6. The Live Local Act and its impact on public oversight

Will these be rental apartments built under the Live Local Act? And if so, where does that leave the public?

Live Local is a state law. A qualifying rental project can override local zoning on use, height and density. With Live Local, the site plan is approved by staff, not by this Commission. Live Local also reduces ad valorem property taxes. And all Live Local developments are rental housing, eliminating the possibility of building generational wealth through home ownership.

On August 10, the City Manager wrote that Live Local "may make people anxious," but “gives significant financial advantages for the developer,” calling it “a win-win for developers.”

Increasingly, communities across the state are pushing back against this law. But each year, the Legislature has broadened it. This year's amendments were made retroactive to January 1, 2024 — which is how an already-built project can pick up the designation. **In fact, this has already happened where we are standing tonight.**

On July 17, the Chief Planning Officer, the City Manager, the Assistant City Manager, and the City’s Economic Development consultant reviewed the following draft letter to Nir Shoshani of NR Investments, owner of the Sky Building**: “Congratulations on your recent designation under the Live Local Act. We appreciate your continued commitment to expanding affordable housing opportunities in Oakland Park and recognize the positive contribution the Sky project makes toward the City’s housing objectives.”**

In July, staff ran preliminary numbers: Sky's City tax savings now run about $94,000 a year against a $68,000 incentive, and the County's share drops from about $220,000 to about $136,000. The City Manager wrote, "We are in uncharted waters here." On the income levels, he wrote, "80-100% or whatever Nir is committing to."

In response, section 4.12(b) of **the eighth amendment to Horizon's development agreement – which was approved by you on August 5 – states: “The Developer shall notify the City prior to applying for any program that will impact the affordability designation of the project, including the Live Local Act.”** The Chief Planning Officer, in an email to the City Manager on July 17, stated "we have little control."

Would the Commerce parcel developers use Live Local? Officials have repeatedly stated that the advantage of City-owned land is that the City can control the development. But doesn’t Live Local remove control from the City and the public at large?

From: David Hebert <davidh@oaklandparkfl.gov>
Sent: Monday, August 10, 2026 6:35 AM
To: Renee Miller
Cc: Ana Alvarez; Sierra Marrero; Robin Butler
Subject: Commerce

Renee-
Thanks. I thought things went as well as could be expected last week. Note the heavy lift: getting thru lease terms, due diligence and outlining development plan. Ana seems (as always) to have things well in hand. I would like to plan on bringing the first reading of the P&S the second meeting in September. (23rd) provided you are available. At the meeting in addition to P&S I would like to update them on lease terms and status of due diligence as well as outline the plan to seek to prequalify developers who may be interested and explain the plan to be open about accepting development plans with as few "requirements" as possible. We need to stress that while Live Local may make people anxious, it provides significant financial advantages for the developer while allowing the city to "control" the elements of the development as we are the owners of the property — a win-win for developers. As to the food dessert matter, we need to stress two things: grocery stores are for-profit entities and any "business"—grocery store, restaurant, retail, residential, etc. needs to be financially self sufficient or the development will not be financially viable. If the "Proposals" from prequalified bidders provide for "advantages" for the city (park space, food court, museum, etc.) that would be part of the consideration for the Commission to assess (maybe they take less for the sale for example). The question will be what "value" to put on the "advantage." But that last issue, I think we need to leave fluid and see what proposals are received and what the Commission wants us to negotiate. This last issue may be problematic though as we will need some sense of where the Commission stands on what they deem "advantageous" to the city and how much they are willing to "pay" for the advantage(s). Good for thought. Check with AI. Put together some suggestions for a plan. Let's schedule a conference call for next week Tuesday or Wednesday.

Also Ana, make sure Paul Lambert is in the loop as his counsel will be helpful.

Thanks.

From: Ana Alvarez <anaa@oaklandparkfl.gov>
Sent: Friday, July 17, 2026 1:54 PM
To: David Hebert; Ana Alvarez
Cc: Sierra Marrero; Renee Miller
Subject: RE: Sky

DRAFT on the letter:

Congratulations on your recent designation under the Live Local Act. We appreciate your continued commitment to expanding affordable housing opportunities in Oakland Park and recognize the positive contribution the Sky project makes toward the City's housing objectives.

As you know, the project also benefits from an Interlocal Agreement with Broward County relating to the rebate of a portion of the County's ad valorem tax revenues generated by the project. Considering the Live Local designation and the resulting impact on the project's ad valorem taxes, the City will need to discuss with Broward County how the tax exemption may affect the administration of the County's reimbursement obligations under the Interlocal Agreement.

We will be back in touch once those discussions have taken place. At that time, we look forward to discussing the implications, if any, with you in greater detail.

Thank you again for your partnership and continued investment in the City of Oakland Park. We look forward to continuing to work together toward the successful completion and long-term success of the project.

-----Original Message-----
From: David Hebert
Sent: Friday, July 17, 2026 12:52 PM
To: Ana Alvarez <anaa@oaklandparkfl.gov>
Cc: Sierra Marrero <sierra.marrero@oaklandparkfl.gov>; Renee Miller <reneem@rmcgllc.com>
Subject: Sky

I think you should prepare a letter for Nir congratulating and thanking him for hoods continued commitment to providing affordable housing opportunities here in OP. Informing him that with the designation, we will need to discuss any terms with the county regarding their commitment to rebate of ad valorem incentives and indicating that we will be back in touch to discuss same in more details after discussions with the county. We will need also to reach out to Ralph and plead our case. As the LL right now is for three years perhaps Ralph would entertain a rebate of the amount collected and a deferral of any amount under the annual $220K cap until such time in the future the full $1.1M is collected. In other words to extend the term to the maximum rebate of county funds collected and a term extension beyond the five year limit until the full $1.1M is rebated. A all HR is gaining the affordable at a lower income (80-100% or whatever Nir is committing to) rate.

From: David Hebert <davidh@oaklandparkfl.gov>
Sent: Friday, July 17, 2026 12:52 PM
To: Ana Alvarez
Cc: Sierra Marrero; Renee Miller
Subject: Sky

I think you should prepare a letter for Nir congratulating and thanking him for hoods continued commitment to providing affordable housing opportunities here in OP. Informing him that with the designation, we will need to discuss any terms with the county regarding their commitment to rebate of ad valorem incentives and indicating that we will be back in touch to discuss same in more details after discussions with the county. We will need also to reach out to Ralph and plead our case. As the LL right now is for three years perhaps Ralph would entertain a rebate of the amount collected and a deferral of any amount under the annual $220K cap until such time in the future the full $1.1M is collected. In other words to extend the term to the maximum rebate of county funds collected and a term extension beyond the five year limit until the full $1.1M is rebated. A all HR is gaining the affordable at a lower income (80-100% or whatever Nir is committing to) rate.

EIGHTH AMENDMENT

TO DEVELOPMENT

AGREEMENT

WHEREAS, the **City of Oakland Park, a Florida municipal corporation** (the "Seller") and **Horizon Oakland Park, LLC, a Florida limited liability company** ("Purchaser") entered into that certain Development Agreement dated August 3, 2022 (the "Original Agreement") concerning 4.072 acres of real property located in Oakland Park, Broward County, Florida and further described in the Original Agreement (the "Property"), as amended by that certain First Amendment to the Development Agreement dated May 3, 2023; as amended by that certain Second Amendment to the Development Agreement dated June 21, 2023; as amended by that certain Third Amendment to the Development Agreement dated April, 17, 2024; as amended by that certain Fourth Amendment to the Development Agreement dated February 19, 2025; as amended by that certain Fifth Amendment to the Development Agreement dated October 22, 2025; as amended by that certain Sixth Amendment to the Development Agreement dated February 18, 2026; as amended by that certain Seventh Amendment to the Development Agreement dated June 17, 2026 and

NOW THEREFORE, Seller and Purchaser agree to amend the Original Agreement as follows:

1. The Whereas clauses are hereby ratified and confirmed.

2. Section 2. 2 (h) of the Original Agreement, as amended, is hereby amended and restated as follows:

   (h) The Public Parking Component: 195 public parking spaces shall be designated free to the public of which approximately 135 shall be within the parking structures located in the South Building, and 60 spaces which shall be surface and on-street parking spaces (collectively the Public Parking Component"). The 195 public parking spaces shall not be subject to any reduction.

3. Section 4. 12(a) of the Original Agreement, as amended, is hereby amended and restated as follows:

   Section 4. 12 (a) Affordable Housing Designation: The Developer shall dedicate twenty percent (20%) of the total residential units in the Project to Affordable Housing for a period of ten (10) years . The Affordable Housing dedication shall be no more than 140% of the Broward County Area Median Income Level as published by the State of Florida Housing Finance Corporation. If the CITY in partnership with another governmental agency is successful in securing

additional financial resources in support of Affordable Housing, then the Developer shall commit to extending the Affordable Housing dedication period commensurate with the requirements of the resources; provided however that any such additional financial resources shall require the prior written approval and consent of the Developer to the extent such funding i) requires an extension of the initial ten year time period to a time period in excess of an additional five years or (ii) otherwise imposes any other Affordable Housing conditions upon any of the residential units in the Project, in each case, as a condition to receiving such funding.

b) The Developer shall notify the City prior to applying for any program that will impact the affordability designation of the project, including the Live Local Act and or any other tax exemptions that will impact the ad valorem taxes due on the project.

4. This Eighth Amendment may be executed in counterparts, each of which shall be deemed an original,but all constituting only one agreement. Facsimile or electronic (i.e., PDF) copies of this Seventh Amendment shall be deemed to have the same force and effect as original hard copies of the same.

5. Except as specifically modified hereby, all of the provisions of the Original Agreement, as amended, which are not in conflict with the terms of this Eighth Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Eighth Amendment as of the dates set forth above.

SELLER

CITY OF OAKLAND PARK, a Florida municipal corporation

By: _____
Name: _____
Title: _____
Date: _____

Attest:

_____
City Clerk

Approved as to form and legal sufficiency:

By:

_____
Name:

_____
Title:

_____

PURCHASER

HORIZON OAKLAND PARK, LLC,
a Florida limited liability company

By:
_____
Name:
_____
Title:
_____
Date:
_____

From: Ana Alvarez <anaa@oaklandparkfl.gov>
Sent: Friday, July 17, 2026 1:46 PM
To: David Hebert
Cc: Renee Miller; Sierra Marrero; Robin Butler
Subject: RE: Incentive

Agree.

I included the following language for the HOOP amendment, recognizing that we have little control as they are not getting any reimbursements:

b) The Developer shall notify the City prior to applying for any program that will impact the affordability designation of the project, including the Live Local Act and or any other tax exemptions that will impact the ad valorem taxes due on the project.

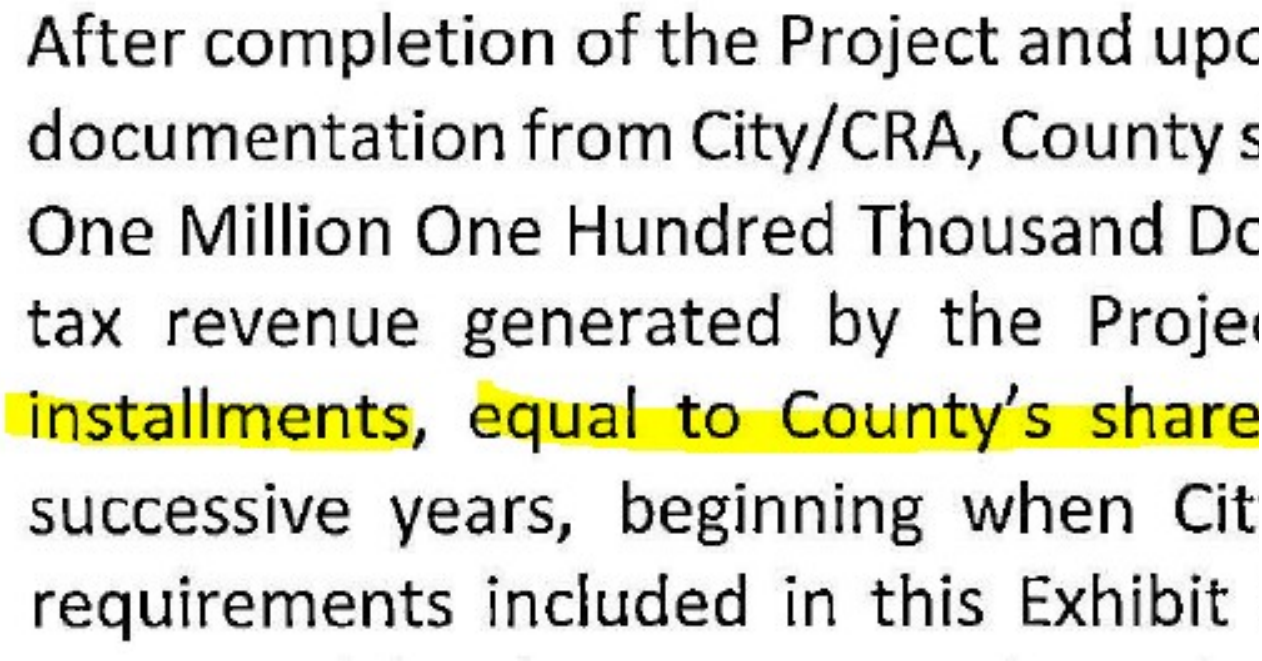
From: David Hebert <davidh@oaklandparkfl.gov>
Sent: Friday, July 17, 2026 1:38 PM
To: Ana Alvarez <anaa@oaklandparkfl.gov>
Cc: Renee Miller <reneem@rmcgllc.com>; Sierra Marrero <sierra.marrero@oaklandparkfl.gov>; Robin Butler <robinb@oaklandparkfl.gov>
Subject: Re: Incentive

We are in uncharted waters here as this ad valorem reduction (LL) may not be the only one we confront with the Property Tax issue also looming. We should carefully craft our strategy with the county before we go off half-cocked. Let's get on a conference call in the next couple of weeks and figure out a gameplan.

> On Jul 17, 2026, at 1:29 PM, Ana Alvarez <anaa@oaklandparkfl.gov> wrote:
>
> Summary of findings
>
> **City –** The Development Agreement provides a City incentive of $68K annually. Based on the estimated tax exemption, the developer's annual property tax savings attributable to the City's ad valorem taxes are approximately $94,000. As a result, the developer will receive an estimated $26K more per year than the incentive contemplated under the Development Agreement.
>
> **County –** The Development Agreement provides for an annual payment to the County equal to the County's share of the ad valorem taxes collected at $220,000 annually and a maximum of $1.1 million. Based on my preliminary calculations (which I expect to refine during the first week of August), the County's share of the ad valorem taxes before application of the exemption would have been approximately $220,000. After application

of the exemption, the County's share will now be reduced to approximately $136K. As such, the annual payment from the County would be reduced by approximately $84k per year, because it is calculated based on the ad valorem taxes collected.

Language on the County's ILA, see below.


After completion of the Project and upc
documentation from City/CRA, County s
One Million One Hundred Thousand Dc
tax revenue generated by the Proje
installments, equal to County's share
successive years, beginning when Cit
requirements included in this Exhibit

Although the Agreement appears to contemplate that reimbursements will continue until the full $1.1 million has been disbursed, the amended Agreement also provides that its term expires on September 30, 2032. I believe there is a reasonable argument that the termination provision relates to the administrative obligations of the Agreement, including achievement of the project milestones, whereas the reimbursement obligation is governed separately by Exhibit A, which expressly provides that annual payments continue until the full $1.1 million has been disbursed. Nevertheless, I plan to review the Broward County agenda item and supporting materials to determine whether there is any additional legislative intent or discussion regarding the duration of the reimbursement obligation before we discuss this with the

County.

CITY

	EXEMPTION	WITHOUT EXEMPTION	EXEMPTION IMPACT	INCENTIVE	DELTA BETWEEN EXEMPTION AND INCENTIVE
Taxable Property Value	$ 26,110,280	$ 42,707,220			
Divided by 1000	1,000	1,000			
Taxable Mills	26,110	42,707			
Multiply by Proposed Operating Millage Rate	5.6799	5.6799			
Estimated Property Tax	**$ 148,303.78**	**$ 242,572.74**	$ 94,268.96	$ 68,000.00	$ 26,26

COUNTY

	EXEMPTION	WITHOUT EXEMPTION	EXEMPTION IMPACT	INCENTIVE	DELTA BETWEEN EXEMPTION AND INCENTIVE
Taxable Property Value	$ 26,110,280	$ 42,707,220			
0.0051891					
Estimated Property Tax	**$ 135,488.85**	**$ 221,612.04**	$ 86,123.18	$ 220,000.00	$ (133,87