaculture small businesses.

Q. How do I apply for the EBL program?

A. Visit www.FloridaJobs.org/EBL to apply for the Florida Small Business Emergency Bridge Loan.

Q. What qualifications do I need to apply for the EBL program?

A. Eligibility requirements are as follows:

- Your business must be located in Florida.
- Your business must have been established prior to August 29, 2023.
- Your business must be impacted by the event and located in an eligible county. Businesses in Alachua, Baker, Bradford, Citrus, Columbia, Dixie, Franklin, Gilchrist, Hamilton, Hernando, Hillsborough, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Pasco, Pinellas, Sumter, Suwannee, Taylor, Union and Wakulla Counties are eligible to apply.
- The business must employ two to 100 employees (including 1099-employees) *Sole proprietors in the agriculture or aquaculture industries are not required to provide employer tax documentation.
- Credit Score of 600 or above. *580 for agriculture and aquaculture businesses.
- You must have repaid any outstanding Emergency Bridge Loans.

Q. What is considered an Ineligible Business for the Small Business Emergency Bridge Loan?

A. Ineligible businesses include short term rentals such as Airbnb, those engaged in illegal activities, loan packaging, speculation, multi-sales distribution, gambling, investment or lending, or where the owner is on parole. Specific types of businesses not eligible include:

- Real estate investment firms (when the real property will be held for investment purposes), including short-term rentals.
- Firms involved in speculative activities that develop profits from fluctuations in price rather than through the normal course of trade, such as wildcatting for oil and dealing in commodities futures when not part of the regular activities of the business.
- Dealers of rare coins and stamps.
- Firms involved in lending activities, such as banks, finance companies, factors, leasing companies, insurance companies (not agents), and any other firm whose stock in trade is money.
- Pyramid sales plans, where a participant's primary incentive is based on the sales made by an ever-increasing number of participants.
- Firms involved in illegal activities that are against the law in the jurisdiction where the

business is located. Included in these activities are the production, servicing, or distribution of otherwise legal products that are to be used in connection with illegal activity, such as selling drug paraphernalia or operating a motel that permits illegal prostitution.

- Gambling activities, including any business whose principal activity is gambling.
- Charitable, religious, or other non-profit or eleemosynary institutions, government-owned corporations, consumer and marketing cooperatives, and churches and organizations promoting religious objectives.

Q. What documents and paperwork is needed to complete the application for the Small Business Emergency Bridge Loan?

A. The following documents are required to complete the Small Business Emergency Bridge Loan application:

- Current Personal Tax returns
- Current Business Tax returns
- Current Employer Tax documentation
- Copy of a valid driver's license (front and back)

IRS transcripts are accessible at <https://www.irs.gov/individuals/get-transcript>.

Q. I own two businesses in Florida. Can I apply for an EBL for both businesses?

A. If you own multiple eligible businesses, you are only eligible for one loan under this program. Loans cannot be made to multiple businesses owned by the same person.

Q. What are the loan terms?

A. The loan term is one year, and the loan must be repaid by the maturity date listed on the promissory note. Loans will only be made to an individual or individuals who own at least 51 percent of an eligible business in an impacted county.

Q. What's the maximum loan amount that can be requested?

A. The maximum loan amount is \$50,000. Eligible small businesses in the agriculture or aquaculture industries may request a loan of up to \$100,000.

Q. How can I ensure that my application is accurately received and processed?

A. Fill out the entire application, review all sections to ensure the application is complete and accurate, and ensure all required documentation is uploaded before you submit the application. For example, it is important that you provide the loan amount you would like to request and the ownership of the business. Provide as much information as possible and go back through to check for missing information. Applications are reviewed as they are submitted online.

Q. When I complete my application, will I receive a confirmation email?

A. Yes, you will receive a confirmation email. You can also view the status of your application by signing into the portal with your username and password and click "My Applications".

Q. I have completed my application but want to provide additional information. What should I do?

A. Once an application has been submitted, an applicant cannot edit the application. This includes uploading additional documentation. The application will be reviewed, and if incomplete, you will be notified, and FloridaCommerce will reopen your application for you to provide that information and resubmit.

Q. I submitted my application. Now what?

A. FloridaCommerce will ensure the application is complete. If it is incomplete, FloridaCommerce will reopen your application and request the additional documentation from you. This will add time to processing the application. Once an application has been certified complete, a credit report will be pulled. If the application is denied, you will receive a denial letter. If the application is approved, you will receive the loan closing documents to sign via email.

Q. **How can I check the status of my application?**

A. The applicant can login and view the status of their application under "My Applications". Application and loan status details are as follows:

- **Incomplete – Not Submitted** = Applicant has started an application but has not completed it.
- **Submitted – In Review** = Application is being reviewed for eligibility, accuracy, and completeness.
- **Processing - Underwriting** = Applicant has submitted the EBL application and it is being reviewed for completeness, accuracy, and eligibility. Credit will be pulled prior to a loan determination.
- **Completed – Loan Decision** = Application has been fully reviewed and loan decision has been made.

Q. **What do I do if my credit is frozen?**

A. A security freeze prevents potential creditors from accessing your credit report. Creditors typically will not offer you credit if they can't access your credit file. A credit freeze prevents you or others from opening accounts in your name. For the purpose of processing your application, please ensure that your credit is not frozen so that we may access your credit report.

Q. **How is the EBL program funded?**

A. State funds are allocated by the Governor for the EBL.

Q. **If I get my proceeds from my insurance claim or a U.S. Small Business Administration loan before the bridge loan matures, is there a prepayment penalty for paying my loan off early?**

A. There is no penalty for early repayment of your Emergency Bridge Loan. Early repayment is encouraged as other funding sources, such as federally or commercially available loans, insurance claims or other resources, become available. Borrowers are required to sign the Promissory Note and all necessary closing documents prior to receiving the loan with the intent to repay the Emergency Bridge Loan from other available resources.



FAMU Federal
Credit Union

(<https://famufcu.com/index.php>)

[LOGIN \(HTTPS://FAMUFCU-DN.FINANCIAL-NET.COM/WEB/\)](https://famufcu-dn.financial-net.com/web/)

[MAKE A PAYMENT \(HTTPS://FAMUFCU.MESSAGEPAY.COM/PAYMENT/ACCOUNTLOOKUP\)](https://famufcu.messagepay.com/payment/accountlookup) |

[JOIN NOW \(HTTPS://WWW.LOANLINER.COM/LOANREQUEST/PRESENTER/LOANFORM?](https://www.loanliner.com/loanrequest/presenter/loanform?)

[CUID=00904355&LOANFORMID=5518998321181155509&CHANNELID=4799020706278145602&LOCATIONID=9854675806270194221&ISFRAI](https://www.loanliner.com/loanrequest/presenter/loanform?CUID=00904355&LOANFORMID=5518998321181155509&CHANNELID=4799020706278145602&LOCATIONID=9854675806270194221&ISFRAI)

Black Business Loan Program



Florida A&M University Federal Credit has partnered with the Department of Economic Opportunity to administer the Black Business Loan Program. We provide alternate lending opportunities and technical assistance to black entrepreneurs throughout the state. Lending opportunities range from \$10,000 up to \$250,000 for small businesses that are black owned.

Mandatory attendance Zoom informational meetings held every Thursday at 4pm EST. Please register to receive the Zoom Link.

REGISTER NOW

MINIMUM REQUIREMENT:

Loans are available from \$10,000 up to \$250,000 to qualified borrower.

To be considered for the Black Business Loan Program, your business must be:

🕒 **51% black-owned**

- ☞ *Domiciled in the state of Florida, active registration with Sunbiz*
- ☞ United States Citizen or Lawful Permanent Residence
- ☞ For profit business, sole proprietorship. No non-profits.
- ☞ Must demonstrate that loans will aid in the generation of jobs
- ☞ Must use funds for working capital, inventory, equipment
- ☞ Collateral will be required in most cases. Applicant(s) will be the guarantor(s)

ADDITIONAL INFORMATION

The following information will be needed when applying for the loan.

New (& Start-up) Business Documents

- ☞ Business Plan
- ☞ Proof of Income/ Tax Returns (two most recent years personal tax returns)
- ☞ Business Financial Projections (3 -5 years)
- ☞ Personal Bank Statement (six months most recent statement)
- ☞ Two-year work history
- ☞ Detailed Use of Funds
- ☞ Proof of collateral, if applicable

Existing Business Documents

- ☞ Business Plan
- ☞ Business Tax Returns (two most recent years)
- ☞ Business/Personal Financial Statements
 - Income Statement & Balance Sheet (2 years)
 - Debt Schedule
 - Profit/Loss Statement (2 years)
- ☞ Detailed Use of Funds
- ☞ Proof of Liability Insurance
- ☞ Proof of collateral, if applicable

Personal credit history will be used as part of the underwriting process to evaluate all loans.

Zoom, phone, or in person information sessions required.

Membership to the credit union is not required to apply for the BBLP, however, you must join the credit union if the loan is approved. Share (savings) secured collateral may be required.

Register for information session: [FAMUFCU.COM](https://famufcu.com); Email: bblploans@famufcu.com (<mailto:bblploans@famufcu.com>)

BBLP LOAN REQUEST

CALCULATORS ([HTTPS://FAMUFCU.CALCULATORS.FINRESOURCECENTER.NET/](https://famufcu.calculators.finresourcecenter.net/))

STAY CONNECTED

1610 South Monroe Street
Tallahassee, FL 32301

Phone: (850) 222-4541

Fax: (850) 222-5401

MoneyLine: (850) 222-4541 Option 5

Lobby Hours:

Monday - Friday

9:00 a.m. - 4:00 p.m.

Drive Thru Hours:

Monday - Friday

8:30 a.m. - 5:00 p.m.

USEFUL LINKS

» [About Us \(https://famufcu.com/pages/about-famu.php\)](https://famufcu.com/pages/about-famu.php)

» [Privacy Policy \(https://famufcu.com/pages/privacy-policy.php\)](https://famufcu.com/pages/privacy-policy.php)

» [Black Business Loans \(https://famufcu.com/pages/black-business-loan-program.php\)](https://famufcu.com/pages/black-business-loan-program.php)

» [Disclosures \(https://famufcu.com/pages/disclosures.php\)](https://famufcu.com/pages/disclosures.php)

» [Contact Us \(https://famufcu.com/pages/contact-us.php\)](https://famufcu.com/pages/contact-us.php)



f.)

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Brownfields Program

[Home](#) » [Divisions](#) » [Division of Waste Management](#) » [Waste Cleanup Program](#) » Brownfields Program

Brownfields Redevelopment Act

The primary goals of the [Brownfields Redevelopment Act](#) are to reduce public health and environmental hazards on existing commercial and industrial sites that are abandoned or underused due to these hazards; create financial and regulatory incentives to encourage voluntary cleanup and redevelopment of sites; derive cleanup target levels and a process for obtaining a "No Further Action" letter using Risk-Based Corrective Action principles; and provide the opportunity for environmental equity and justice. Please view the [Memorandum of Agreement](#) between the Florida Department of Environmental Protection and the U.S. Environmental Protection Agency - Region 4 for complete information.

Brownfields Program Incentives

- [Voluntary Cleanup Tax Credits \(VCTC\)](#)
 - Partially offsets the cost of site rehabilitation or solid waste removal.
- Cleanup Liability Protection as Provided Under [Florida Statute 376.82](#)
- Regulatory Framework for Cleanup
 - Risk-Based Corrective Action.
 - Dedicated Staff.
 - Expedited Technical Review.
- Up to \$2,500 Job Bonus Tax Refund
 - For each new job created by an eligible business on or abutting a site with a Brownfield Site Rehabilitation Agreement.
 - To qualify, the business must be a Qualified Target Industry (QTI) or make an eligible capital investment of at least \$2 million, create at least 10 jobs and provide benefits to its employees.
 - This incentive is approved by the [Department of Economic Opportunity \(DEO\)](#) following application submittal to [Enterprise Florida Inc. \(EFI\)](#). To apply, please [contact Eric Anderson by email](#) or phone at

407-956-5682

.
- Refund on Sales and Use Tax Paid on Building Materials

- Offered through the [Department of Revenue \(DOR\)](#), this refund applies to building materials used in the construction of a qualified home, affordable housing or mixed-use affordable housing projects built on or abutting a site with a Brownfields Site Rehabilitation Agreement.
- The completion of the following two DOR applications is necessary to apply:
 - [DOR Form DR-26S](#).
 - [DOR Form DR-26RP](#).
- For a list of possible local incentives, read [Section 376.84, F.S.](#), and contact your local government.

Brownfield Areas and Sites

- [Brownfields Designated Area and Site Rehabilitation Agreement Documentation by County](#).
- [DEP Brownfields Geoviewer](#) - a mapping tool designed to help you locate existing brownfield areas and sites in the state of Florida.
- DEP Monthly Reports
 - [Designated Brownfield Areas](#).
 - [Executed Brownfield Site Rehabilitation Agreements](#).

Brownfields Site Rehabilitation Agreement (BSRA) Documents

- [Model BSRA with Site Access Agreement](#).
- [Model RCRA BSRA with Site Access Agreement](#).
- [Model BSRA Amendment](#).
- [Model Assignment and Assumption Agreement for BSRA](#).
- [BSRA Checklist](#).

Brownfield Grant Opportunities

- The Site-Specific Activity (SSA)/Targeted Brownfields Assessment (TBA) program, which is authorized and funded by CERCLA Section 128(a) under the State and Tribal Response Program (SRP), is designed to help communities — especially those without EPA Brownfields Grants — minimize the uncertainties of contamination often associated with brownfields. [SSA/TBA Program](#)
- EPA's Brownfields Program provides grants and technical assistance to communities, states, tribes and others to assess, safely clean up and sustainably reuse contaminated properties. [EPA Grants Webpage](#)

Other Florida Brownfields Program Resources

- [Florida Brownfields Redevelopment Atlas](#)

With the goal of better understanding the impacts of federal funding on communities through brownfields redevelopment, the Florida Department of Environmental Protection utilized U.S. EPA CERCLA 128(a) grant funds to initiate a collaboration with the Center for Brownfields Research and Redevelopment at the University of South Florida. This ongoing partnership resulted in the development of the [Florida Brownfields Redevelopment Atlas](#), an online geospatial tool that can be used to evaluate social, economic and environmental metrics in the areas surrounding Brownfields.

- [Brownfields District Contacts](#)
- [Brownfields Contacts for Delegated Counties](#)
- [DEP Geospatial Open Data](#)
- [EPA EnviroMapper](#)
- [Brownfields Redevelopment Program Annual Reports](#)
- Outreach Materials
 - [Florida Brownfields Program Brochure](#) (updated 07/17/2023)
 - [SSA / TBA Informational Flyer](#) (updated 03/31/2023)

If you would like to be added to our email list and receive Brownfields Program updates, click the button below.

[Subscribe](#)

For more information, contact the Brownfields Program Manager at:

*Billy Hessman, P.G., Environmental Manager
Florida Department of Environmental Protection
Mail Station 4535
2600 Blair Stone Road
Tallahassee, Florida 32399-2400*

[850-245-8972](tel:850-245-8972)

Billy.Hessman@FloridaDEP.gov

Last Modified: July 19, 2023 - 9:04am



Predevelopment Loan Program

The Predevelopment Loan Program (PLP) provides technical assistance and below market interest rate financing for predevelopment activities to eligible organizations which must be not-for-profit or community based organizations, local governments, or public housing authorities.

PLP funds must be used by an eligible organization in the development of affordable housing. Specifically, rental developments must set aside 20% of units for persons earning 50% or below the Area Median Income (AMI). Homeownership developments must set aside 50% of units for persons earning 80% or below the AMI and the remaining units for persons earning up to 120% AMI.

The Loan

Eligible organizations may apply for a loan of up to \$500,000 without site acquisition, or \$750,000 with site acquisition. The loan carries a non-amortizing 1% interest rate, with principal and interest deferred until maturity. The loan is due upon the closing of construction or permanent financing or three years after the PLP loan closed, whichever occurs first.

PLP Eligible Activities

• Rezoning	• Title searches	• Legal fees	• Impact fees	• Administrative costs
• Soil tests	• Appraisals	• Audit fees	• Insurance fees	• Marketing expenses
• Engineering	• Feasibility analysis	• Earnest money	• Commitment fees	• Acquisition expenses

The Process

Florida Housing staff reviews each Application for threshold requirements. Once the Application is approved (\$100 non-refundable fee required), the program continues as follows:

1. Once the Application has met threshold requirements, the Applicant receives an "Invitation to Participate" in the PLP program (\$600 commitment fee required).
2. Florida Housing assigns a Technical Assistance Provider (TAP) to work with the Applicant.
3. The Applicant and TAP prepare a Development Plan outlining the Applicant's strategies for securing construction and permanent financing (up to six months are allowed to complete the development Plan).
4. The Development Plan is reviewed by staff and the loan request is submitted to the Board of the Florida Housing Finance Corporation for approval.
5. Once the Board approves the loan, the Applicant submits a second \$600 commitment fee, after which the loan is closed and the Applicant can begin drawing funds from the loan to cover eligible activities.
6. If the Applicant is successful in obtaining construction or permanent financing, the PLP loan is due upon closing of that loan. The Applicant will receive a credit for the \$1200 paid in commitment fees.

For more information on PLP, please call (850) 488-4197 or visit us online at www.floridahousing.org.

227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329

Telephone: (850) 488-4197

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[Home](#) / [PROGRAMS](#) / [Multifamily Programs](#) / HOME Investment Partnerships

HOME Investment Partnerships Program

Background

The HOME Investment Partnerships Program provides non-amortized, low interest loans to developers for acquisition and/or new construction or rehabilitation of affordable rental housing to low income families. Loans are offered for the financing of first or subordinate mortgages with a simple interest rate of zero percent to nonprofit applicants and 1.5% per annum interest rate to for-profit applicants. Loan terms are generally for 15 years for rehabilitation and 20 years for new construction.

The borrowers of HOME funds are for-profit developers, nonprofit housing providers, Community Housing Development Organizations (CHDOs) or local governments, redevelopment organizations or public housing authorities.

Twenty percent of the HOME-assisted units are occupied by families whose annual incomes do not exceed 50 percent of the median family income for the area; and the balance of HOME-assisted units must be occupied by families whose annual incomes do not exceed 60 percent of the median family income for the area. All HOME loans must comply with 24 CFR, Part 92 and applicable federal requirements, including federal labor standards.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\) process](#) or contact our office for further information. This program is governed by Rule 67-48 of the Florida Administrative Code.

2018 HOME Workshop - Orlando

- ▶ [Workshop Notice](#)
- ▶ [Workshop Agenda](#)

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment
Accessibility Statement

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

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[Home](#) / [PROGRAMS](#) / [Multifamily Programs](#) / Low Income Housing Tax Credits

Housing Credits

Background

The Housing Credit (HC) program provides for-profit and nonprofit organizations with a dollar-for-dollar reduction in federal tax liability in exchange for providing equity financing for the rehabilitation (with or without acquisition), or new construction of low and very low-income rental housing units. A Housing Credit allocation to a development can be used for 10 consecutive years once the development is placed in service and is designed to subsidize either 30 percent (the 4 percent tax credit) or 70 percent (the 9 percent tax credit) of the low-income unit costs in a development. Qualifying buildings include garden, high-rise, townhouses, duplexes/quads, or mid-rise with an elevator. Ineligible development types include hospitals, sanitariums, nursing homes, retirement homes, trailer parks, and life care facilities. This program can be used in conjunction with the HOME Investment Partnerships program, the State Apartment Incentive Loan program, the Predevelopment Loan program, or the Multifamily Mortgage Revenue Bonds program.

Each development must set aside a minimum percentage of the total units for eligible low or very low income residents for the duration of the compliance period, which is a minimum of 30 years with the option to apply for a Qualified Contract after the 14th year, unless this option is waived by the Applicant in the Application, or pursuant to requirements in a competitive solicitation. Applicants must commit to one of the following set aside commitments: (i) at least 20 percent of the housing units set aside for households earning 50 percent or less of the area median income (AMI), (ii) 40 percent of the units set aside for households earning 60 percent or less of the AMI, or (iii) 40% of the units set aside for households whose earnings may range from 20% to 80% of the AMI provided the average on the income designations within that range do not exceed 60% of the AMI.

Because of the competition among developers seeking an allocation of tax credits from Florida Housing, most Developers commit to provide deeper set asides and for a longer period of time than the minimums described above as required by the IRS Code.

Housing need is assessed based on the current statewide market study, and funds are distributed annually to meet the need and demand for targeted housing in large, medium, and small-sized counties throughout Florida. Additionally, competitive 9 percent housing credits are sometimes reserved for affordable housing that addresses specific geographic or demographic needs, including the homeless, elderly, persons with special needs, the Florida Keys Area of Critical State Concern, or for disaster recovery efforts.

The Housing Credit program is governed by the U.S. Department of Treasury under Section 252 of the Tax Reform Act of 1986 and Section 42 of the Internal Revenue Code, as amended. Each year, the U.S. Department of Treasury awards each state an allocation authority consisting of a specific per capita dollar amount multiplied by the state population plus the state's share of the national pool (unused credits from other states). Starting in 2003, the per capita amount is adjusted annually for inflation. For 2023, the per capita amount used is \$2.75.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\)](#) process (for competitive 9% tax credits), the [Non-Competitive Application Package](#) (for non-competitive 4% tax credits), or contact our office for further information. This program is governed by Rules 67-48 and/or 67-21 of the Florida Administrative Code.

Multifamily Mortgage Revenue Bonds

Background

The Multifamily Mortgage Revenue Bond program (MMRB) uses both taxable and tax-exempt bonds to provide below market-rate loans to non-profit and for-profit developers who set aside a certain percentage of their apartment units for low income families. These bonds are sold through either a competitive or negotiated method of sale or private placement. The program requires that at least 20 percent of the units be set aside for households earning at or below 50 percent of the area median income (AMI). The developer may also opt to set aside 40 percent of the units for households earning at or below 60 percent of the AMI.

The MMRB program encourages targeting in several areas. For the 2003 Universal Application Cycle, small counties receive 10 percent (10%) of the total allocation, and medium counties receive 31 percent (31%) of the total allocation. Large counties will receive 59 percent (59%) of the allocation. Special consideration is given to developments that target specific groups or areas such as the Florida Keys, rural development, the elderly, urban infill areas, Front Porch Florida communities, HOPE VI communities, homeless people, and farmworkers or commercial fishing workers.

Affordable housing developers are able to use the dollars from this program in conjunction with other Florida Housing programs, such as the Affordable Housing Guarantee Program, which participates in the U.S. Department of Housing and Urban Development's Multifamily Risk Sharing program, and the State Apartment Incentive Loan Program.

The MMRB process is a multi-layered process that includes periods such as the allocation of private activity bonds; rule development, ranking and scoring of applications; public hearings; credit underwriting; fiscal sufficiency; loan commitment; real estate closing; and bond pricing and closing. Typically, affordable housing developers involved in the construction or acquisition of properties of 200 units or more submit applications to the MMRB program.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\) process](#) or contact our office for further information. This program is governed by Rule 67-21 of the Florida Administrative Code.

[Non-Competitive Application \(MMRB and/or Non-Competitive 4% HC\) Application Process](#)

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment
Accessibility Statement

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

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National Housing Trust Fund

The National Housing Trust Fund (NHTF) is a federal program that provides funding for affordable housing for Extremely Low Income (ELI) households with incomes at or below 30% of Area Median Income. Each state must develop and annually update an allocation plan to guide how the funds will be used. The most current Annual Action Plan is included in the 2020-2024 State of Florida Consolidated Plan, which can be found on the Florida Department of Economic Opportunity's website via the Quick Links box on this page.

Funding for the NHTF comes from Freddie Mac and Fannie Mae, which are required to transfer funds to HUD to make block grants available to the states according to a need-based formula. Fannie Mae and Freddie Mac are required to contribute 65% of 4.2 basis points (0.00042%) of their new business each year to the NHTF. The total amount in the trust fund varies from year to year. Florida's most recent plan provides the amount of the state's allocation for that period.

The NHTF is intended to benefit low income populations by increasing the supply of housing for ELI households and Very Low Income (VLI) households with incomes between 30% and 50% of AMI. Under the Interim Rule promulgated by HUD at 24 CFR 93, all of the funds must be used to benefit ELI households in years when the total amount of the national trust fund is less than \$1 billion. In years when the trust fund exceeds \$1 billion, states may use up to 25% of the funds to serve VLI households. At least 80% of the funds must be used for production of rental housing.

The Plan describes how the state will implement the NHTF and includes incentives and priorities specific to the state. The Plan also establishes broad application requirements and criteria for selection of recipients. In addition, the Plan identifies preferences and prioritizes properties which serve particular segments of the ELI and VLI populations (e.g., homeless individuals, persons with a disabling condition, and so on).

The Plan is part of the 5-year State of Florida Consolidated Plan and affiliated Annual Action Plan that describes the priorities, uses and distribution of four other programs administered at the state level: the Community Development Block Grant program, administered by the Florida Department of Economic Opportunity; the Emergency Solutions Grant, administered by the Florida Department of Children and Families; the Housing Opportunities for Persons with AIDS program, administered by the Florida Department of Health; and the HOME program, also administered by Florida Housing Finance Corporation.

In general, the NHTF requirements are very similar to the HOME program with the notable exception that the Davis-Bacon federal labor standards do not apply to NHTF-financed developments.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\) process](#) or contact our office for further information. For more information about NHTF, check our Quick Links box.

► [Public Comments](#)

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

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State Apartment Incentive Loan

Background

The State Apartment Incentive Loan program (SAIL) provides low-interest loans on a competitive basis to affordable housing developers each year. This money often serves to bridge the gap between the development's primary financing and the total cost of the development. SAIL dollars are available to individuals, public entities, not-for-profit or for-profit organizations that propose the construction or substantial rehabilitation of multifamily units affordable to very low income individuals and families.

A minimum of 20 percent of the development's units must be set aside for families earning 50 percent or less of the area median income. Developments that use housing credits in conjunction with this program may use a minimum set-aside of 40 percent of the units for residents earning 60 percent of the area median income. Developments in the Florida Keys Area may use a minimum set-aside of 100 percent of the units for residents with annual household incomes below 120 percent of the state or local median income, which ever is higher.

Loan interest rates are set at zero percent for those developments that maintain 80 percent of their occupancy for farmworkers, commercial fishing workers or homeless people. The interest rates are set at one percent for all other developments. Loans are issued for a maximum of 15 years unless housing credit syndication requirements or FannieMae requirements dictate longer terms or if the Corporation's encumbrance is subordinate to the lien of another mortgage, in which case the term may be made coterminus with the longest term of the superior loan. In most cases, the SAIL loan cannot exceed 25 percent of the total development cost and can be used in conjunction with other state and federal programs.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\) process](#) or contact our office for further information. This program is governed by Rule 67-48 of the Florida Administrative Code.

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment
Accessibility Statement

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

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QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

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Elderly Housing Community Loan Program

Background

The Elderly Housing Community Loan (EHCL) program provides loans of up to \$750,000 to developers that are making substantial improvements to elderly housing. The EHCL program generally has one funding cycle each year (with the option of a supplemental cycle should funds still be available) and the application period is open for a minimum of 30 days. These funds are available for the purpose of making building preservation, sanitation repairs or improvements required by federal, state or local regulation codes, or life safety or security related improvements.

These housing developments must provide housing for the elderly as defined in Section 420.503 Florida Statutes. Applicants may be any person or entity, public or private, for-profit or nonprofit that provides housing for the elderly.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\) process](#) or contact our office for further information. This program is governed by Rule 67-48 of the Florida Administrative Code.

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment
Accessibility Statement

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

CONTACT US

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Grants For Housing To Serve Persons With Developmental Disabilities

Background

The Florida Legislature has appropriated funding for a competitive grant program for housing developments designed and constructed to serve persons with developmental disabilities, as defined in section 393.063, Florida Statutes. These grants are made available to private nonprofit organizations with a primary mission includes serving persons with developmental disabilities. Developments eligible for these grants include community residential homes (CRHs) as defined in section 419.001, Florida Statutes, and licensed by the Florida Agency for Persons with Disabilities; individual supported living units; and apartment properties that provide permanent supportive housing units. Funds may be used to renovate existing CRHs or build new properties.

Florida Housing's evaluation process for competitive development applications includes the extent of funds from local and other sources used to leverage these grant funds; employment opportunities and supports that will be available to residents of the housing; a plan for residents to effectively access community-based services, resources, and amenities; and partnerships with other supportive services agencies.

Developments receiving these grant funds must commit to serve persons with developmental disabilities with incomes at or below 60% of the median income in the area where the property is to be built.

Eligible applicants should apply for funding through Florida Housing's [Request for Applications \(RFA\) process](#) or contact our office for further information.

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment
Accessibility Statement

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

CONTACT US

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Predevelopment Loan Program

Through individualized technical assistance and flexible below market interest financing for predevelopment activities, the Predevelopment Loan Program (PLP) helps nonprofit and community-based organizations, local governments, and public housing authorities plan, finance, and develop affordable housing. Eligible organizations may apply for a loan of up to \$750,000. The loan carries a non-amortizing 1% percent interest rate, with principal and interest deferred until maturity. The loan matures either upon the closing of construction/permanent financing or three years after the original PLP loan closed, whichever occurs first.

PLP funds may be used for costs such as rezoning, soil tests, engineering fees, title searches, appraisals, feasibility analysis, legal fees, audit fees, earnest money deposit, impact fees, insurance fees, commitment fees, administrative costs, marketing expenses and acquisition expenses. These activities must be part of a nonprofit or governmental organization's efforts to develop affordable.

- ▶ [Predevelopment Loan Program Summary](#)
- ▶ [PLP Program Rule](#)
- ▶ [Predevelopment Loan Program Criteria](#)
- ▶ [PLP Online Application-Adobe Format](#)
- ▶ [PLP Online Application-Word Format](#)
- ▶ [PLP Estimated Budget Worksheet](#)

For more information contact: robert.dearduff@floridahousing.org

Mail Completed Applications to:

Robert Dearduff

Florida Housing Finance Corporation

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Tallahassee, Florida 32301

QUICK LINKS

About Florida Housing
Acronyms
Data, Docs & Reports
Multifamily Programs
Disaster Relief
Employment
Accessibility Statement

Affordable Housing Study
Commission
Foreclosure Assistance
Legal
Press

Programs
Property Owners & Managers
Requests for Applications
Special Needs Housing
Report Fraud Waste or Abuse

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EXPANDING A COMMUNITY REDEVELOPMENT AREA

Procedure¹

The enlargement of an existing community redevelopment area requires three (3) actions to be taken: (1) find conditions of slum and/or blight in the expansion area; (2) amend the existing community redevelopment plan to include the redevelopment undertakings in the expansion area; and (3) amend the ordinance creating and providing the funding for the community redevelopment trust fund to add the expansion area to the calculation of the annual appropriation of increment revenues by applicable taxing authorities to the trust fund and the expenditure of money in the trust fund in the expansion area.

Even though a cursory reading of §163.361, Florida Statutes², would cause one to believe there may be a shorter process to amend a plan, including the addition of land³, than that set forth in §163.360, Florida Statutes, for the original creation of the community redevelopment area, establishment of the agency, adoption of the plan, and creation of the trust fund, it is doubtful the Legislature intended to provide a short-cut means to amend an adopted and in place redevelopment plan, including the addition of land, that did not follow all the procedures set forth in Part III, Chapter 163, Florida Statutes (the "CRA Act") for the original designation of the area, etc. Therefore, while not expressly stated in §163.361, the better course is that the process for the original designation of the area be followed for an amendment to the plan that adds land to an existing community redevelopment area.

The process described herein is as set forth in the CRA Act as of the date of the preparation of this document (March 29, 2007). The process could be different due to either an interlocal agreement between units of local government, i.e., the county and the city creating or that created the CRA, or by subsequent legislative action or judicial ruling.

Applicable Statute.

163.361 Modification of community redevelopment plans. --

(1) If at any time after the approval of a community redevelopment plan by the governing body it becomes necessary or desirable to amend or modify such plan, the governing body may amend such plan upon the recommendation of the agency. The agency recommendation to amend or modify a redevelopment plan may include a change in the boundaries of the redevelopment area to add land to or exclude land from the redevelopment area, or may include the development and implementation of community policing innovations.

¹ The procedure described in this document includes 2006 amendments to CRA Act.

² All references herein to "Florida Statutes" are to Florida Statutes (2006), unless specifically noted otherwise.

³ Emphasis added.

(2) The governing body shall hold a public hearing on a proposed modification of any community redevelopment plan after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the agency.

(3)(a) In addition to the requirements of s. 163.346⁴, and prior to the adoption of any modification to a community redevelopment plan that expands the boundaries of the community redevelopment area or extends the time certain set forth in the redevelopment plan as required by s. 163.362(10), the agency shall report such proposed modification to each taxing authority in writing or by an oral presentation, or both, regarding such proposed modification.

(b) For any community redevelopment agency that was not created pursuant to a delegation of authority under s. 163.410 by a county that has adopted a home rule charter and that modifies its adopted community redevelopment plan in a manner that expands the boundaries of the redevelopment area after October 1, 2006, the following additional procedures are required prior to adoption by the governing body of a modified community redevelopment plan:

1. Within 30 days after receipt of any report of a proposed modification that expands the boundaries of the redevelopment area, the county may provide notice by registered mail to the governing body of the municipality and the community redevelopment agency that the county has competing policy goals and plans for the public funds the county would be required to deposit to the community redevelopment trust fund under the proposed modification to the community redevelopment plan.

2. If the notice required in subparagraph 1. is timely provided, the governing body of the county and the governing body of the municipality that created the community redevelopment agency shall schedule and hold a joint hearing co-chaired by the chair of the governing body of the county and the mayor of the municipality, with the agenda to be set by the chair of the governing body of the county, at which the competing policy goals for the public funds shall be discussed. For those community redevelopment agencies for which the board of commissioners of the community redevelopment agency are comprised as specified in s. 163.356(2), a designee of the community redevelopment agency shall participate in the joint meeting as a nonvoting member. Any such hearing shall be held within 90 days after receipt by the county of the recommended modification of the adopted community redevelopment plan. Prior to the joint public hearing, the county may propose an alternative modified community redevelopment plan that meets the requirements of s. 163.360 to address the conditions identified in the resolution making a finding of necessity required under s. 163.355. If such an alternative modified redevelopment plan is proposed by the county, such plan shall be delivered to the governing body of the municipality that created the community redevelopment agency and the executive director or other officer of the community redevelopment agency by registered mail at least 30 days prior to holding the joint meeting.

3. If the notice required in subparagraph 1. is timely provided, the municipality may not proceed with the adoption of a modified plan until 30 days after the joint hearing unless the governing body of the county has failed to schedule or a majority of the members of the governing body of the county have failed to attend the joint hearing within the required 90-day period.

⁴ § and s. are both used to refer to a section of Florida Statutes.

4. Notwithstanding the time requirements established in subparagraphs 2. and 3., the county and the municipality may at any time voluntarily use the dispute resolution process established in chapter 164 to attempt to resolve any competing policy goals between the county and municipality related to the community redevelopment agency. Nothing in this subparagraph grants the county or the municipality the authority to require the other local government to participate in the dispute resolution process.

(4) A modification to a community redevelopment plan that includes a change in the boundaries of the redevelopment area to add land must be supported by a resolution as provided in s. 163.355.

(5) If a community redevelopment plan is modified by the county or municipality after the lease or sale of real property in the community redevelopment area, such modification may be conditioned upon such approval of the owner, lessee, or successor in interest as the county or municipality may deem advisable and, in any event, shall be subject to such rights at law or in equity as a lessee or purchaser, or his or her successor or successors in interest, may be entitled to assert.

History. --s. 4, ch. 77-391; s. 6, ch. 83-231; s. 904, ch. 95-147; s. 7, ch. 98-314; s. 5, ch. 2002-294; s. 5, ch. 2006-307.

Note: All of (b) was added by Chapter 2006-307, Laws of Florida, effective July 1, 2006, and applies to enlargements of community redevelopment areas where the enlargement would be taking place after October 1, 2006 by agencies that were not created pursuant to a delegation of powers under §163.410, Florida Statutes.

Furthermore, note the phrase “For any community redevelopment agency that was not created pursuant to a delegation of authority under s. 163.410 by a county that has adopted a home rule charter and that modifies its adopted community redevelopment plan in a manner that expands the boundaries of the redevelopment area after October 1, 2006...” This was intended to cause the amendment to apply to agencies located in counties that had not adopted a home rule charter by July 1, 2006 and were, thus, not subject to the delegation of redevelopment powers by home rule charter counties in §163.410, Florida Statutes. That statute has a specific sentence added in 1983 (Chapter 83-29, Laws of Florida) that states, “This section does not affect any community redevelopment agency created by a municipality prior to the adoption of a county home rule charter.” *Id.* But the 1996 amendment is a more recent legislative enactment that would under customary rules of statutory construction control over the sentence added in 1983. Therefore, unless and until ruled otherwise by a court of competent jurisdiction or subsequent legislative action states the 1983 exemption does control over the 1996 amendment, then a CRA created prior to the adoption of a home rule charter in the county in which it is located should comply with the procedural requirements of subsection (b).

Process.

1. The proposed expansion area is identified and a study of the conditions in that area authorized and undertaken either by the local government (e.g., city or county) or community redevelopment agency ("CRA") staff or by a consultant or other professional engaged by the local government and/or the CRA. The proposed expansion area should be at least as large as the area ultimately added to the community redevelopment area ("CRA Area") and may be larger. The expansion area can be contracted during the process (when the conditions resolution is adopted; when the plan amendment is adopted; or when the trust fund ordinance amendment is enacted), but any enlargement of the expansion area beyond the original study area will require a study be made of the larger area and the process returned to the first step. When possible natural boundaries (e.g., rivers, lakes, major roads) should be used as boundaries for the expansion area. Also, to ease the calculation of the amount of the annual appropriation of increment revenues, the expansion area should not split tax parcels as established by the county property appraiser for ad valorem tax purposes. If such splitting is inevitable then the property appraiser's office should be contacted, alerted to the situation, and a cooperative relationship established to redraw tax parcel boundaries to conform to the expansion area boundaries.
2. Report is presented to the CRA and the CRA may then recommend to the governing body of the city or county that created it that a modification to the community redevelopment plan, including an enlargement of the area, is "necessary or desirable." §163.361(1), Florida Statutes.
3. Prior to the adoption of any modification to a community redevelopment plan that expands the boundaries of the community redevelopment area, the CRA "shall report such proposed modification to each taxing authority in writing or by an oral presentation, or both, regarding such proposed modification." §163.361(3)(a), Florida Statutes. The definition of "taxing authority" was changed in 2006 to remove it from the definition of "public body" and add it to the CRA Act as a separate definition which states that it "...means a public body that levies or is authorized to levy an ad valorem tax on real property located in a community redevelopment area." §163.340(24), Florida Statutes, as added by s. 1 of Ch. 2006-307, Laws of Florida. Note that even if a "taxing authority" is exempt pursuant to §163.387, Florida Statutes, from the obligation to make the annual appropriation to the trust fund, the CRA is still required by §163.361(3)(a) to give notice of the proposed plan modification to each taxing authority. Also, this reporting requirement in §163.361(3)(a) is in addition to the notice requirement in §163.346, Florida Statutes. While that section says the notice must be mailed by registered mail at least fifteen (15) days before "any proposed action," i.e., the adoption of a resolution finding conditions of blight in the expansion area, adoption of a plan amendment for the expansion area, or enactment of an amendment to the trust fund ordinance

there is no similar time provision for the “report” required by §163.361(3)(a). The “report” could be delivered to the taxing authority well in advance of fifteen (15) days, concurrently with the 163.346 notice, or after that notice is delivered. However, a county receiving “any report” of a proposed modification that expands the boundary has up to thirty (30) days to give the notice required by §163.361(3)(b)1., Florida Statutes. “Any report” would seem to refer to any communication from the CRA or the city to the county referring to a proposed modification that expands the boundary of the CRA Area.

4. Pursuant to §163.346, Florida Statutes, notices of adoption of a resolution finding the expansion area is a “blighted area” are mailed by registered mail to each “taxing authority” (as that term is defined in §163.340(24), Florida Statutes, at least 15 days in advance of the resolution adoption, and a public notice published in newspaper of general circulation at least ten (10) days in advance of the resolution adoption. The notice required by §163.346, Florida Statutes, says the notice of such public meeting must comply with the requirements of §125.66(2) in the case of a county and §166.041(3)(a) in the case of a municipality. Those statutes say that the notice must say that the public “has an opportunity to be heard” on the matter that is the subject of the notice.⁵ So, even though the meeting is not a public hearing, participation by the public must be allowed, though it can be limited and must be germane to the findings resolution.
5. Within thirty (30) days after receipt of “any report of a proposed modification that expands the boundaries of the redevelopment area,” a county receiving the notice may provide by registered mail to the governing body of the municipality and the CRA that the county has “competing policy goals and plans for the public funds the county would be required to deposit in the community redevelopment trust fund....” §163.361(3)(b)1., Florida Statutes.
6. If the county timely gives the notice described in §163.361(3)(b)1., Florida Statutes, then the governing body of the county and the governing body of the municipality that created the CRA “shall schedule and hold a joint hearing co-chaired by the chair of the governing body of the county and the mayor of the municipality....” §163.361(3)(b)2., Florida Statutes (*emphasis added*). The use of the word “shall” indicates the joint hearing is mandatory and may not be waived by the parties. The agenda for the “hearing” shall be set by the chair of the county governing body at which hearing the “competing policy goals for the public funds shall be discussed.” *Id.* If the governing body of the CRA consists of commissioners appointed by the governing body of the

⁵ Both §125.66(2) and §166.041(3)(a) contain the following: “The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the county where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.” (*emphasis added*).

municipality pursuant to §163.356(2), Florida Statutes, then a designee of the CRA “shall participate in the joint meeting as a nonvoting member.” *Id.* Note that the CRA representative is entitled to “participate” versus merely attending the joint session. Also note that the reference to “joint meeting” rather than “joint hearing.” The latter implies a right of the public to participate while the former could be indicating the public can attend but not speak.

7. The joint “hearing” is to be held within ninety (90) days after “receipt by the county of the recommended modification of the adopted community redevelopment plan.” §163.361(3)(b)2., Florida Statutes. Since the county has up to thirty (30) days to respond with the notice of the joint hearing after receiving the proposed modification, then there could be only a sixty (60) day window in which to schedule and hold the joint hearing, which sixty (60) days includes the time before the municipality receives the notice after it has been sent by the county, the time to schedule the joint hearing, publish the agenda, and, if applicable, invite the designee of the CRA to be selected. Also, if this is a “joint hearing,” does it require public notice to be published? At least for purposes of compliance with the Sunshine Law (§286.011(1), Florida Statutes), the answer is yes.⁶ But the amount of time and the method for publishing it are not prescribed in the CRA Act.
8. The county may propose an “alternative modified community redevelopment plan...” §163.361(3)(B)2., Florida Statutes. Such an alternative plan must be delivered to governing body of the municipality and to the executive director or an officer of the CRA by registered mail at least thirty (30) days prior to holding the joint meeting. *Id.*
9. If the county gives the notice described in §163.361(b)(3)1., then the municipality may not “proceed with the adoption of a modified plan until 30 days after the joint hearing” unless the county fails to schedule the hearing within the ninety (90) days or a majority of the members of the county commission fail to attend the joint hearing. §163.361(b)(3)3., Florida Statutes. Query: Does “proceed” refer to the process of adopting the modified plan, i.e., notices, etc., or the actual adoption of the resolution approving the modification?
10. Regardless of the time requirements in subparagraphs 2. and 3. of §163.361(b)(3), the city and the county can mutually agree to use the dispute resolution process established in Chapter 164, Florida Statutes. Does that mean that 164 can be used in lieu of these provisions in the CRA Act? Can the county invoke 164 after going through the joint hearing process in the CRA Act? The better interpretation is that Chapter 164 can be used in lieu of the CRA Act process, but is not waived if the CRA process is used. So, it is

⁶ The pertinent provision from the Sunshine Law says: “The board or commission must provide reasonable notice of all such meetings.” §286.011(1), Florida Statutes.

possible that a city and county could go through the CRA joint hearing process and then the county invokes chapter 164.

11. Governing body (county commission or city commission that made the initial finding and created agency) after presentation of conditions report adopts resolution as provided in §163.355, Florida Statutes, finding the expansion area is a “blighted area.” The conditions report should be made part of the record of the meeting, including being referred to in the minutes. Note that the findings resolution is adopted at a public meeting, but not a public hearing. Nevertheless, the notice required by §163.346, Florida Statutes, says the notice of such public meeting must comply with the requirements of §125.66(2) in the case of a county and §166.041(3)(a) in the case of a municipality. Those statutes say that the notice must say that the public “has an opportunity to be heard” on the matter that is the subject of the notice. So, even though the meeting is not a public hearing, participation by the public must be allowed, though it can be limited and must be germane to the findings resolution.
12. Plan amendment forwarded by the city, county or the CRA considering the plan amendment to that jurisdiction’s “local planning agency”⁷ for review as to conformity with the city or county’s comprehensive plan as the case may be. §163.360(4), Florida Statutes.
13. Local planning agency reviews proposed plan amendment for conformity with county or city comprehensive plan and returns proposed plan amendment with its recommendations to CRA. Local planning agency has sixty (60) days from its receipt of proposed plan amendment to submit its recommendations, if any, to the CRA. If the local planning agency does not return any recommendations to the CRA within such sixty (60) days then the local planning agency’s review period is ended and the CRA may proceed with its consideration of the proposed plan amendment. §163.360(4), Florida Statutes.
14. CRA considers proposed plan amendment and if it recommends approval of such amendment, then it forwards the proposed plan amendment and its recommendation(s) to the governing body and to each taxing authority. §163.360(5), Florida Statutes.
15. Governing body receives the CRA recommendation and schedules public hearing on proposed plan amendment. In addition to the notices required by §163.346, Florida Statutes (see ¶16 below), the governing body shall publish a notice of the public hearing in a newspaper of general circulation in the city or county of the governing body. The notice shall “describe the time, date, place and purpose of the hearing, identify generally the community redevelopment area covered by the plan, and outline the general scope of the community

⁷ “Local planning agency” in the CRA Act is the agency designated as such pursuant to §163.3174(1), Florida Statutes.

redevelopment plan under consideration. §163.360(6)(a), Florida Statutes. While this statute applies to the adoption of the original plan, it should be followed for the plan amendment and should describe the expansion area and well as the current community redevelopment area.

16. Notices of adoption of resolution adopting plan amendment mailed by registered mail to each "taxing authority" (as that term is defined in §163.340(24), Florida Statutes at least 15 days in advance of the resolution adoption and public notice published in newspaper of general circulation at least 10 days in advance of the resolution adoption, which notice shall satisfy the requirements of §125.66(2) in the case of a county and §166.041(3)(a) in the case of a municipality.
17. Governing body holds public hearing on proposed plan amendment. Being a public hearing, any member of the public can speak on the proposed plan amendment. Evidence of the mailing of the notice to taxing authorities and publication of the public notice should be read into the record and noted in the minutes.
18. Governing body adopts resolution approving plan amendment for the expansion area.
19. Notices of adoption of ordinance amending the trust fund ordinance to add expansion area mailed by registered mail to each "taxing authority" (as that term is defined in §163.340(24), Florida Statutes, at least 15 days in advance of the ordinance enactment and public notice published in newspaper of general circulation at least 10 days in advance of the ordinance enactment, which notice shall satisfy the requirements of §125.66(2) in the case of a county and §166.041(3)(a) in the case of a municipality. These notices should be in addition to the notice customarily published by the county or the city as the case may be prior to the consideration for enactment of any ordinance.
20. Governing body approves ordinance amending trust fund to add expansion area and providing for funding thereof on 1st reading.
21. Governing body approves ordinance amending trust fund to add expansion area and providing for funding thereof on 2nd reading. Enactment of the trust fund ordinance amendment cannot occur unless and until the plan amendment for the redevelopment area has been adopted. See §163.387(1)(a), Florida Statutes. Note that the amount of increment to be contributed by each taxing authority is limited to that set forth in §163.387(1)(b)1.a. and b., Florida Statutes, if the CRA was not created pursuant to a delegation of authority under §163.410, Florida Statutes, and the community redevelopment plan of that CRA is amended after October 1, 2006 to expand the boundaries of the

area. §163.387(1)(b)2., Florida Statutes. (*emphasis added*). That limitation reads as follows:

- a. If a taxing authority imposes a millage rate that exceeds the millage rate imposed by the governing body that created the trust fund, the amount of tax increment to be contributed by the taxing authority imposing the higher millage rate shall be calculated using the millage rate imposed by the governing body that created the trust fund. Nothing shall prohibit any taxing authority from voluntarily contributing a tax increment at a higher rate for a period of time as specified by interlocal agreement between the taxing authority and the community redevelopment agency.
- b. At any time more than 24 years after the fiscal year in which a taxing authority made its first contribution to a redevelopment trust fund, by resolution effective no sooner than the next fiscal year and adopted by majority vote of the taxing authority's governing body at a public hearing held not less than 30 or more than 45 days after written notice by registered mail to the community redevelopment agency and published in a newspaper of general circulation in the redevelopment area, the taxing authority may limit the amount of increment contributed by the taxing authority to the redevelopment trust fund to the amount of increment the taxing authority was obligated to contribute to the redevelopment trust fund in the fiscal year immediately preceding the adoption of such resolution, plus any increase in the increment after the adoption of the resolution computed using the taxable values of any area which is subject to an area reinvestment agreement. As used in this subparagraph, the term "area reinvestment agreement" means an agreement between the community redevelopment agency and a private party, with or without additional parties, which provides that the increment computed for a specific area shall be reinvested in services or public or private projects, or both, including debt service, supporting one or more projects consistent with the community redevelopment plan that is identified in the agreement to be constructed within that area. Any such reinvestment agreement must specify the estimated total amount of public investment necessary to provide the projects or services, or both, including any applicable debt service. The contribution to the redevelopment trust fund of the increase in the increment of any area that is subject to an area reinvestment agreement following the passage of a resolution as provided in this sub-subparagraph shall cease

when the amount specified in the area reinvestment agreement as necessary to provide the projects or services, or both, including any applicable debt service, has been invested.

Nevertheless, the 2006 amendments also added a provision that authorizes any taxing authority and the governing body that created the CRA to establish "alternative provisions" in an interlocal agreement that "supersede the provisions of [163.387] with respect to that taxing authority. §163.387(3)(b), Florida Statutes. The CRA may be a party to that agreement.

The 2006 amendments to §163.387 have not been judicially interpreted so there is not guidance as to the meaning of these sections or their interrelationships. The intent of (3)(b) does appear to be a very broad authorization to in essence rewrite the tax increment trust fund statute as it applies to any "taxing authority." To ensure that the limitation in 163.387(1)(b)2. does not apply, an interlocal agreement as authorized by (3)(b) should be entered into if (1)(b)2. would otherwise apply.

3/29/2007