

Date: November 12, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Jack Osterholt, Director
Department of Regulatory and Economic Resources

Subject: Designation of Land Located at 6970 Bird Road as a Brownfield Area

Agenda Item No. 5(C)
(12-15-20)

Resolution No. R-1241-20

Recommendation

It is recommended that the Board of County Commissioners ("Board") designate the land located at 6970 Bird Road, Miami-Dade County, Florida 33155 ("Subject Property"), and further specified in Exhibit 2 to the resolution, as a brownfield area.

According to the proposal submitted by the property owner, Ludlam Trail Phase I, LLC ("Ludlam Trail LLC"), Ludlam Trail LLC plans to construct 338 multifamily residential units, 4600 square feet of retail space, and serve as the connection point for the Bird Road node of the planned Ludlam Trail recreational trail corridor within the former Florida East Coast railroad corridor. The developer is projecting a total investment of \$90 million and will create at least 17 new permanent jobs. However, these outcomes are not guaranteed.

Pursuant to Ordinance No. 16-73, this quasi-judicial matter may be submitted directly for placement on the Board's meeting agenda by the Director of the Department of Regulatory and Economic Resources. Pursuant to section 376.80(1)(c)4., Florida Statutes, this matter requires two quasi-judicial public hearings before the Board, and the public hearings must be announced at a meeting of the Board before the actual public hearings.

Scope

The Subject Property is located in Commission District 7, represented by Commissioner Xavier L. Suarez. The proposed area is identified by folio numbers 30-4023-000-0503 and 30-4023-101-0020.

The County owns an easement interest for an 18-foot wide easement by 16-feet high that runs through the proposed Brownfield area. The easement facilitates the County's Ludlam Trail project and provides for the perpetual use of the subject land by the public and the County as a continuous greenway trail for pedestrians and cyclists.

Fiscal Impact/Funding Source

Approval of this location as a brownfield site would not create a negative fiscal impact to the County.

Track Record/Monitor

Not applicable.

Background

A brownfield site, as defined in Section 376.79(4) of the Florida Statutes, is real property, where the expansion, redevelopment or reuse of the property may be complicated by actual or perceived environmental contamination. A brownfield area is defined as a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government resolution. Brownfields may include all or portions of community development areas, enterprise zones,

empowerment zones, other such designated economically deprived communities and areas, and Environmental Protection Agency-designated brownfield pilot projects. The goal of the brownfield program is to significantly improve the utilization, general condition, and appearance of these sites. Once a property has been designated as a brownfield by a local government, the property may be eligible for certain state-funded incentives.

Ludlam Trail LLC submitted a proposal to designate the Subject Property as a brownfield area pursuant to Section 376.80, Florida Statutes, which proposal is attached to the resolution as Exhibit 1. Under Section 376.80, the County shall designate a proposed site as a brownfield area if, after giving the notice and holding the public hearings required under that statute, the person who submitted the proposal establishes at the public hearing to adopt the resolution that all five of the factors set forth in Section 376.80(2)(c) are satisfied.

The Regulatory and Economic Resources Department (RER), Planning Division, has reviewed the proposal and is recommending that the Board designates the Subject Property as a brownfield area because the Subject Property qualifies as a “brownfield site” under the definition set forth in Section 376.79(4), Florida Statutes, and because the proposal satisfies the criteria set forth in Section 376.80(2)(c), Florida Statutes. First, the Subject Property qualifies as a “brownfield site” because the redevelopment or reuse of the Subject Property may be complicated by the presence of actual environmental contamination, including arsenic and polycyclic aromatic hydrocarbons, likely resulting from the Subject Property’s historical use as a railroad corridor. Ludlam Trail LLC has plans to develop this site into a mix-use residential and commercial development to be called Miline at Ludlam Trail. When the first phase of Miline at Ludlam Trail is complete, it will contain 338 multifamily units in a 6-story residential building, approximately 4,200 square feet of retail space and serve as the connection point for the Bird Road node of the planned Ludlam Trail recreational trail corridor.

Second, Section 376.80(2)(c), Florida Statutes, sets forth the following criteria Ludlam Trail LLC must establish for the County to designate the Subject Property as a brownfield. For the following reasons, RER believes that Ludlam Trail LLC’s proposal satisfies these criteria:

- (1) “A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.”

Ludlam Trail LLC owns the Subject Property, has requested the designation, and has agreed to rehabilitate and redevelop the brownfield site. The property owner will enter into an agreement with the State of Florida Department of Environmental Protection and Miami-Dade County to ensure that the property is developed in a manner that will be protective of human health and the environment. These agreements require the site be rehabilitated in accordance with state cleanup criteria, which may include implantation of appropriate engineering controls during the development of the site.

- (2) “The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.”

The rehabilitation and redevelopment of the Subject Property will result in economic productivity of the area and will create at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with the redevelopment project. The budget for rehabilitation and redevelopment is in excess of \$90 million, which will be spent in part on local labor, contractors, consultants, construction materials, furnishings, infrastructure improvements, and impact fees. This work will support approximately 150 temporary construction jobs over the period of development. The construction workers will spend a percentage of their salaries with local merchants who, in turn, will reinvest locally in their respective businesses, as well as the businesses of other local merchants. The Project is also anticipated to create up to 17 permanent, full-time equivalent positions not associated with the implementation of the rehabilitation agreement and not associated with redevelopment project demolition or construction activities. This includes permanent jobs that will facilitate operation of the development itself, as well as jobs created by future commercial and retail tenants. Such job creation will result in the payment of significant payroll taxes and salaries, thereby benefitting the local economy and increasing the economic productivity of the area.

- (3) “The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.”

The Subject Property is the former Florida East Coast railroad corridor and warrants economic development because it has been vacant, underutilized, and unsecured for decades. Additionally, it has a history of contamination with limited remediation efforts. The Subject Property is being developed in accordance with the Corridor District requirements at Article XLIV of the Miami-Dade County (the “County”) code, the Special District designation on the Comprehensive Development Master Plan (“CDMP”) Land Use Plan map, and the Ludlam Trail Corridor District, which allows up to 90 residential units per acre and a maximum building height of 8 stories when the property is redeveloped to accommodate a grade-separated connection to the Recreational Trail portion of the Corridor District. This project is also consistent with the County’s vision for the future of the Subject Project as it is designed to embrace regional mobility, provide opportunities for physical activity, and improve the economic vitality of the area by facilitating the conversion of this former railway corridor into a continuous publicly-accessible trail with a mix of residential, recreational, and commercial uses. This consistency is further demonstrated by the Board of County Commissioners initial approval of the development plan for the full project in Resolution nos. Z-1-19, Z-2-19 and Z-3-19 on January 24, 2019, and the Administrative Site Plan approved for Phase I of the project.

- (4) “Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.”

Ludlam Trail LLC published notice of the proposed designation in the Miami Herald and El Nuevo Herald newspapers, posted notice of the proposed designation on the Subject Property, and held a virtual community meeting on August 31, 2020, to afford neighbors and nearby residents the opportunity to provide comments and suggestions about rehabilitation. No community members attended the virtual community meeting. All other notice provisions set forth in the governing statute, Section 376.80, Florida Statutes, are also being complied with.

- (5) “The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.”

The total capital budget for the project is currently fully funded through a \$38 million equity commitment from Ludlam Trail LLC’s principal and partners as well as a \$57 million construction loan. Ludlam Trail LLC’s principal also provided correspondence certifying that sufficient financial resources are available for the project.

For the reasons above, RER is recommending that the Board designate the Subject Property as a brownfield area. Additionally, this property has the potential to be rehabilitated and reused to create jobs and contribute to the County’s tax base.



MEMORANDUM (Revised)

TO: Honorable Acting Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: December 15, 2020

FROM: 
Geri Bonzon-Keenan
Successor County Attorney

SUBJECT: Agenda Item No. 5(C)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved *Daniella Levine Carr* Mayor
Veto _____
Override _____

Agenda Item No. 5(C)
12-15-20

RESOLUTION NO. R-1241-20

RESOLUTION TAKING ACTION ON PROPOSAL OF LUDLAM TRAIL PHASE I, LLC TO DESIGNATE REAL PROPERTY LOCATED AT 6970 BIRD ROAD, MIAMI-DADE COUNTY, FLORIDA 33155, ALSO IDENTIFIED BY FOLIO NUMBERS 30-4023-000-0503 AND 30-4023-101-0020, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80, FLORIDA STATUTES, WHICH SHALL BE KNOWN AS THE MILINE AT LUDLAM TRAIL GREEN REUSE AREA

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, brownfield sites are defined under section 376.79(4), Florida Statutes, as “real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination”; and

WHEREAS, sections 376.77–376.85, Florida Statutes, hereinafter referred to as the “Brownfields Redevelopment Act,” provide that local governments may designate brownfield areas, which are defined in part as “a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution,” for the purpose of encouraging economic development and environmental remediation; and

WHEREAS, this Board has reviewed the proposal submitted by Ludlam Trail Phase I, LLC, attached hereto as exhibit 1, to designate real property located at 6970 Bird Road, Miami-Dade County, Florida 33155, also identified by Folio Numbers 30-4023-000-0503 and 30-4023-101-0020, and further identified in exhibit 2 (the “subject property”), as a brownfield area; and

WHEREAS, this Board finds that the subject property qualifies as a brownfield site within the meaning of section 376.79(4), Florida Statutes; and

WHEREAS, this Board has considered the factors set forth in section 376.80(2)(c), Florida Statutes, which Ludlam Trail Phase I, LLC must establish for this Board to designate the subject property as a brownfield site, and finds that Ludlam Trail Phase I, LLC has established all of those factors; and

WHEREAS, this Board has complied with the notice, public hearing, and other requirements set forth in section 376.80, Florida Statutes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The recitals and findings set forth above are true and are hereby incorporated by reference.

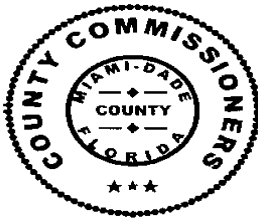
Section 2. This Board accepts the proposal submitted by Ludlam Trail Phase I, LLC and designates the real property identified in exhibit 2, attached hereto and incorporated herein by reference, as a brownfield area under the Brownfield Redevelopment Act. This brownfield area shall be known as the “Miline at Ludlam Trail Green Reuse Area.” This designation shall not render Miami-Dade County liable for the costs of site rehabilitation or source removal, as those terms are defined in section 376.79, Florida Statutes, or for any other costs.

Section 3. This Board directs the County Mayor or County Mayor’s designee, within 30 days of the adoption of this resolution, to transmit a certified copy of this resolution to the Florida Department of Environmental Protection and to maintain a certified copy of this resolution on file with the Department of Regulatory and Economic Resources, Division of Environmental Resources Management, as the local pollution control program.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Rebeca Sosa, Acting Chairwoman	aye	
Jose "Pepe" Diaz	aye	Sen. René García	aye
Oliver G. Gilbert, III	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Sen. Javier D. Souto	aye

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of December, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl

Exhibit 1

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A. *Brownfields, Transactions, Due Diligence, Development, Permitting, Cleanups & Compliance*

2100 Ponce de Leon Boulevard, Suite 710
Coral Gables, Florida 33134
Telephone: (305) 777-1680
www.goldsteinenvlaw.com

Michael R. Goldstein, Esq.
Direct Dial: (305) 777-1682
Email: mgoldstein@goldsteinenvlaw.com

September 2, 2020

Via Email

Ms. Freenette Williams, Business Development Specialist
Department of Regulatory & Economic Resources
Planning Research & Economic Analysis Section
111 NW 1st Street – 12th Floor
Miami, FL 33128

Re: Request for Designation of the Property Located at 6970 Bird Road, Miami-Dade County, FL 33155, Folio Nos. 30-4023-000-0503 and 30-4023-101-0020, as a Brownfield Area Pursuant to §376.80(2)(c), Florida Statutes

Dear Ms. Williams:

On behalf of Ludlam Trail Phase I, LLC (“Ludlam Trail”), we are pleased to submit this Request for Designation of the parcels located at 6970 Bird Road, Miami-Dade County, FL 33155 and occupying Folio Numbers 30-4023-000-0503 and 30-4023-101-0020 (together, the “Subject Property”), as a Brownfield Area pursuant to Chapter 376.80(2)(c), Florida Statutes.¹

When fully redeveloped, the Subject Property will contain a mix of residential, commercial, and recreational uses as well as serve as a connection point for the larger Ludlam Trail Corridor project on the former Florida East Coast railroad corridor. The legal description and property cards depicting the location of the Subject Property are enclosed herein at Exhibit B.

Ludlam Trail is applying for the Brownfield Area Designation due to the presence of actual contamination on the Subject Property likely resulting from its historical use as a railroad corridor. This has required, and will continue to require, that Ludlam Trail incur significant time and expense for technical, engineering, and legal consultants in order to properly conduct environmental assessment and remediation, if necessary. The designation has thus become a key part of this

¹ A copy of the Miami-Dade County (the “County”) Application for Brownfield Designation is enclosed at Exhibit A.

Ms. Freenette Williams, Business Development Specialist
September 2, 2020
Page 2

ambitious project's ultimate viability by enabling Ludlam Trail to access certain regulatory and economic incentives to mitigate and manage the risk and expense associated with the discovery of contamination and the necessary response. It is also key to furthering the County's goals for a vibrant rail-to-trail project with centralized hubs for both local residents and recreational trail users on a long-underused and abandoned rail corridor.

In considering a request for this type of designation, a local government must evaluate and apply the criteria set forth in Chapter 376.80(2)(c), Florida Statutes. As reflected in the Statement of Eligibility incorporated herein at Exhibit C, Ludlam Trail meets such statutory criteria. Accordingly, based on the foregoing, we respectfully request that staff recommend approval. Of course, as you evaluate the application and supporting materials, please feel free to contact us with any questions or should further information be required. Thank you.

Very truly yours,

THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.

Michael R. Goldstein

Michael R. Goldstein
/mrg

Enclosures

cc: Ludlam Trail Phase I, LLC

Exhibit A



**MIAMI DADE COUNTY BROWNFIELD REDEVELOPMENT PROGRAM
APPLICATION FOR BROWNFIELD DESIGNATION**

Please complete this form to initiate the Brownfield designation process. It is important to complete all applicable sections and attach all necessary information. If you have any questions concerning completion of this Application or wish to schedule a Pre-Application Meeting, please call (305)375-2845 and ask for Ms. Freenette Williams.

I. PROPERTY INFORMATION

Property Address 6970 Bird Road

Property Name Miline at Ludlam Trail - Phase I

City Miami-Dade County State FL Zip Code 33155

Property Size (acres/square feet) 5.03 acres

Parcel Number(s) _____

Folio Number 30-4023-000-0503 and 30-4023-101-0020

Zoning Corridor District - Mixed Use

DERM File Number HWR-966

FDEP File Number _____

Name of Applicant's Interest in Property

☒ Owner
☐ Tenant
☐ Under Contract
☐ Option to Purchase/Lease
☐ Letter of Intent
☐ Other (If so, please describe briefly: _____)

Is property subject to an enforcement action under the Comprehensive Environmental Compensation or Liability Act, the Resource Conservation and Recovery Act, or Chapter 376 or 403, Florida Statutes?

No.

If so, please provide a brief description of the material facts and circumstances associated with such action(s).

N/A

If the project consists of an assemblage, please include all property information for each additional parcel as an attachment, including legal descriptions.

Describe all outstanding property taxes due on the property.

There are no outstanding property taxes due on the property.

Describe all liens on the property.

There are no liens on the property.

II. PROJECT DESCRIPTION

Briefly describe the project and the anticipated redevelopment plan.

Phase I of the Miline at Ludlam Trail Project will provide 338 multifamily residential units, 4,600 sq. ft. of retail space, and serve as the connection point for the Bird Road node of the planned Ludlam Trail recreational trail corridor.

Briefly describe the environmental conditions and issues associated with the project.

Assessment work in the Ludlam Trail Corridor has revealed the presence of arsenic and polycyclic aromatic hydrocarbons above state and County soil cleanup target levels, likely resulting from the property's historical use as a railroad corridor.

Briefly describe any anticipated plans for assessment and remediation of the environmental conditions associated with the property.

Soil and groundwater assessment continues in support of redevelopment. Remediation of the environmental conditions will likely involve managing and encapsulating contaminated soil in support of a conditional closure.

Will your project require a change in zoning and /or the County's Comprehensive Plan? If so, please provide a brief description of the material facts and circumstances associated with such change(s).

No, the project is being developed consistent with the initial plans approved by the County in Resolution nos. Z-1-19, Z-2-19, and Z-3-19.

Please attach a statement demonstrating that the project currently qualifies for designation as a Brownfield Area under the Florida Brownfield Redevelopment Act (or will qualify prior to the date the item is brought before the County Commission). Note that reasonable assurances must be provided by the Applicant that sufficient financial resources are available to implement and complete a rehabilitation agreement and redevelopment plan. Accordingly, your statement must outline the financial resources that are available in this regard.

Please see the Eligibility Statement at Exhibit C.

If you intend to apply for the Brownfield Job Refund Bonus or the Brownfield Economic Development Initiative (Revolving Loan Fund), please indicate so by attaching a statement that discusses why you believe your project qualifies. Note: A separate application process exists for these programs.

Please attach any non confidential environmental assessment documentation associated with the project, including Phase I and Phase II Reports, Site Assessment Reports, and Remedial Action Plans.

Please see Attachment F to Exhibit C for a summary of environmental conditions. A link to the Site Assessment Report and Soil Management Plan submitted to DERM is also available in Exhibit C's footnote 7.

III. APPLICANT INFORMATION

Name Ludlam Trail Phase I, LLC

Address 2001 Summit Park Drive, Suite 300

City Orlando State FL Zip Code 32810

Phone (305) 640-5300 Fax N/A E-Mail bbrumund@goldsteinenvlaw.com

Ownership Interest
in Property Property Owner

Legal Status of the Applicant:

_____ Individual /Sole Proprietorship _____ General Partnership _____ State
_____ X Limited Liability Company _____ Limited Partnership
_____ Florida Corporation
_____ Out-of-State Corporation State of Incorporation Delaware

Name of current Property owner if different from Applicant N/A

Address _____

City _____ State _____ Zip Code _____

Phone _____ Fax _____ E-Mail _____

Legal Status of the Current Property Owner (s): Same as Applicant.

_____ Individual /Sole Proprietorship _____ General Partnership _____ State
_____ Limited Liability Company _____ Limited Partnership
_____ Florida Corporation
_____ Out-of-State Corporation State of Incorporation _____

If the current property owner is not the applicant, please attach an affidavit from the current owner that it does not object to designation of the Property as a Brownfield Area under the Florida Brownfield Redevelopment Act.

IV. SERVICES TO BE PROVIDED

Have you requested a Brownfield Meeting prior to completing this application? X Yes
_____ No

In order to better assist you, please check the type of designation you are requesting and the type of assistance/incentives (check all that apply) you are seeking through this designation:

Type of Designation: X Several parcels _____ Single parcel

Type of Assistance/Incentives requested:

_____ Regulatory Assistance (aid for meeting government agency permitting requirements)

_____ Technical Assistance (aid in obtaining grants, loans, etc.)

_____ Grants (gap financing for Brownfield remediation)

_____ Loan (remediation loan funds)

 X Tax Credits/Exemptions due to Brownfield Area Designation

_____ Job Creation Tax Refund due to Brownfield Area Designation

Other (please describe):

Return completed form and attachments to:

**Department of Regulatory & Economic Resources
Planning Research & Economic Analysis Section**

111 NW 1st Street – 12th Floor

Miami, FL 33128

305 375-2845

<http://www.miamidade.gov/planning/research.asp>

V. CERTIFICATION

The contents of this application shall be considered public records held by Miami Dade County and upon submittal becomes the property of Miami Dade County. The undersigned affirms that the information contained in this application is true and accurate.

Applicant's Signature:  Date: 9/2/2020

Print / Type Name: KYLE CLAYTON

FOR OFFICIAL USE ONLY

Applicant Received by: _____ Date: _____

Application Completeness Reviewed by: _____

_____ Application Complete _____ Application Incomplete

Specify reason(s) below:

Applicant Contacted on: _____

Applicant Phone Number: _____

Applicant E-mail: _____

Date corrected information received to complete application (if applicable):

Signature of Reviewer: _____ Date: _____

As of 12/11/09

Exhibit B

PHASE ONE

PHASE ONE, TRACT A (EAST PARCEL)

TRACT "C" OF "MENENDEZ TRACTS REPLAT", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 172, PAGE 42, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA,

PHASE ONE, TRACT B (LUDLAM TRAIL):

A PORTION OF LAND LYING IN SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTERLINES OF SOUTHWEST 72ND AVENUE AND SOUTHWEST 40TH STREET (BIRD ROAD), BEING THE SOUTH 1/4 CORNER OF SECTION 14, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE N87°50'27"E ALONG SAID CENTERLINE OF SOUTHWEST 40TH STREET AS A BASIS OF BEARINGS FOR 1183.97 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY AS RECORDED IN OFFICIAL RECORDS BOOK 26134, PAGE 3286, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE THE FOLLOWING THREE COURSES ALONG SAID WESTERLY RIGHT-OF-WAY LINE; S01°28'35"E FOR 16.00 FEET; S87°50'27"W FOR 30.00 FEET; AND S01°28'35"E FOR 34.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST 40TH STREET; THENCE CONTINUE S01°28'35"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE 410.80 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE N87°44'11"E FOR 54.00 FEET; THENCE S01°28'35"E FOR 35.00 FEET; THENCE N87°44'11"E FOR 46.01 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY; THENCE S01°28'35"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 900.08 FEET; THENCE S87°44'11"W FOR 100.01 FEET TO A POINT OF INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE; THENCE N01°28'35"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 935.09 FEET TO THE POINT OF BEGINNING.

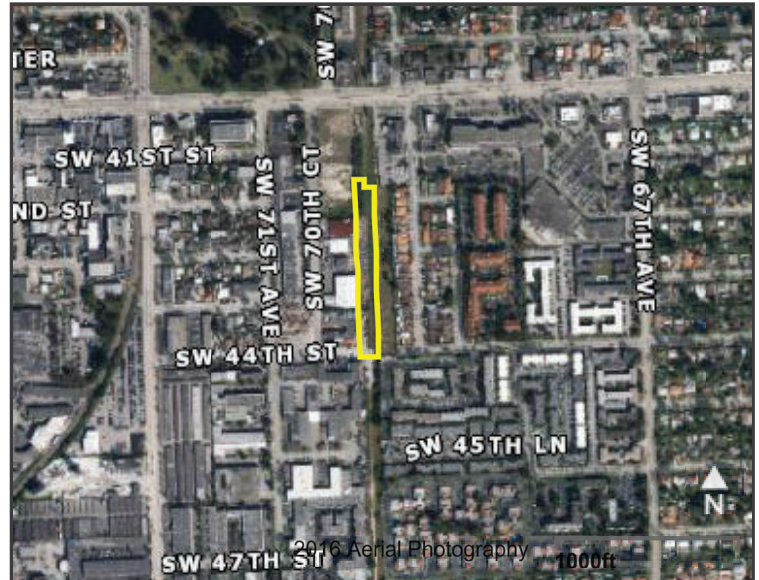


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/3/2020

Property Information	
Folio:	30-4023-000-0503
Property Address:	
Owner	LUDLAM TRAIL PHASE I LLC C/O ZOM HOLDING
Mailing Address	2001 SUMMIT PARK DR SUITE 300 ORLANDO, FL 32810 USA
PA Primary Zone	8900 INTERIM-AWAIT SPECIFIC ZO
Primary Land Use	0081 VACANT RESIDENTIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	91,898 Sq.Ft
Year Built	0



Assessment Information			
Year	2020	2019	2018
Land Value	\$96,493	\$96,493	
Building Value	\$0	\$0	
XF Value	\$0	\$0	
Market Value	\$96,493	\$96,493	
Assessed Value	\$96,493	\$96,493	

Benefits Information				
Benefit	Type	2020	2019	2018
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description
23 54 40 2.11 AC M/L
PORT OF LAND LYG IN SEC DESC
AS COMM AT X OF SW 72 AVE &
SW 40 ST BEING S1/4 OF SEC TH
N 87 DEG E 1183.97FT S 01 DEG E

Taxable Value Information			
	2020	2019	2018
County			
Exemption Value	\$0	\$0	
Taxable Value	\$96,493	\$96,493	
School Board			
Exemption Value	\$0	\$0	
Taxable Value	\$96,493	\$96,493	
City			
Exemption Value	\$0	\$0	
Taxable Value	\$0	\$0	
Regional			
Exemption Value	\$0	\$0	
Taxable Value	\$96,493	\$96,493	

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/20/2019	\$7,060,630	31377-0696	Affiliated parties

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

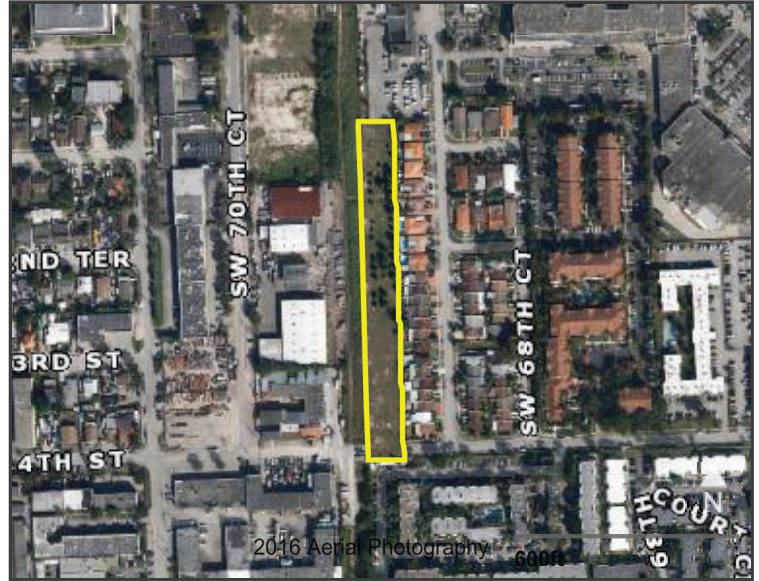


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 8/3/2020

Property Information	
Folio:	30-4023-101-0020
Property Address:	
Owner	LUDLAM TRAIL PHASE I LLC C/O ZOM HOLDING INC
Mailing Address	2001 SUMMIT PARK DR STE 300 ORLANDO, FL 32810 USA
PA Primary Zone	3900 MULTI-FAMILY - 38-62 U/A
Primary Land Use	1081 VACANT LAND - COMMERCIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	84,588 Sq.Ft
Year Built	0



Assessment Information			
Year	2020	2019	2018
Land Value	\$1,184,232	\$1,184,232	\$1,099,644
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$1,184,232	\$1,184,232	\$1,099,644
Assessed Value	\$1,184,232	\$1,184,232	\$1,099,644

Benefits Information				
Benefit	Type	2020	2019	2018
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
MENENDEZ TRACTS REPLAT PB 172-042 T-23793 TR C LOT SIZE 84588 SQ FT M/L FAU 30 4023 099 0025	

Taxable Value Information			
	2020	2019	2018
County			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,184,232	\$1,184,232	\$1,099,644
School Board			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,184,232	\$1,184,232	\$1,099,644
City			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
Regional			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$1,184,232	\$1,184,232	\$1,099,644

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
03/20/2019	\$5,576,000	31376-2554	Affiliated parties

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

Exhibit C

Brownfield Area Designation Eligibility Statement

Ludlam Trail Phase I Green Reuse Area 6970 Bird Road, Miami-Dade County, FL 33155 Folio Numbers 30-4023-000-0503 and 30-4023-101-0020

Ludlam Trail Phase I, LLC (“Ludlam Trail”) proposes to redevelop and rehabilitate two parcels of land located along the former Florida East Coast Railway corridor at 6970 Bird Road, Miami-Dade County, FL 33155, occupying Folio Numbers 30-4023-000-0503 and 30-4023-101-0020 (together, the “Subject Property”), as the first phase of a mixed-use residential and commercial development to be called Miline at Ludlam Trail. When the first phase of Miline at Ludlam Trail is complete, the Subject Property will contain 338 multifamily units in a 6-story residential building with residential amenities including an entertainment lounge, fitness center, work room, clubroom, swimming pool deck, private courtyard, and a common plaza area. The completed development will also provide approximately 4,200 square feet of retail space, lush landscaping in a common plaza, and will serve as a centralized social hub for apartment residents as well as users of the recreational trail component of the former rail corridor (the residential and commercial components are collectively, the “Project”). As demonstrated herein, the Project meets all five of the applicable brownfield area designation criteria set forth at Section 376.80(2)(c), Florida Statutes.¹ In addition, the Subject Property meets the definition of a “brownfield site” pursuant to Section 376.79(4), Florida Statutes.

I. Subject Property Satisfies the Statutory Criteria for Designation

1. Agreement to Redevelop the Brownfield Site. As the first requirement for designation, Florida Statutes § 376.80(2)(c)(1) provides that “[a] person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.”

Ludlam Trail satisfies this criterion in that it currently owns all parcels making up the Subject Property and has agreed to redevelop and rehabilitate the Subject Property.² Accordingly, Ludlam Trail meets this first criterion.

2. Economic Productivity. As the second requirement for designation, Florida Statutes § 376.80(2)(c)(2) provides that “[t]he rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the rehabilitation agreement or an agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement shall not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.”

Ludlam Trail satisfies this criterion in that the Project will result in significant economic productivity of the area. The budget for rehabilitation and redevelopment is in excess of \$90 million, which will be spent in part on local labor, contractors, consultants, construction materials, furnishings, infrastructure improvements, and impact fees. This work will support approximately 150 temporary construction jobs over the period of development. The construction workers will spend a percentage of their salaries with local merchants who, in turn, will reinvest locally in their respective businesses, as well as the businesses of other local merchants.

Additionally, the recognized literature regarding the local benefits produced by the development of multifamily developments shows that this type of development substantially contributes to the economic productivity of an area in the form of increased property taxes, stimulation of the local economy by residents, and transformation of vacant land into economically productive communities. For

¹ A copy of § 376.80, Florida Statutes, can be found at Attachment A to this Eligibility Statement.

² The deeds for all parcels making up the Subject Property can be found at Attachment B to this Eligibility Statement.

example, in The National Association of Home Builders' ("NAHB") landmark study, *The Economic Impact of Home Building in a Typical State*,³ NAHB published models that estimate the local economic benefits of single-family developments and multifamily developments. These models capture the effect of the construction activity itself, the positive economic ripple effect that occurs when income earned from construction activity is spent and recycled in the local economy, and the ongoing beneficial impacts that result from the new apartments becoming occupied by residents. On a quantitative basis, the results are even more impressive. According to the NAHB report, the estimated one-year impacts of building 100 multifamily residential rental apartments include the following:

- \$11.7 million in local income
- 161 local jobs

According to the report, these one-year impacts include both the direct and indirect impact of the construction activity itself, and the impact of local residents who earn money from the construction activity spending part of it within the local area's economy. Moreover, on a recurring basis, the economic impacts of building 100 residential rental apartments include the following:

- \$2.6 million in local income
- 44 local jobs

Extrapolating the NAHB model data to the redevelopment planned for the Subject Property, the year of construction and annual recurring impacts based on 338 residential units would be as follows:

Economic Productivity for Phase I of the Miline at Ludlam Trail Development – Year of Construction

\$39.5 million in local income
544 local jobs

Economic Productivity for Phase I of the Miline at the Ludlam Trail Development – Annually Recurring

\$8.8 million in local income
149 local jobs

In addition to the significant economic productivity to be generated by the Project's residential component alone, the Project is anticipated to create up to 17 permanent, full-time equivalent positions not associated with the implementation of the rehabilitation agreement and not associated with redevelopment project demolition or construction activities. This includes permanent jobs that will facilitate operation of the development itself, as well as jobs created by commercial and retail tenants. Such job creation will result in the payment of significant payroll taxes and salaries, thereby benefitting the local economy and increasing the economic productivity of the area. Accordingly, Ludlam Trail meets this second criterion.

3. Consistency with Local Comprehensive Plan and Permittable Use under Local Land Development Regulations. As the third requirement for designation, Florida Statutes § 376.80(2)(c)(3) provides that "[t]he redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permittable use under the applicable local land development regulations."

Ludlam Trail satisfies this criterion in that the Subject Property is being developed in accordance with the Corridor District requirements at Article XLIV of the Miami-Dade County (the "County") Code, the Special District designation on the Comprehensive Development Master Plan Land Use Plan map, and the Ludlam Trail Corridor District sub-category. Specifically, the Subject Property is located in the Bird Road Development Area of the Ludlam Trail Corridor District, which allows up to 90

³ A complete copy of the NAHB report may be accessed here: <https://www.nahb.org/-/media/NAHB/news-and-economics/docs/housing-economics/economic-impact/economic-impact-local-area-2015.pdf>.

residential units per acre and a maximum building height of 8 stories when the property is redeveloped to accommodate a grade-separated connection to the Recreational Trail portion of the Corridor District.

The Project is also consistent with the County's vision for the future of the Subject Property as it is designed to enhance regional mobility, provide opportunities for physical activity, and improve the economic vitality of the area by facilitating the conversion of this former railway corridor into a continuous publicly-accessible trail with a mix of residential, recreational, and commercial uses. This consistency is further demonstrated by the Board of County Commissioner's initial approval of development plans for the full Project in Resolution nos. Z-1-19, Z-2-19, and Z-3-19 on January 24, 2019, and the Administrative Site Plan approval for Phase I of the Project.⁴ Accordingly, Ludlam Trail meets this third criterion.

4. Public Notice and Comment. Florida Statutes § 376.80(2)(c)(4) stipulates that "[n]otice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated, and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subsection must be posted in the affected area." Additional notice requirements pertaining to applicants other than a governmental entity can be found at Florida Statutes § 376.80(1)(c)(4)(b) and consist of publication in a newspaper of general circulation in the area, publication in ethnic newspapers or local community bulletins, and announcement at a scheduled meeting of the local governing body before the actual public hearing.

Ludlam Trail satisfies all applicable notice and opportunity to comment requirements established by Florida Statutes § 376.80(2)(c)(4) and § 376.80(1)(c)(4)(b) as follows:

- (i) a virtual community meeting for purposes of affording interested parties the opportunity to provide comments and suggestions about the potential designation was held on August 31, 2020;*
- (ii) notice of the request to designate the Subject Property a Brownfield Area and of the virtual community meeting was posted at the Subject Property;*
- (iii) notice of the request to designate the Subject Property a Brownfield Area and of the virtual community meeting was published in the Miami Herald; and*
- (iv) notice of the request to designate the Subject Property a Brownfield Area and of the virtual community meeting was published in Spanish in El Nuevo Herald.*

All notices contained substantially the following narrative:

Representatives for Ludlam Trail Phase I, LLC will hold a virtual community meeting on August 31, 2020, from 5:30 p.m. to 7:00 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions about the potential designation of parcels of land located at 6970 Bird Road, Miami-Dade County, FL 33155, identified by folio nos. 30-4023-000-0503 and 30-4023-101-0020, as a Brownfield Area. The designation is being made pursuant to Section 376.80, Florida Statutes, of Florida's Brownfield Redevelopment Act, and will involve two public hearings before the Miami-Dade County Board of County Commissioners. The virtual community meeting will also address future development and rehabilitation activities planned for the site.

The virtual community meeting, which will also address future development and rehabilitation activities planned for the site, is free and open to all members of the public. Please register at <https://bit.ly/LudlamMeeting> or call (305) 640-5300 before the meeting to receive instructions for accessing the virtual meeting. For additional instructions on how to join, or to provide comments and suggestions regarding designation, development, or rehabilitation at any time before or after the meeting date, please contact Ludlam Trail Phase I's representatives, Michael R. Goldstein or Brett C. Brumund who can be reached by phone at (305) 640-5300, by email at

⁴ A copy of the Administrative Site Plan Approval letter from the County's Department of Regulatory and Economic Resources, dated April 17, 2020, is enclosed at Attachment C to this Eligibility Statement.

bbrumund@goldsteinenvlaw.com, and/or U.S. Mail at The Goldstein Environmental Law Firm, P.A.,
2100 Ponce de Leon Blvd., Suite 710, Coral Gables, FL 33134.

Proof of publication and posting is available at Attachment D.

5. Reasonable Financial Assurance. As the fifth requirement for designation, Florida Statutes § 376.80(2)(c)(5) provides that "[t]he person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan."

The total capital budget of more than \$90 million for the Project is to be fully funded through a combination of debt financing, equity, and the financial resources of Ludlam Trail's affiliates and principals.⁵ Ludlam Trail's principal falls under the umbrella of ZOM Holding, Inc. ("ZOM"), one of the most highly regarded multifamily development companies in the United States with an impressive portfolio of over 20,000 apartment units including many in South Florida. The Project is currently fully funded through a \$38 million equity commitment from ZOM and its partners as well as a \$57 million construction loan. The success of previous projects, the magnitude of the capital previously raised, the quality of the development previously achieved, and the resources of its principal provide reasonable assurances that Ludlam Trail has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment plan. It therefore satisfies the fifth criterion.

II. Subject Property Meets the Definition of Brownfield Site

Section 376.79(3), Florida Statutes, defines "brownfield site" to mean ". . . real property, the expansion, redevelopment, or reuse of which may be complicated by actual or perceived environmental contamination." The facts here clearly reflect that the Subject Property falls within the definition of the term "brownfield site" in that actual contamination is present in soils on the Subject Property that will significantly complicate redevelopment. Specifically, site assessment activities on the Subject Property revealed that arsenic and polycyclic aromatic hydrocarbons ("PAHs") concentrations exceed County and state soil cleanup target levels for residential use in the areas formerly occupied by the rail line.⁶ Arsenic and PAH contamination is consistent with the Subject Property's historical use as a railroad corridor and likely stems from the historically industry-standard practice of using arsenical herbicides, treated railroad ties, and from fuel combustion products generated by locomotives. In addition to the presence of actual contamination on the Subject Property, a perception of contamination exists from the historical uses of surrounding properties and portions of the Subject Property separate from the rail corridor including a nursery, auto repair shops, a drycleaner, and several properties that housed underground fuel storage tanks. Although Ludlam Trail has not identified actual contamination from those potential sources, there is no guarantee that additional soil or groundwater impacts will not be discovered as redevelopment progresses and assessment work continues.

Ludlam Trail must now carefully address the presence of the contaminated soil through continued site assessment activities and by eventually undertaking measures that may include removing the contaminated material, encapsulating contaminated material, and/or imposing restrictions on the future use of the Subject Property's underlying soil. As such, Ludlam Trail faces significant additional redevelopment costs that are difficult to quantify at the start of redevelopment and must also work within a strict regulatory framework that exists to ensure contamination is properly and safely managed. To accomplish this, Ludlam Trail will be required to carefully manage the contamination at all stages of the redevelopment, imposing great legal and

⁵ Please see Attachment E for a letter from ZOM's Chief Financial Officer discussing the funding commitments and sources for the Project.

⁶ A summary of the environmental conditions at the Subject prepared by environmental consulting firm Langan Engineering and Environmental Services, Inc. ("Langan") is enclosed at Attachment F. Langan also prepared a Site Assessment Report and Soil Management Plan for the area to be redeveloped as Phase I that were submitted to DERM. These reports are available in DERM's online records database and at the following link: <https://we.tl/t-mGMM1RuRx3>.

financial risk, by incorporating design and construction changes on the Project that would not be required but for the presence of actual contamination.⁷

In sum, the presence of contamination imposes a material level of regulatory, construction, health, and legal liability risk, complicates redevelopment efforts, and requires significant time and money for environmental, engineering, and legal consultants to properly investigate and address. Accordingly, this designation, if granted, will allow Ludlam Trail to access limited but important state-based economic incentives to help underwrite the unanticipated and unbudgeted costs associated with managing the environmental risk as well as, generally, to put the Project to a more certain financial ground. In this sense, the designation will not only play a critical role in the successful redevelopment of the Subject Property, but also in the larger revitalization efforts for this area of the County.

Based on all the foregoing, the Subject Property clearly falls within the definition of “brownfield site” as set forth in § 376.79(3), Florida Statutes.

III. Conclusion

Ludlam Trail has demonstrated that the Subject Property meets the definition of a “brownfield site” and that it satisfies the five statutory criteria for designation. Accordingly, designation of the Subject Property as a brownfield area pursuant to § 376.80(2)(c), Florida Statutes, of Florida’s Brownfield Redevelopment Act is appropriate.

⁷ Onsite soil contamination will also require special handling and very specific regulatory approvals. Soil management during construction activities would be subject to a level of environmental review and scrutiny that would not otherwise apply to a clean site, in addition to considerable extra costs and scheduling delays. These risks and expenses greatly complicate redevelopment of the Subject Property. If contaminated groundwater is discovered, a significant redevelopment complication involves the way in which construction dewatering is conducted when near or on a contaminant plume, in which case, extraordinary measures (at great cost) must be implemented to ensure that the contaminant plume isn’t drawn towards a clean area, which would spread or “exacerbate” contamination.

Attachment A

The 2019 Florida Statutes

[Title XXVIII](#)
NATURAL RESOURCES; CONSERVATION,
RECLAMATION, AND USE

[Chapter 376](#)
POLLUTANT DISCHARGE PREVENTION
AND REMOVAL

[View Entire
Chapter](#)

376.80 Brownfield program administration process.—

(1) The following general procedures apply to brownfield designations:

(a) The local government with jurisdiction over a proposed brownfield area shall designate such area pursuant to this section.

(b) For a brownfield area designation proposed by:

1. The jurisdictional local government, the designation criteria under paragraph (2)(a) apply, except if the local government proposes to designate as a brownfield area a specified redevelopment area as provided in paragraph (2)(b).

2. Any person, other than a governmental entity, including, but not limited to, individuals, corporations, partnerships, limited liability companies, community-based organizations, or not-for-profit corporations, the designation criteria under paragraph (2)(c) apply.

(c) Except as otherwise provided, the following provisions apply to all proposed brownfield area designations:

1. Notification to department following adoption.—A local government with jurisdiction over the brownfield area must notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of its decision to designate a brownfield area for rehabilitation for the purposes of ss. [376.77-376.86](#). The notification must include a resolution adopted by the local government body. The local government shall notify the department, and, if applicable, the local pollution control program under s. [403.182](#), of the designation within 30 days after adoption of the resolution.

2. Resolution adoption.—The brownfield area designation must be carried out by a resolution adopted by the jurisdictional local government, which includes a map adequate to clearly delineate exactly which parcels are to be included in the brownfield area or alternatively a less-detailed map accompanied by a detailed legal description of the brownfield area. For municipalities, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [166.041](#), except that the procedures for the public hearings on the proposed resolution must be in the form established in s. [166.041\(3\)\(c\)2](#). For counties, the governing body shall adopt the resolution in accordance with the procedures outlined in s. [125.66](#), except that the procedures for the public hearings on the proposed resolution shall be in the form established in s. [125.66\(4\)\(b\)](#).

3. Right to be removed from proposed brownfield area.—If a property owner within the area proposed for designation by the local government requests in writing to have his or her property removed from the proposed designation, the local government shall grant the request.

4. Notice and public hearing requirements for designation of a proposed brownfield area outside a redevelopment area or by a nongovernmental entity. Compliance with the following provisions is required before designation of a proposed brownfield area under paragraph (2)(a) or paragraph (2)(c):

a. At least one of the required public hearings shall be conducted as closely as is reasonably practicable to the area to be designated to provide an opportunity for public input on the size of the area, the objectives for rehabilitation, job opportunities and economic developments anticipated, neighborhood residents' considerations, and other relevant local concerns.

b. Notice of a public hearing must be made in a newspaper of general circulation in the area, must be made in ethnic newspapers or local community bulletins, must be posted in the affected area, and must be announced at a scheduled meeting of the local governing body before the actual public hearing.

(2)(a) *Local government-proposed brownfield area designation outside specified redevelopment areas.*—If a local government proposes to designate a brownfield area that is outside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area, the local government shall provide notice, adopt the resolution, and conduct public hearings pursuant to paragraph (1)(c). At a public hearing to designate the proposed brownfield area, the local government must consider:

1. Whether the brownfield area warrants economic development and has a reasonable potential for such activities;
2. Whether the proposed area to be designated represents a reasonably focused approach and is not overly large in geographic coverage;
3. Whether the area has potential to interest the private sector in participating in rehabilitation; and
4. Whether the area contains sites or parts of sites suitable for limited recreational open space, cultural, or historical preservation purposes.

(b) *Local government-proposed brownfield area designation within specified redevelopment areas.*—Paragraph (a) does not apply to a proposed brownfield area if the local government proposes to designate the brownfield area inside a community redevelopment area, enterprise zone, empowerment zone, closed military base, or designated brownfield pilot project area and the local government complies with paragraph (1)(c).

(c) *Brownfield area designation proposed by persons other than a governmental entity.*—For designation of a brownfield area that is proposed by a person other than the local government, the local government with jurisdiction over the proposed brownfield area shall provide notice and adopt a resolution to designate the brownfield area pursuant to paragraph (1)(c) if, at the public hearing to adopt the resolution, the person establishes all of the following:

1. A person who owns or controls a potential brownfield site is requesting the designation and has agreed to rehabilitate and redevelop the brownfield site.
2. The rehabilitation and redevelopment of the proposed brownfield site will result in economic productivity of the area, along with the creation of at least 5 new permanent jobs at the brownfield site that are full-time equivalent positions not associated with the implementation of the brownfield site rehabilitation agreement and that are not associated with redevelopment project demolition or construction activities pursuant to the redevelopment of the proposed brownfield site or area. However, the job creation requirement does not apply to the rehabilitation and redevelopment of a brownfield site that will provide affordable housing as defined in s. 420.0004 or the creation of recreational areas, conservation areas, or parks.
3. The redevelopment of the proposed brownfield site is consistent with the local comprehensive plan and is a permissible use under the applicable local land development regulations.
4. Notice of the proposed rehabilitation of the brownfield area has been provided to neighbors and nearby residents of the proposed area to be designated pursuant to paragraph (1)(c), and the person proposing the area for designation has afforded to those receiving notice the opportunity for comments and suggestions about rehabilitation. Notice pursuant to this subparagraph must be posted in the affected area.
5. The person proposing the area for designation has provided reasonable assurance that he or she has sufficient financial resources to implement and complete the rehabilitation agreement and redevelopment of the brownfield site.

(d) *Negotiation of brownfield site rehabilitation agreement.*—The designation of a brownfield area and the identification of a person responsible for brownfield site rehabilitation simply entitles the identified person to negotiate a brownfield site rehabilitation agreement with the department or approved local pollution control program.

(3) When there is a person responsible for brownfield site rehabilitation, the local government must notify the department of the identity of that person. If the agency or person who will be responsible for the coordination

changes during the approval process specified in subsections (4), (5), and (6), the department or the affected approved local pollution control program must notify the affected local government when the change occurs.

(4) Local governments or persons responsible for rehabilitation and redevelopment of brownfield areas must establish an advisory committee or use an existing advisory committee that has formally expressed its intent to address redevelopment of the specific brownfield area for the purpose of improving public participation and receiving public comments on rehabilitation and redevelopment of the brownfield area, future land use, local employment opportunities, community safety, and environmental justice. Such advisory committee should include residents within or adjacent to the brownfield area, businesses operating within the brownfield area, and others deemed appropriate. The person responsible for brownfield site rehabilitation must notify the advisory committee of the intent to rehabilitate and redevelop the site before executing the brownfield site rehabilitation agreement, and provide the committee with a copy of the draft plan for site rehabilitation which addresses elements required by subsection (5). This includes disclosing potential reuse of the property as well as site rehabilitation activities, if any, to be performed. The advisory committee shall review any proposed redevelopment agreements prepared pursuant to paragraph (5)(i) and provide comments, if appropriate, to the board of the local government with jurisdiction over the brownfield area. The advisory committee must receive a copy of the executed brownfield site rehabilitation agreement. When the person responsible for brownfield site rehabilitation submits a site assessment report or the technical document containing the proposed course of action following site assessment to the department or the local pollution control program for review, the person responsible for brownfield site rehabilitation must hold a meeting or attend a regularly scheduled meeting to inform the advisory committee of the findings and recommendations in the site assessment report or the technical document containing the proposed course of action following site assessment.

(5) The person responsible for brownfield site rehabilitation must enter into a brownfield site rehabilitation agreement with the department or an approved local pollution control program if actual contamination exists at the brownfield site. The brownfield site rehabilitation agreement must include:

(a) A brownfield site rehabilitation schedule, including milestones for completion of site rehabilitation tasks and submittal of technical reports and rehabilitation plans as agreed upon by the parties to the agreement.

(b) A commitment to conduct site rehabilitation activities under the observation of professional engineers or geologists who are registered in accordance with the requirements of chapter 471 or chapter 492, respectively. Submittals provided by the person responsible for brownfield site rehabilitation must be signed and sealed by a professional engineer registered under chapter 471, or a professional geologist registered under chapter 492, certifying that the submittal and associated work comply with the law and rules of the department and those governing the profession. In addition, upon completion of the approved remedial action, the department shall require a professional engineer registered under chapter 471 or a professional geologist registered under chapter 492 to certify that the corrective action was, to the best of his or her knowledge, completed in substantial conformance with the plans and specifications approved by the department.

(c) A commitment to conduct site rehabilitation in accordance with department quality assurance rules.

(d) A commitment to conduct site rehabilitation consistent with state, federal, and local laws and consistent with the brownfield site contamination cleanup criteria in s. 376.81, including any applicable requirements for risk-based corrective action.

(e) Timeframes for the department's review of technical reports and plans submitted in accordance with the agreement. The department shall make every effort to adhere to established agency goals for reasonable timeframes for review of such documents.

(f) A commitment to secure site access for the department or approved local pollution control program to all brownfield sites within the eligible brownfield area for activities associated with site rehabilitation.

(g) Other provisions that the person responsible for brownfield site rehabilitation and the department agree upon, that are consistent with ss. 376.77-376.86, and that will improve or enhance the brownfield site rehabilitation process.

(h) A commitment to consider appropriate pollution prevention measures and to implement those that the person responsible for brownfield site rehabilitation determines are reasonable and cost-effective, taking into

account the ultimate use or uses of the brownfield site. Such measures may include improved inventory or production controls and procedures for preventing loss, spills, and leaks of hazardous waste and materials, and include goals for the reduction of releases of toxic materials.

(i) Certification that the person responsible for brownfield site rehabilitation has consulted with the local government with jurisdiction over the brownfield area about the proposed redevelopment of the brownfield site, that the local government is in agreement with or approves the proposed redevelopment, and that the proposed redevelopment complies with applicable laws and requirements for such redevelopment. Certification shall be accomplished by referencing or providing a legally recorded or officially approved land use or site plan, a development order or approval, a building permit, or a similar official document issued by the local government that reflects the local government's approval of proposed redevelopment of the brownfield site; providing a copy of the local government resolution designating the brownfield area that contains the proposed redevelopment of the brownfield site; or providing a letter from the local government that describes the proposed redevelopment of the brownfield site and expresses the local government's agreement with or approval of the proposed redevelopment.

(6) Any contractor performing site rehabilitation program tasks must demonstrate to the department that the contractor:

- (a) Meets all certification and license requirements imposed by law; and
- (b) Will conduct sample collection and analyses pursuant to department rules.

(7) During the cleanup process, if the department or local program fails to complete review of a technical document within the timeframe specified in the brownfield site rehabilitation agreement, the person responsible for brownfield site rehabilitation may proceed to the next site rehabilitation task. However, the person responsible for brownfield site rehabilitation does so at its own risk and may be required by the department or local program to complete additional work on a previous task. Exceptions to this subsection include requests for "no further action," "monitoring only proposals," and feasibility studies, which must be approved prior to implementation.

(8) If the person responsible for brownfield site rehabilitation fails to comply with the brownfield site rehabilitation agreement, the department shall allow 90 days for the person responsible for brownfield site rehabilitation to return to compliance with the provision at issue or to negotiate a modification to the brownfield site rehabilitation agreement with the department for good cause shown. If an imminent hazard exists, the 90-day grace period shall not apply. If the project is not returned to compliance with the brownfield site rehabilitation agreement and a modification cannot be negotiated, the immunity provisions of s. 376.82 are revoked.

(9) The department is specifically authorized and encouraged to enter into delegation agreements with local pollution control programs approved under s. 403.182 to administer the brownfield program within their jurisdictions, thereby maximizing the integration of this process with the other local development processes needed to facilitate redevelopment of a brownfield area. When determining whether a delegation pursuant to this subsection of all or part of the brownfield program to a local pollution control program is appropriate, the department shall consider the following. The local pollution control program must:

- (a) Have and maintain the administrative organization, staff, and financial and other resources to effectively and efficiently implement and enforce the statutory requirements of the delegated brownfield program; and
- (b) Provide for the enforcement of the requirements of the delegated brownfield program, and for notice and a right to challenge governmental action, by appropriate administrative and judicial process, which shall be specified in the delegation.

The local pollution control program shall not be delegated authority to take action on or to make decisions regarding any brownfield site on land owned by the local government. Any delegation agreement entered into pursuant to this subsection shall contain such terms and conditions necessary to ensure the effective and efficient administration and enforcement of the statutory requirements of the brownfield program as established by the act and the relevant rules and other criteria of the department.

(10) Local governments are encouraged to use the full range of economic and tax incentives available to facilitate and promote the rehabilitation of brownfield areas, to help eliminate the public health and

environmental hazards, and to promote the creation of jobs and economic development in these previously run-down, blighted, and underutilized areas.

(11)(a) The Legislature finds and declares that:

1. Brownfield site rehabilitation and redevelopment can improve the overall health of a community and the quality of life for communities, including for individuals living in such communities.
2. The community health benefits of brownfield site rehabilitation and redevelopment should be better measured in order to achieve the legislative intent as expressed in s. 376.78.
3. There is a need in this state to define and better measure the community health benefits of brownfield site rehabilitation and redevelopment.
4. Funding sources should be established to support efforts by the state and local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, to evaluate the community health benefits of brownfield site rehabilitation and redevelopment.

(b) Local governments may and are encouraged to evaluate the community health benefits and effects of brownfield site rehabilitation and redevelopment in connection with brownfield areas located within their jurisdictions. Factors that may be evaluated and monitored before and after brownfield site rehabilitation and redevelopment include, but are not limited to:

1. Health status, disease distribution, and quality of life measures regarding populations living in or around brownfield sites that have been rehabilitated and redeveloped.
2. Access to primary and other health care or health services for persons living in or around brownfield sites that have been rehabilitated and redeveloped.
3. Any new or increased access to open, green, park, or other recreational spaces that provide recreational opportunities for individuals living in or around brownfield sites that have been rehabilitated and redeveloped.
4. Other factors described in rules adopted by the Department of Environmental Protection or the Department of Health, as applicable.

(c) The Department of Health may and is encouraged to assist local governments, in collaboration with local health departments, community health providers, and nonprofit organizations, in evaluating the community health benefits of brownfield site rehabilitation and redevelopment.

(12) A local government that designates a brownfield area pursuant to this section is not required to use the term “brownfield area” within the name of the brownfield area designated by the local government.

History.—s. 4, ch. 97-277; s. 3, ch. 98-75; s. 11, ch. 2000-317; s. 2, ch. 2004-40; s. 44, ch. 2005-2; s. 7, ch. 2006-291; s. 5, ch. 2008-239; s. 2, ch. 2014-114.

Attachment B

5

When Recorded Return To: Slater
First American Title Insurance Company
National Commercial Services
200 S. Biscayne Blvd., Suite 2930
Miami, FL 33131
File No: NCS 199247



CFN 2019R0185610
OR BK 31377 Pgs 696-699 (4Pgs)
RECORDED 03/22/2019 15:36:32
DEED DOC TAX \$42,364.20
SURTAX \$31,773.15
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

Prepared by:
Kolleen Cobb, Esq.
Florida East Coast Industries LLC
117 NE 1st Avenue, 11th Floor
Miami, FL 33132

Record and Return to:
First American Title Insurance Company
200 South Biscayne Blvd., Suite 2930
Miami, FL 33131
Attn: Lauri Slater

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 20th day of March, 2019, by LR 13 - 18 LLC, a Delaware limited liability company ("Grantor"), whose address is 117 NE 1st Avenue, 11th Floor, Miami, Florida 33132, to and in favor of LUDLAM TRAIL PHASE I, LLC, a Delaware limited liability company ("Grantee"), an address of which is 7058 SW 44th Street, Miami, FL 33155.

WITNESSETH, that Grantor, for and in consideration of the sum of One Dollar and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and convey unto Grantee, its successors and assigns forever, the following described real property in Miami-Dade County, Florida (the "Property"):

See Exhibit A attached

SUBJECT ONLY TO the matters set forth in **Exhibit "B"** attached hereto and made a part hereof (the "Permitted Exceptions"), provided that nothing contained herein shall be deemed to reimpose same.

TOGETHER with all the tenements, hereditaments, easements and appurtenances belonging or in any way appertaining to the Property,

TOGETHER with all buildings, fixtures and other improvements as presently located on the Property, and

TOGETHER with all of the Grantor's right, title and interest in and to all strips and gores abutting the Property.

TO HAVE AND TO HOLD the same in fee simple forever.

AND Grantor does hereby warrant the Grantor is lawfully seized of said Property in fee simple; that the Grantor has good right and lawful authority to sell and convey this Property; that the Grantor does hereby specially warrant title to the Property and Grantor will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other, subject to the Permitted Exceptions.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, Grantor has executed this deed as of the date first above written.

Signed in the presence of:

LR 13 - 18 LLC, a Delaware limited liability company

Brianna Hernandez
Print Name: Brianna Hernandez

By: Kolleen Cobb
Name: Kolleen Cobb
As Its: Vice President

Jessica Perez
Print Name: Jessica Perez

STATE OF Florida

COUNTY OF Miami-Dade

The foregoing instrument was acknowledged before me this 18th day of March, 2019, by Kolleen Cobb, as Vice President of LR 13 - 18 LLC, a Delaware limited liability company, on behalf of the company. She [☒] is personally known to me, or [☐] has produced _____ as identification.

Brianna Hernandez
Print Name: _____
NOTARY PUBLIC, State of Florida



EXHIBITS A

PROPERTY

(PHASE I)

PHASE ONE, TRACT B (LUDLAM TRAIL):

A PORTION OF LAND LYING IN SECTION 23, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTERLINES OF SOUTHWEST 72ND AVENUE AND SOUTHWEST 40TH STREET (BIRD ROAD), BEING THE SOUTH 1/4 CORNER OF SECTION 14, TOWNSHIP 54 SOUTH, RANGE 40 EAST, MIAMI-DADE COUNTY, FLORIDA; THENCE N87°50'27"E ALONG SAID CENTERLINE OF SOUTHWEST 40TH STREET AS A BASIS OF BEARINGS FOR 1183.97 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY AS RECORDED IN OFFICIAL RECORDS BOOK 26134, PAGE 3286, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE THE FOLLOWING THREE COURSES ALONG SAID WESTERLY RIGHT-OF-WAY LINE; S01°28'35"E FOR 16.00 FEET; S87°50'27"W FOR 30.00 FEET; AND S01°28'35"E FOR 34.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SOUTHWEST 40TH STREET; THENCE CONTINUE S01°28'35"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE 410.80 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND; THENCE N87°44'11"E FOR 54.00 FEET; THENCE S01°28'35"E FOR 35.00 FEET; THENCE N87°44'11"E FOR 46.01 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY; THENCE S01°28'35"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 900.08 FEET; THENCE S87°44'11"W FOR 100.01 FEET TO A POINT OF INTERSECTION WITH SAID WESTERLY RIGHT-OF-WAY LINE; THENCE N01°28'35"W ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 935.09 FEET TO THE POINT OF BEGINNING.

OR BK 31377 PG 699
LAST PAGE

EXHIBITS B

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2019, and all subsequent years, which are not yet due and payable.
2. Reservations unto the State of Florida for oil, gas, minerals and fissionable materials as contained in Deed recorded in Deed Book "D" Page 362, of the Public Records of Miami-Dade County, Florida.
3. Terms and conditions of any existing unrecorded lease(s) or license(s), and all rights of lessee(s), licensee(s) and any parties claiming through the lessee(s) or licensee(s) under the lease(s) or license(s).
4. Perpetual Easement Agreement, granted from LR 13-18 LLC, a Delaware limited liability company to Miami-Dade County, a political subdivision of the state of Florida, recorded in Official Records Book 31275, Page 3889, of the Public Records of Miami-Dade County, Florida.
5. Notice Related to County Water and Sewer Facilities recorded in the Public Records of Miami-Dade County, Florida prior to this Deed.
6. Notice Related to FPL Facilities recorded in the Public Records of Miami-Dade County, Florida prior to this Deed.

Book31377/Page699 CFN#20190185610

Page 4 of 4

This instrument prepared by,
Steven R. Amster, Esq.
KODSI LAW FIRM, P.A.
1000 N. Hiatus Road, Suite 103
Pembroke Pines, Florida 33026
(954)771-8277 ext. 111

After recording please return to:
Angela Shaw, Esq.
Nelson Mullins Broad and Cassel
390 N. Orange Ave., Suite 1400
Orlando, FL 32801

Parcel ID Numbers: 30-4023-101-0020

Special Warranty Deed

This Indenture, made this 20th day of March 2019 A.D., between MANUEL J. MENENDEZ, as Trustee under the MANUEL J. MENENDEZ DECLARATION OF TRUST dated May 6, 2003 (the "GRANTOR"), and LUDLAM TRAIL PHASE I, LLC, a Delaware limited liability company, whose address is: c/o ZOM Holding, Inc., 2001 Summit Park, Drive Suite 300, Orlando, Florida 32810 (the "GRANTEE").

WITNESSETH that the GRANTOR, for and in consideration of the sum of
-----TEN DOLLARS (\$10)-----,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Miami-Dade, State of Florida to wit:

LEGAL DESCRIPTION SET FORTH ON THE ATTACHED EXHIBIT "A" (the "Property").

Subject only to: (i) zoning ordinances and laws, (ii) the Permitted Exceptions as set forth on the attached Exhibit "B" and made a part hereof, without intent to reimpose same, and (iv) taxes for the year 2019 and subsequent years.

The Property is not the homestead property, nor contiguous to homestead property, of the Trustee.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in any way appertaining to the Property. To Have and to Hold, the same in Fee Simple forever.

And GRANTOR hereby covenants with said GRANTEE that GRANTOR is lawfully seized of the Property in fee simple; that GRANTOR has good right and lawful authority to sell and convey the Property; that GRANTOR hereby fully warrants the title to the Property and will defend the same against the lawful claims of all persons claiming by, through or under GRANTOR, but against none other.

In Witness Whereof, the GRANTOR has hereunto set his/her/their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Witness
Print Name: MARIA E. DE LA PORTA

[Signature]
MANUEL J. MENENDEZ, as Trustee
under the MANUEL J. MENENDEZ
DECLARATION OF TRUST
dated May 6, 2003

[Signature]
Witness
Print Name: VICTOR VAZQUEZ

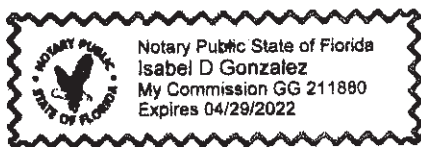
Address: 7035 SW 44th Street
Miami, Florida 33155

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing Special Warranty Deed was acknowledged before me this 19th day of March 2019, by MANUEL J. MENENDEZ, as Trustee under the MANUEL J. MENENDEZ DECLARATION OF TRUST dated May 6, 2003, on behalf of said trust. He is personally known to me or has produced N/A as identification.

My commission expires: 04/29/2022
[NOTARY STAMP]



[Signature]
NOTARY PUBLIC, STATE OF FLORIDA

EXHIBIT "A" – LEGAL DESCRIPTION

TRACT "C" OF MENENDEZ TRACTS REPLAT, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 172, PAGE 42, OF THE PUBLIC RECORDS OF MIAMI-
DADE COUNTY, FLORIDA.

EXHIBIT "B" – PERMITTED EXCEPTIONS

1. Plat of Menendez Tracts, according to the plat thereof recorded in Plat Book 167, Page 52, of the Public Records of Miami-Dade County, Florida.

2. Ordinance No. 07-116 of Miami-Dade County, Florida, establishing a Special Taxing District known as "Menendez Tracts Multi. Maint. & Street Lighting", recorded in Official Records Book 25932, Page 4124, of the Public Records of Miami-Dade County, Florida.

3. Declaration of Covenant for a Special Taxing District known as "Menendez Tracts Multipurpose Maintenance & Street Lighting" by Santiago Menendez, as Trustee of Pancho Menendez Land Trust II, recorded in Official Records Book 26415, Page 102, of the Public Records of Miami-Dade County, Florida.

4. Easement by Pancho Menendez Land Trust II, a Land Trust existing under the laws of the State of Florida, in favor of Miami-Dade County, Florida, recorded in Official Records Book 26524, Page 1666, of the Public Records of Miami-Dade County, Florida.

5. Plat of MENENDEZ TRACTS REPLAT, according to the Plat thereof, as recorded in Plat Book 172, Page 42, of the Public Records of Miami-Dade County, Florida.

6. Declaration of Restrictions by Manuel J. Menendez, as Trustee of the Manuel J. Menendez Declaration of Trust dated May 6, 2003, recorded in Official Records Book 31047, Page 1074, of the Public Records of Miami-Dade County, Florida.

Attachment C

April 17, 2020

Tracy R. Slavens, Esq.
Holland and Knight
701 Brickell Avenue, Suite 3300
Miami, FL 33131

Re: Administrative Site Plan Review of ASPR #2019000032 - Revised

Name/Date of Plan:

Plans entitled “**Miline at Ludlam Trail**” by MSA Architects – Architecture and Planning, consisting of twenty-nine (29) sheets dated stamped received January 17, 2020 and one (1) sheet dated stamped received February 21, 2020; landscape plans by Naturalificial - Landscape Architecture and Design, consisting of fifty (50) sheets dated stamped received January 17, 2020; Signage Pavement Markings Plan by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of two (2) sheets dated stamped received January 17, 2020 and one (1) sheet dated stamped received February 21, 2020; Access Plan by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of four (4) sheets dated stamped received January 17, 2020; Existing Force Main Exhibit by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of one (1) sheet dated stamped received January 17, 2020; and Roadway Cross Sections by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of one (1) sheet dated stamped received February 21, 2020; for a total of eighty-nine (89) sheets.

Section-Township-Range: 23-54-40

Dear Ms. Slavens:

The staff of the Department of Regulatory and Economic Resources has reviewed and approved your request for site plan approval of a mixed-use development consisting of retail, restaurants and apartment units in three phases in accordance with the Corridor District – Article XLIV., subject to the following conditions:

1. That a site plan be submitted to and meet with the approval of the Director upon the submittal of an application for a building permit and/or Certificate of Use; said plan to include among other things, but not be limited to, the location of structure or structures, types, sizes and location of signs, light standards, off-street parking areas, exits and entrances, drainage, walls, fences, landscaping, etc.
2. That in the approval of the plan, the same be substantially in accordance with that submitted for ASPR review entitled “**Miline at Ludlam Trail**” by MSA Architects – Architecture and Planning, consisting of twenty-nine (29) sheets dated stamped received January 17, 2020 and one (1) sheet dated stamped received February 21, 2020; landscape plans by Naturalificial – Landscape Architecture and Design, consisting of fifty (50) sheets dated stamped received January 17, 2020; Signage Pavement Markings Plan by HSQ Group, Inc.

- Engineers/Planners/Surveyors, consisting of two (2) sheets dated stamped received January 17, 2020 and one (1) sheet dated stamped received February 21, 2020; Access Plan by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of four (4) sheets dated stamped received January 17, 2020; Existing Force Main Exhibit by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of one (1) sheet dated stamped received January 17, 2020; and Roadway Cross Sections by HSQ Group, Inc. – Engineers/Planners/Surveyors, consisting of one (1) sheet dated stamped received February 21, 2020; for a total of eighty-nine (89) sheets.
3. That the use be established and maintained in accordance with the approved plan.
 4. That the applicant obtains a Certificate of Use from the Department, upon compliance with all terms and conditions, the same subject to cancellation upon violation of any of the conditions.
 5. That Phases II and III shall be further reviewed under separate Administrative Site Plan Reviews (ASPRs).
 6. That the applicant shall comply with all applicable conditions and requirements of the Miami-Dade County, RER Department - Division of Environmental Resources Management (DERM).
 7. That the applicant shall comply with all applicable conditions and requirements of the Miami Dade County, RER Department - Land Development - Traffic Concurrency / Platting Division.
 8. That additional improvements in the right-of-way for Phases II and III shall be further reviewed as part of separate Administrative Site Plan Reviews (ASPRs).
 9. That the applicant shall comply with all applicable conditions and requirements of the Miami-Dade County Fire Rescue Department.
 10. That the applicant shall comply with all applicable conditions and requirements of the Parks, Recreation and Open Spaces Department.
 11. That the applicant submits to the Department for its review and approval a landscaping plan which indicates the type and size of plant material prior to the issuance of a building permit and to be installed prior to the issuance of a Certificate of Use.
 12. That in the event of multiple ownership, a homeowner's association, Special Taxing District Community Development District be established in accordance with applicable regulations to assure that all common areas and facilities for use of all residents shall be maintained in a continuous and satisfactory manner, and without expense to the general taxpayer of Miami-Dade County. The instrument incorporating such provision shall be approved by the County Attorney as to form and legal sufficiency and shall be recorded in the public records of Miami-Dade County at the time of recording of the subdivision plat.
 13. Miami-Dade County desires that pedestrian access be provided for the property abutting the west property line of the Phase III parcel, said abutting property shall be hereinafter

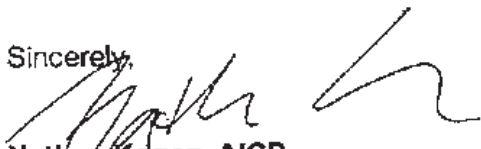
referred to as the "West Parcel". In the event that an agreement for access is not reached by the owner of the Property with the owner of the West Parcel prior to the issuance of the final certificate of occupancy for the completion of construction of the mixed-use multi-family building on Phase III, the Owner shall provide an access easement in favor of Miami-Dade County for a pedestrian access connection to the West Parcel within twenty feet (20') of the identified "Potential Future Access" location identified on Sheets L-1.11A, L-1.11B, and L-1.11C of the plans approved pursuant to this ASPR (the "County Easement"). The County Easement shall be approved by the Department and recorded with the Clerk of Courts.

This letter serves as formal notification that the Miami-Dade County Department of Regulatory and Economic Resources recommends that the applicant proceed with the permitting process so long as development remains in substantial compliance with said plans. Substantial deviation from approved plans will require review by the Department.

This item has been reviewed and approved for consistency with the standards of Ordinance #89-66, adopted on July 11, 1989, which established Miami-Dade County's Concurrency Management Program.

Action taken today does not constitute a final development order, and one or more concurrency determinations will subsequently be required. Provisional determinations or listings of needed facilities made in association with this initial Development Order shall not be binding with regard to future decisions to approve or deny an Intermediate or Final Development Order on any grounds.

Sincerely,



Nathan Kogon, AICP
Assistant Director
Development Services Division
Department of Regulatory and Economic Resources

Attachments:
Amin a Newsome, Senior Division Chief
James Byers, Permitting Division Chief
Raul A. Pino, Chief, Platting and Traffic Review Section
Ronald Connally, Zoning Hearings Section

NK:GB



miamidade.gov

Parks, Recreation and Open Spaces
275 NW 2nd Street
Miami, Florida 33128
T 305-755-7800

*Every Great Community has
a Great Park System.*

February 3, 2020

Tracy R. Slavens, Esq.
Holland & Knight
701 Brickell Avenue, Suite 3300
Miami, FL 33131

Re: MiLine at Ludlam Trail - Easement Improvements

Dear Mrs. Slavens,

We are pleased to issue an approval of the plans for MiLine at Ludlam Trail, within the Bird Road Development area, as submitted by Holland & Knight to the Department on January 17, 2020. **The Department approves Option A, the continuous ramp** (non-switchback version), as shown on Sheet L-2.06. This review and approval is in accordance with Section 3.B.(ii) – Review Process - of the Perpetual Easement Agreement recorded in Official Record Book 31275 at Page 3889 of the Public Records of Miami-Dade County (the "Easement Agreement").

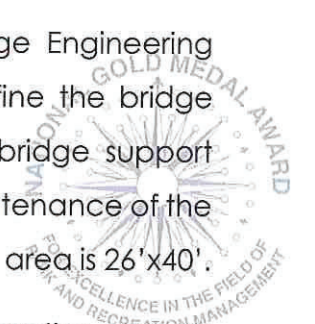
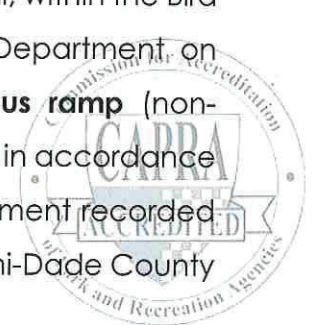
Please note your team's further coordination with PROS, DTPW's Bridge Engineering Division (Gabriel Delgado) and FDOT (Pablo Orozco) is needed to refine the bridge support easement area and minimum distances for the bridge and bridge support easement from the property line for the construction, inspection and maintenance of the bridge. DTPW's recent recommendation for the bridge support easement area is 26'x40'.

We look forward to working with the Owners and design team in a collaborative process in good faith to finalize plans which meet the intent of the vision of the Ludlam Trail as an iconic destination in Miami-Dade County which will provide safe conditions for bicyclists, joggers, pedestrians and other non-motorized trail users; minimize potential conflicts of trail users and visitors and residents of the BRDA; provide destinations of interest and amenities within the BRDA for trail users use and enjoyment; use of exceptional design

2013 Governor' Sustained
Excellence Award



RECIPIENT



principles to produce iconic, context based architecture and aesthetics to truly make the Ludlam Trail and the development nodes within it the iconic destinations they are envisioned to become.

Sincerely,

ALEJANDRO ZIZOLD

Alejandro Zizold

Park Master Plan Manager

Miami-Dade Parks, Recreation and Open Spaces Department

MN: at

Cc: Nathan Kogon, RER
Gilbert Blanco, RER
Monica Rizo, CAO
Gabriel Delgado, DTPW

Attachment D

FROM PAGE 20A

STATE

1 percentage point in 2018.

That year, Democratic gubernatorial candidate Andrew Gillum and Democratic U.S. Sen. Bill Nelson won the district.

House 116, parts of Miami-Dade County including Doral

Two-term incumbent Republican Daniel Perez beat out Gabriel Garcia Tuesday with 58.76% of the vote. Interestingly, Perez, who is slated to become House Speaker in 2024, is the first future speaker to face a primary challenge in eight years.

Garcia's candidacy was promoted by a political committee that has attacked Perez with mailers and Facebook ads over a trip he took in 2017 to Cuba with his then-fiancee. The political committee, chaired by the vice president of the consulting firm run by David Custin, an Oliva adviser, published at least one mailer promoting Garcia, who says on his website that he is running because "Daniel Perez does not share our Republican or exile community's values."

Despite the attacks, Perez overcame Garcia, who had only raised \$900 in the race.

Perez, 33, will face Democrat Bob Lynch and write-in candidate Manuel Rodriguez in November.

House 117, south Miami-Dade County, includes parts of Naranja, Goulds, Richmond Heights, Homestead and Florida City

Democrat Kevin Chambliss narrowly edged former teacher Jessica Laguerre Hylton and minister Harold Ford in the Democratic primary race to replace term-limited House Democratic Leader Kionne McGehee, who held the seat since redistricting in 2012.

The former government aide won 37.58% of the vote, just 211 votes ahead of Laguerre Hylton, who netted 36.5% of the votes.

Chambliss, 39, has worked for a bipartisan mix of members of Congress, including Joe Garcia, Carlos Curbelo, Donna Shalala and Debbie Mucarsel-Powell.

Without a Republican opponent, Chambliss wins the seat.

House 118, parts of Miami-Dade County, west of State Road 994

Incumbent Republican Anthony Rodriguez will face Democrat Ricky Junquera, former chair of the Miami-Dade Democratic Party, in the Nov. 3 general election. Neither candidate had a primary opponent.

The race will likely be a close one. Rodriguez defeated Democratic Rep. Robert Asencio in 2018 by just 2 percentage points.

House 119, parts of western Miami-Dade County

Incumbent Republican Juan Fernandez-Barquin will face Democrat Intiaz Mohammed on the November ballot. Neither candidate had a primary opponent.

Mohammed, who has not raised any money for the House race, also ran short-lived campaigns for U.S. Rep. Ted Deutch's seat in Florida's 22nd Congressional District this year. He also briefly ran for House District 104 to replace term-limited Rep. Richard Stark.

House 120, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 121, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 122, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 123, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 124, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 125, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 126, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 127, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

House 128, parts of Miami-Dade and Monroe counties, including the Florida Keys

Islamorada Republican James "Jim" Mooney squeezed out of a tight primary race to replace term-limited Republican Rep. Holly Raschein. Mooney, who scored just 35.39% of the vote, came out 149 votes ahead of Rhonda Rehman Lopez and 679 votes ahead of Alexandria Suarez.

Mooney, a real estate agent and elected member of the Islamorada Village Council, will face Democrat Clint Barras in the Nov. 3 general election. Barras is vice president of a Key West-based digital development company.

THE VIRUS CRISIS

Florida confirms 4,311 COVID-19 cases, 106 coronavirus deaths

BY HOWARD COHEN
hcohen@miamiherald.com

Saturday brought some further dips in COVID-19 cases across South Florida's four counties — and statewide.

Florida's Department of Health announced 4,311 additional confirmed cases of COVID-19 — a drop of 373 compared to Friday's 4,684 — bringing the state's known total to 597,597.

Florida's Department of Health on Friday announced 106 COVID-related resident deaths statewide — fewer than the 119 reported Friday — to bring the state's resident death toll to 10,168.

For a third consecutive day, there were no new non-resident deaths to announce, leaving the non-resident toll at 137.

CONFIRMED COVID-19 CASES IN SOUTH FLORIDA

● **Miami-Dade County** reported 909 additional confirmed cases of COVID-19, and 32 new deaths, according to Florida's Department of Health. Both numbers are down over Friday's report of 1,143 and 34, respectively. The county now has 151,214 confirmed cases and 2,238 deaths. Percent positivity for new cases: 6.76%, a drop from Friday's 9.53%.

● **Broward County** reported 349 additional confirmed cases of the disease and 20 new deaths. Those numbers represent 125 fewer new cases than reported Friday but three more deaths. The county now has a known total of 68,891 cases and

FLORIDA'S DEPARTMENT OF HEALTH ANNOUNCED 4,311 ADDITIONAL CONFIRMED CASES OF COVID-19 — A DROP OF 373 COMPARED TO FRIDAY'S 4,684.

1,088 deaths. Percent positivity for new cases: 4.74%, a drop from Friday's 6.75%.

● **Palm Beach County** saw 230 additional confirmed cases and 11 new deaths. Those numbers represent 41 fewer cases but two more deaths than reported on Friday. The county now has 40,157 confirmed cases and 1,048 deaths. Percent positivity for new cases: 4.12%, a drop from Friday's 5.18%.

● **Monroe County** reported seven additional cases of the disease and no new deaths, according to the health department. That's five more cases than reported Thursday. Florida Keys now have 1,694 confirmed cases and remains at 14 deaths. Percent positivity for new cases: 2.8%, a drop from Friday's 6%.

COVID-19 HOSPITALIZATIONS IN FLORIDA

One of the tools that officials rely on to determine whether the coronavirus situation is improving in the state is hospitalization data. Unlike testing, which might be limited or take days to

report results, hospitalizations can help give officials a real-time snapshot of how many people are severely ill with COVID-19.

The Florida Agency for Health Care Administration reports the number of patients hospitalized statewide with a "primary diagnosis of COVID-19." The data, which is updated at least every hour, does not distinguish between the number of COVID-19 patients in hospital intensive care units and those in acute-care beds, which require less attention from nurses.

Previously, the state was only providing the total number of hospitalizations in its statewide and county-level data. Miami-Dade was an exception, with hospitals self-reporting a number of key metrics, including hospitalizations, to the county, which has made this data public for several months.

As of 11:30 a.m. Saturday, there were 4,766 COVID-19 patients admitted into hospitals throughout the state, according to the Florida Agency for Health Care Administration dashboard. That's a decline of 137 compared to the same time on Friday.

Of those, 902 were in Miami-Dade, 639 in Broward, 276 in Palm Beach and holding for the third day at four in Monroe counties, according to the agency. Miami-Dade, Broward and Palm Beach all dropped, reflecting recent trends.

Florida's current hospitalization data does not always match the hospital-

ization data reported in Miami-Dade's "New Normal" dashboard. Officials say this could be for a number of reasons including the frequency of daily updates.

On Saturday, Miami-Dade hospitalizations for COVID-19 complications decreased from 1,103 to 1,038, according to Miami-Dade County's "New Normal" dashboard. According to Saturday's data, 115 people were discharged, fewer than Friday's 122, and 65 people were admitted, fewer than Friday's 83.

The state has had a total of 36,329 Florida residents hospitalized for COVID-19-related complications, according to Florida's COVID-19 Data and Surveillance Dashboard. That's a statewide increase of 332 compared to Friday.

COVID-19 TESTING IN FLORIDA

Testing in Florida has seen steady growth since the COVID-19 crisis began.

Testing, like hospitalizations, helps officials determine the virus' progress and plays a role in deciding whether it is safe to lift stay-at-home orders and loosen restrictions.

Epidemiologists then use the testing data to create a positive rate. The rate helps them determine if a rise in cases is because of an increase in testing, or if it means there's increased transmission of the virus in the community.

On Saturday, Florida's Department of Health reported the results of 88,491 people tested on Thursday. The positive rate of new cases (people who tested positive for the first time) was 4.89%.

To date, 4,408,611 people have been tested in Florida. Of the total tested, 597,597 (13.56%) have tested positive.

Howard Cohen:
305-376-3619,
@HowardCohen

Notice of Community Meeting and Public Hearings for Brownfield Area Designation

Pursuant to Florida's Brownfields Redevelopment Act

Representatives for Ludlam Trail Phase I, LLC will hold a virtual community meeting on August 31, 2020, from 5:30 p.m. to 7:00 p.m. for the purpose of affording interested parties the opportunity to provide comments and suggestions about the potential designation of parcels of land located at 6970 Bird Road, Miami-Dade County, FL 33155 and identified by folio nos. 30-4023-000-0503 and 30-4023-101-0020, as a Brownfield Area. The designation is being made pursuant to Section 376.80, Florida Statutes, of Florida's Brownfield Redevelopment Act, and will involve two public hearings before the Miami-Dade County Board of County Commissioners.

The virtual community meeting, which will also address future development and rehabilitation activities planned for the site, is free and open to all members of the public. Please register at <https://bit.ly/LudlamMeeting> or call (305) 640-5300 before the meeting to receive instructions for accessing the virtual meeting. For additional instructions on how to join, or to provide comments and suggestions regarding designation, development, or rehabilitation at any time before or after the meeting date, please contact Ludlam Trail's representatives, Michael R. Goldstein or Brett C. Brumund who can be reached by phone at (305) 640-5300, by email at brumund@goldsteintvaw.com, and/or U.S. Mail at The Goldstein Environmental Law Firm, P.A., 2100 Ponce de Leon Blvd., Suite 710, Coral Gables, FL 33134.

From Alaska to Zimbabwe... International Human Remains Shipping Made EASY & FAST..!



U.S. & Canada direct shipping from \$1495

ALLFuneralShipping.com

Hard to Cover Destinations include Cuba and all of Latin America & Brazil.

Russia - Africa - Orient

The World at Your Feet!

Jewish metal or wood caskets - Wholesale Prices. Caskets Shipped Worldwide

ALLFuneralShipping.com • Miami, FL • 1-866-935-4401

Personalized Service Awaits Your Call 24 Hours per Day!

Public Notice
Cancelled Meeting

Department of Transportation and Public Works Public Meeting
NW 97 Avenue from 52 Street to 58 Street
Roadway Improvements Project No. 20150022

Notice is hereby given that Miami-Dade County Department of Transportation and Public Works (DTPW) has cancelled the virtual public meeting regarding the subject project scheduled for Tuesday, August 25, 2020, from 6:30 p.m. to 8:00 p.m. The meeting will be rescheduled.

It is the policy of Miami-Dade County to comply with all the requirements of the Americans with Disabilities Act (ADA) of 1990. The meeting facility is ADA accessible. For sign language interpreters, assistive listening devices or materials in accessible format, please call Marcos Ortega at 786-469-5225 or email at Marcos.Ortega@miamidade.gov at least five (5) business days in advance.

Your attendance at this meeting is encouraged and any comments will be appreciated. For additional information regarding this project, please contact DTPW Public Information Officer Jennie Lopez at 305-375-2810 or email at Jennie.Lopez@miamidade.gov

For legal ads online, go to <http://legalads.miamidade.gov>

PUBLIC NOTICE
SPECIAL MEETING

NOTICE IS GIVEN that pursuant to section 2-1, rule 3.02(a) of the Code of Miami-Dade County, Florida, a Special Meeting of the Miami-Dade County Board of County Commissioners has been called for Monday, August 24, 2020, at 10:00 a.m. The meeting will only be held virtually utilizing communications media technology made permissible pursuant to the Governor's Executive Orders.

Interested parties may:

- (1) Join a Zoom meeting to speak on an item, where permissible, by registering in advance of the meeting at <https://miamidade.live/BCCSpecialMeeting> (Zoom registration will be available beginning August 22, 2020);
- (2) call in live by phone to speak, where permissible, on an item at (305) 375-5777; to avoid delays you may register in advance at <https://miamidade.live/BCCSpecialMeeting> (registration will be available beginning August 22, 2020);
- (3) call in live to listen to the meeting at (305) 375-5777;
- (4) view a live broadcast on Miami-Dade Television;
- (5) view a live webcast at <https://www.miamidade.gov/webcasting>;
- (6) after the meeting, view an archived copy of the meeting at www.miamidade.gov/webcasting

All interested parties may appear and be heard at the time specified.

This meeting is called to consider matters relating to the coronavirus disease 2019 (COVID-19) pandemic. At this meeting, the Board of County Commissioners may take action to approve ordinances, resolutions, motions, reports, or other documents and discussion items related thereto that may, under the Board's Rules of Procedure and other applicable law, be placed on the agenda for this special meeting.

A person who decides to appeal any decision made by the Board, Agency or Commission with respect to any matter considered at this meeting or hearing will need a record of the proceedings. Such person may need to ensure a verbatim record of the proceedings is made, including the testimony and evidence upon which appeal is to be based.

Miami-Dade County provides equal access and equal opportunity in its programs, services, employment, and activities and does not discriminate on the basis of disability. If you have any questions or require additional information regarding the virtual meeting, please call (305) 375-5777. For material in accessible format, a sign language interpreter or other accommodation, please call (305) 375-2035 or send an e-mail to agendaco@miamidade.gov at least one day in advance of the meeting.

HARVEY RUWIN, CLERK
MELISSA ADAMES, DEPUTY CLERK

For legal ads online, go to <http://legalads.miamidade.gov>

Espiral de violencia en Gaza acerca a Israel y Hamas a una escalada

POR PABLO DUER
EFE
JERUSALÉN

El mes de agosto ha estado marcado por una violencia incesante en la frontera entre Israel y Gaza. Cohetes, globos incendiarios y con explosivos, fuegos, protestas y bombardeos de represalia mantienen en vilo a los civiles de ambos lados de la línea divisoria.

En un año marcado en todo el mundo por el dolor, el sufrimiento y la muerte, la frontera entre Israel y la Franja de Gaza, conocida por la abundancia de esos ingredientes, había gozado hasta entonces de una sorprendente tranquilidad.

Tras un comienzo agitado y un pico de tensión a fines de febrero, fueron meses de silencio, que hasta incluyeron un intento de negociación para intercambiar prisioneros y en los que las autoridades de uno y otro lado se centaron en hacer frente al coronavirus y sus consecuencias sociales y económicas.

LA VIOLENCIA: LA VIEJA NUEVA NORMALIDAD

A principios de este mes, sin embargo, milicias palestinas retomaron el lanzamiento de globos incendiarios y cargados con artefactos explosivos, que no solo encendieron la corta mecha de la recurrente violencia en la frontera sino que causaron cientos de incendios en las comunidades israelíes colindantes.

La reacción israelí tardó unos días en llegar pero finalmente sucedió, bajo la forma de bombardeos nocturnos sobre objetivos militares del movimiento islamista Hamas, que gobierna en el enclave, y nunca paró.

Ya son 11 las noches



MAHMUD HAMSA/FP

MANIFESTANTES PALESTINOS huyen para protegerse de los gases lacrimógenos disparados por las fuerzas israelíes, durante enfrentamientos cerca de la frontera con Israel, al este de la ciudad de Gaza, el 30 de marzo del 2019.

■ A principios de agosto las milicias palestinas retomaron el lanzamiento de globos incendiarios y cargados con artefactos explosivos

consecutivos de bombardeos, hasta ahora únicamente sobre objetivos militares, con excepción de un caso de dos heridas leves, solo han causado daños materiales.

Desde Gaza también han lanzado proyectiles, primero un cohete, después dos, luego uno más y el jueves, en la noche más violenta de los últimos seis meses, dispararon 12, en su mayoría interceptados por el ejército israelí que no pudo evitar, sin embargo, que fragmentos de uno de ellos impactaran en una casa en la ciudad de Sderot, dañándola gravemente.

El último fue el viernes en la noche, también interceptado por el sistema de

defensa antiaérea Cúpula de Hierro y que, sin bien no causó daños, desencadenó un nuevo bombardeo israelí desde tanques.

EL OBJETIVO: ALIVIA EL BLOQUEO

Según analistas palestinos, este repunte de tensión se debe a las demandas de la islamista Hamas de que Israel alivie el bloqueo que impuso en Gaza en el 2007 y que se atenga a los compromisos acordados en la tregua mediada a fines del año pasado por Egipto y las Naciones Unidas.

Estos, agregan, incluirían, entre otras cosas, la expansión de la zona de pesca en el Mediterráneo, la autorización de la entrada de ciertos materiales que actualmente están prohibidos y un aumento del flujo de productos y de la cantidad de permisos para que gazatíes entren a territorio israelí.

Irónicamente, la respuesta que las agresiones han provocado ha sido el endurecimiento del bloqueo, incluyendo el cierre del único cruce fronterizo para mercancías, de la zona de pesca y la interrupción de la importación de combustible, lo que obligó a la única planta eléctrica de Gaza a cerrar y dejó a la población con menos de cuatro horas de electricidad diarias.

Fuentes palestinas han señalado también que una de las exigencias de Hamas para volver a la calma es que se les entregue la ayuda económica enviada mensualmente por Catar —que según medios israelíes ha decidido confiscar hasta que cesen los ataques— y que esta se prolongue durante todo el 2021.

LOS CIVILES: AGOTADOS, FRUSTRADOS Y DESESPERANZADOS

“La tensión y los bom-

bardeos no son el problema en Gaza, sino el bloqueo israelí y la división interna entre Fatah (partido que gobierna en Cisjordania) y Hamas, que son los problemas básicos que deben resolverse, pero la escalada de golpe por golpe no ayuda y es inútil porque cada una de las partes sirve a sus intereses y no a los intereses del pueblo”, dice Shadi Ghanam, residente del enclave de 45 años.

“Nos acostumbramos a esta tensión, que viene sucediendo hace diez días y que sucedió varias veces en los últimos años. Estas escaladas comienzan cuando Hamas o Israel sufren de crisis internas y emplean la tensión para resolverlas”, agrega, y señala que aunque no se siente muy afectado porque los bombardeos son en edificios vacíos, sus hijos tienen miedo y se asustan por los ataques.

Del otro lado de la divisoria, Adele Raemer, residente del kibutz Nirim, tiene sensaciones similares: “La situación aquí es muy preocupante, estoy durmiendo en el refugio desde hace varias noches por temor a los cohetes, pero lo más triste es que nuestro gobierno es impotente frente a lo que está sucediendo”.

“La situación política es tan terrible, incluyendo la posibilidad de unas nuevas elecciones, que este no es un gobierno que pueda hacer nada significativo para cambiar la situación. No pueden ni ir a la guerra ni conseguir una solución diplomática, así que estamos entre la espada en la pared”, cierra.

LA RETÓRICA SE ENDURECE

Las autoridades, mientras tanto, se dedican a cruzar amenazas.

Un comunicado ayer de las facciones palestinas en Gaza advirtió que no aceptarán que Israel “utilice sus herramientas pacíficas de resistencia, incluyendo el lanzamiento de globos, como una excusa para bombardear objetivos militares” y enfatizó que “el pueblo tiene derecho a expresar su rechazo al bloqueo utilizando todos los medios apropiados”.

La respuesta del ministro de Defensa israelí Benny Gantz fue clara: “El ejército está preparado para proteger y seguir protegiendo a la gente del sur (del país) y atacará a los atacantes, infligiéndoles un grave daño”. El primer ministro, Benjamin Netanyahu, ha asegurado que seguirán respondiendo a los globos incendiarios como hacen con los cohetes: con bombardeos.

Así, las amenazas y el golpe por golpe continúan como las formas predilectas de comunicación entre las autoridades, mientras la gente se acostumbra, una vez más, a las explosiones y el miedo de los niños, a los incendios que arrasaron los bosques y a las alarmas que no dejan dormir ni siquiera en los refugios.

Corea del Sur y China reafirman cumbre en fecha próxima

Associated Press
SEUL

Alto funcionarios surcoreanos y chinos ratificaron el sábado los planes de realizar una reunión cumbre de sus gobernantes “en fecha próxima”, una vez que disminuyan los temores por el coronavirus, dijo la oficina presidencial en Seúl.

En una reunión en Busan, Corea del Sur, el diplomático chino Yang Jiechi y el asesor de seguridad nacional surcoreano Suh Soon también analizaron el problema internacional que

genera el programa nuclear norcoreano y las tensiones crecientes entre Washington y Beijing, dijo la Casa Azul en un comunicado.

El gobierno del presidente surcoreano Moon Jae-in quiere mejorar las relaciones bilaterales, que están en tensión desde el 2017 cuando Corea del Sur instaló un sistema antimisiles estadounidense en su territorio a pesar de las objeciones chinas. Moon esperaba recibir al mandatario chino Xi Jinping en Seúl durante el primer semestre de este año, pero la propagación del COVID-19 lo impidió.

Yang, miembro del Buró Político del poderoso Co-

mité Central del Partido Comunista chino prometió “comunicación y cooperación constante” con Corea del Sur así como apoyo a los esfuerzos para desnuclearizar la península coreana y estabilizar la paz, informó la Casa Azul sin entrar en detalles.

El gobierno de Moon quiere reanudar los contactos con Corea del Norte, que ha interrumpido prácticamente toda la cooperación intercoreana en medio de las negociaciones nucleares con el gobierno de Donald Trump. Estas están empantanadas debido a los desacuerdos sobre la mitigación de sanciones a cam-

bio del desarme nuclear del Norte, China, el aliado principal de Corea del Norte, había apoyado la mitigación de sanciones y la presión para que el Norte tomara medidas de desnuclearización.

En Busan, Yang informó a Suh sobre la posición de China en su enfrentamiento creciente con la Casa Blanca, que se ha ampliado del área comercial a temas como Hong Kong, los musulmanes chinos, acusaciones de espionaje y el control del Mar del Sur de la China. Suh dijo que la “cooperación y la prosperidad” de la coopera-



LEE SIN-WOOK/AP

YANG JIECHI, derecha, un alto funcionario chino a cargo de asuntos diplomáticos, se toma el sábado una foto con el presidente del consejo de seguridad nacional sudcoreano Suh Hoon en Busan, Corea del Sur.

ción amistosa” entre Washington y Beijing son cruciales para los intereses del noreste asiático y el mundo, dijo la Casa Azul.

Corea del Sur teme quedar atrapada en un conflicto entre su principal aliado militar y su principal socio comercial.

MIAMI-DADE
COUNTY

REUNIÓN PÚBLICA

El Departamento de Parques, Recreación y Espacios Abiertos del Condado de Miami-Dade invita cordialmente a los residentes y visitantes del área a asistir a una reunión pública virtual realizable al acceso marítimo y actividades recreativas en el agua (navegar: uso de canoas, kayaks; pescar en la costa; caminar dentro del agua; nadar, etc.). Participe virtualmente en uno de los siguientes talleres y ayúdenos a conocer qué es lo más importante para usted y su relación con el agua.

TALLERES PÚBLICOS SOBRE EL PLAN DE ACCESO A ACTIVIDADES RECREATIVAS EN EL AGUA

Martes, 25 de agosto • 6:00 – 7:00 p.m.

https://us02web.zoom.us/join/register/WN_8DUJJDYRcmQYk1a0XICg

Jueves, 27 de agosto • 6:00 – 7:00 p.m.

https://us02web.zoom.us/join/register/WN_8CJIR3-3R7C13WFV8e8qg

Miércoles, 2 de septiembre • 6:00 – 7:00 p.m.

https://us02web.zoom.us/join/register/WN_6HblwThVrgG0EqkTzNV2Q

Para más información sobre este evento, o si no puede asistir a la reunión, comuníquese con Stephanie Cornejo, Planificadora de Parques 3, del Departamento de Parques, Recreación y Espacios Abiertos del Condado de Miami-Dade, por el número de teléfono 305-755-7957 o el correo electrónico cornejo@miamidade.gov.

Para solicitar materiales en formato accesible, información sobre el acceso para personas con discapacidades o los servicios de un intérprete del lenguaje de señas (con 7 días de antelación), llame al 305-755-7848. Se solicita la participación del público sin distinción de raza, color, religión, género, edad, origen nacional, discapacidad o estatus familiar.

Aviso de Reunión Comunidad y Audiencias Públicas para la Designación de Brownfield Area de Conformidad con la Ley de Redesarrollo de Brownfields de Florida

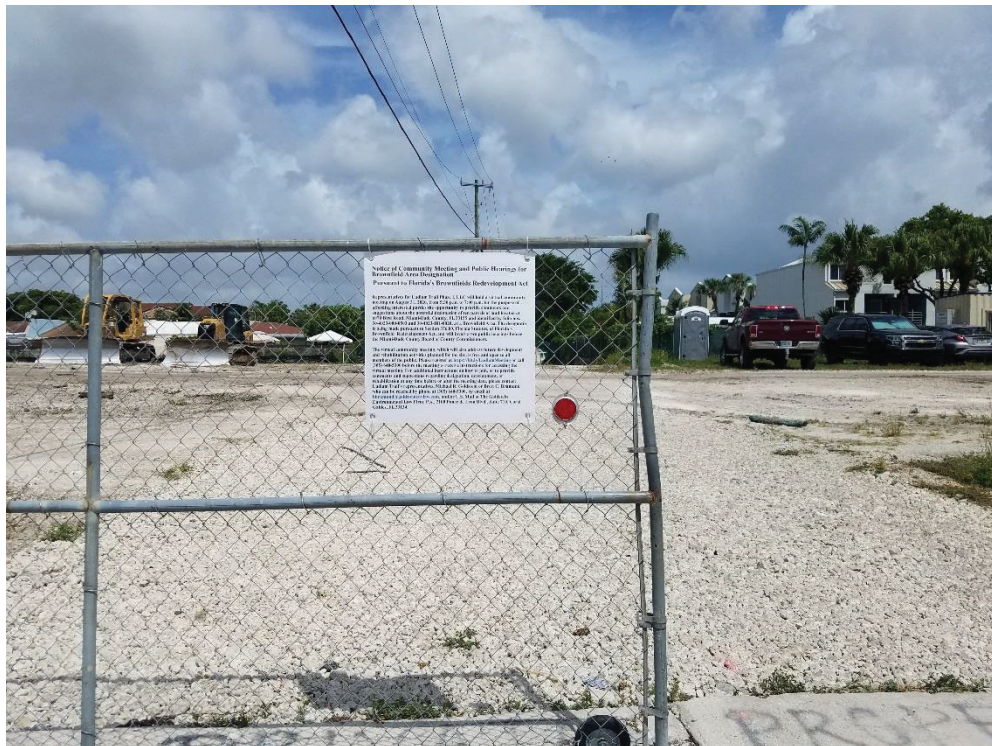
Los representantes de Ludlam Trail Phase I, LLC tendrán una reunión de la comunidad virtual el 31 de agosto de 2020, a partir de las 5:30 p.m. hasta las 7:00 p.m. con el fin de brindar a las partes interesadas la oportunidad de proporcionar comentarios y sugerencias sobre la posible designación de parcelas de tierra ubicadas en 6970 Bird Road, Miami-Dade County, FL 33155 e identificadas por los folios nos. 30-4023-000-0503 y 30-4023-101-0020, como un Brownfield Area.

La reunión de la comunidad virtual, que también abordará las futuras actividades de desarrollo y rehabilitación planificadas para el sitio, es gratuita y está abierta a todos los miembros del público. Regístrese en <https://bit.ly/LudlamMeeting> o llame al (305) 640-5300 antes de la reunión para recibir instrucciones para acceder a la reunión virtual. Para obtener instrucciones adicionales sobre cómo unirse, o para proporcionar comentarios y sugerencias con respecto a la designación, el desarrollo o la rehabilitación en cualquier momento antes o después de la fecha de la reunión, comuníquese con los representantes de Ludlam Trail, Michael R. Goldstein o Brett C. Brumund, a quienes se puede contactar, por teléfono al (305) 640-5300, por correo electrónico a bbrumund@goldsteinenvlaw.com, o por correo de EE. UU. al The Goldstein Environmental Law Firm, P.A., 2100 Ponce de Leon Blvd., Suite 710, Coral Gables, FL 33134.

SW 44th Street Facing West



SW 44th Street Facing East



Attachment E



Ms. Freenette Williams, Business Development Specialist
Office of Economic Development and International Trade
111 NW 1st Street – 19th Floor
Miami, FL 33128

August 5, 2020

Dear Ms. Williams:

I am writing with regard to our three phased project on the Ludlam Trail which we seek to have designated as a Brownfield area. The land has already been purchased and is owned by three separate entities – Ludlam Trail Phase I, LLC, Ludlam Trail Phase II, LLC and Ludlam Trail Phase III, LLC. Phase I is located at 6970 Bird Rd., Phase II is located at 7040 SW 44th St. and Phase III is located at 6900 Bird Rd. All three parcels are contiguous to each other. It is my understanding that the County requires support that our entities have the financial resources to complete the cleanup and redevelopment of the sites.

Phase I:

On April 28, 2020 the Ludlam Trail Phase I, LLC entity closed on an equity commitment of \$38,221,844 which will be contributed into the project as construction of the project proceeds. At the closing \$16,603,923.72 of this equity had been funded into the project. This commitment is provided by ZOM and three additional partners who have substantial experience in the real estate development business in Miami-Dade County.

At the same time, Ludlam Trail Phase I, LLC closed on a construction loan in the amount of \$57,332,766 with Santander Bank. This combination of equity and construction loan funds is sufficient to complete the cleanup and redevelopment of the Phase I project site.

Phases II & III:

As the entire project is too large to complete in one phase, we are holding and maintaining the land in Phases II & III until Phase I nears completion. At that time additional equity and construction loans will be obtained for the final two phases. Currently, we have approximately \$12.7M and \$12.4M invested in the Phase II and Phase III ventures, respectively. This investment has been made by affiliates of the same partners who invested in Phase I. We anticipate the equity partner composition to remain the same as we complete this 2nd and 3rd phase of development. We also anticipate placing additional construction loans on the two additional phases. Ideally the additional construction debt will be with Santander Bank but of course that will be unknown until we reach that point in the development.



I offer this letter as substantiation that the project has the full financial resources committed for Phase I and substantial equity already committed for Phases II & III as required by the County. Should you need further documentation please do not hesitate to contact me.

Sincerely,

Ludlam Trail Phase I, LLC

ZOM Ludlam Trail, LLC, its operating member and manager

A handwritten signature in blue ink, appearing to read "Brian J. Warner", written over the printed name.

Brian J. Warner

CFO/EVP

Attachment F

24 March 2020

Juan V. Alvarez
ZOM Living
200 E Broward Blvd, Suite 1200
Fort Lauderdale, FL 33301

**Re: Environmental Assessment Summary
Ludlam Trail Phase I – MiLine Development
Southwest 40th Street and between Southwest 69th Avenue
and Southwest 70th Court
Miami, Florida
Langan Project No. 300240701**

Dear Juan:

At your request, we have prepared this letter to summarize the previous environmental assessment and closure strategy for the development of the Ludlam Trail Phase I development (MiLine Development) at Southwest 40th Street (Bird Road) and between Southwest 69th Avenue and Southwest 70th Court in Miami, Florida (project or property).

The assessment includes land formerly owned by the Florida East Coast Railway Company (FEC) commonly known as the Ludlam Trail, a former railroad corridor operated by the FEC. Historically, rail corridors have impacted soil or groundwater from leaching of wood ties, general operation of rail line and engine combustion, and the application of herbicides for track maintenance. In addition, there was encroachment on the property from the west by various businesses, including a roofing company, placement of uncontrolled fill in the southern portion of the property and the short-term operation of a small-scale tree nursery on the eastern portion of the property. As part of our evaluation of the environmental impacts of these historical uses on the property, we prepared the following environmental reports:

- Limited Soil Assessment Report, dated 6 February 2019,
- Limited Groundwater Assessment, dated 14 October 2019,
- Site Assessment Report, dated 22 November 2019,
- Soil Management Plan, dated 12 December 2019,
- Soil Management Plan, dated 12 December 2019, revised 28 February 2020.

These reports documented concentrations of primarily arsenic and polycyclic aromatic hydrocarbons (PAHs) in soil that exceed the Soil Cleanup Target Levels (GCTLs) in Section 24-44(2)(f)(v), Miami-Dade County Code (MDCC), which is consistent with the documented historical use as a railroad coordinator and with historical filling. Groundwater data were below the applicable Chapter 24-44, Miami Dade County Code (MDCC) Groundwater Cleanup Target Levels (GCTLs). The Site Assessment Report recommended a No Further Action with Conditions (NFAC)

closure with institutional and engineering controls for impacted soil, pursuant to Chapter 24-44, MDCC.

The institutional control is common tool used to safely develop residential and commercial properties that may be environmentally impaired by placing certain restrictions and notification requirements on a property. The formal designation of an institutional control on a property is a Declaration of Restrictive Covenant (DRC). The DRC for the MiLine project would include (1) documenting the presence of an engineering control to prevent contact with impacted soil by future residents (2) a plan to properly inspect and maintain all engineering controls; (3) seek approval from the regulatory agency before removing any soil from the property; (4) notify future tenants of the Covenant; and (5) allow the regulatory agency to conduct inspections at reasonable times and with reasonable notice to the Owner. The engineering controls will consist of impervious surfaces, such as concrete building pads, asphalt pavement, concrete sidewalks, or grouted pavers; or two feet of clean fill, either sourced from a quarry or characterized as clean by the Miami-Dade County Department of Regulatory and Economic Resources Division of Environmental Resource Management (DERM) with analytical data. For the MiLine development, the engineering controls are based on the site plan that defines the areas encapsulated by buildings, sidewalks, roads, or landscaped areas.

The MiLine development site plan was used as the conceptual Engineering Control Plan (ECP) and was submitted as part of the updated Soil Management Plan (28 February 2020), which is currently under review by DERM. The SMP also describes the procedures for proper handling and management of the contaminated soil during construction.

The remediation and development of contaminated sites is allowed under MDCC and typically has two goals: 1) achieve site closure or remediate through a no further action (NFA) or no further action with conditions (NFAC) determination, in this case the latter, and 2) receive construction plan and permit approvals so construction can commence. For the remediation, because the site plan is the engineering control plan, NFAC closure for the contaminated soil is approved after one year of perimeter groundwater monitoring, once the engineering controls are constructed (buildings, paved areas, roads, landscaping) and certified as built, and the DRC is drafted, executed by the appropriate parties, and recorded at the Miami-Dade County Recorder's Office.

Therefore, for properties where NFAC is pursued, the NFAC closure is issued after the construction is complete and certification of engineering controls when soil contamination is present, as is the case at the MiLine Development. For the construction plans and permitting, we currently have received approval from DERM's Water Control and Pollution Remediation Sections (PRS) for the proposed stormwater system and we are currently awaiting approval from PRS for any soil movement on the property. This approval is expected very shortly. These approvals allow the development and construction to proceed and be completed, while the NFAC process continues.

CLOSING

We trust the above satisfies your request. Please contact us with questions.

Sincerely,

Langan Engineering and Environmental Services, Inc.



Roger Simon, LEP
Project Geologist



Vincent D. Yarina, PG, CEM
Principal/Vice President

cc: Kyle Clayton / ZOM Living

FL Certificate of Authorization No. 6601
\\langan.com\data\MIA\data7\300240701\Project Data\Discipline\Environmental\Reports\2020-03 Env Summary Letter\2020-03-20 MiLine
Environmental Summary.docx

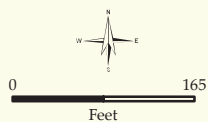
Exhibit 2

Ludlam Trail Phase I, LLC Proposed Brownfield Parcels Miami-Dade County, Florida



Legend

-  Proposed Brownfield Parcels
-  Streets



63



Department of Regulatory and Economic Resources (RER)
Planning Research and Economic Analysis Section
October 2020