

EXHIBIT "A"

# **The City of Coconut Creek, Florida**

## ***2025 Proposed Federal Legislative Agenda***



**Prepared by Van Scoyoc Associates for the**

**Coconut Creek City Commission**

**Mayor Sandra L. Welch  
Vice Mayor Jacqueline Railey  
Commissioner Joshua Rydell  
Commissioner John A. Brodie  
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**Updated December 2024**

## Issue/Funding Progress To-Date

### Provided Support to Key Federal Legislation & Rulemaking

- VSA continued closely monitoring the Bureau of Indian Affairs' proposed land acquisition rule and its potential effects on municipalities. As part of this effort, VSA arranged a meeting with the City, the Department of Interior, and the BIA Assistant Director on land policy. VSA coordinated with the City and the City's state lobbyists to advocate for the City's interests.
  - We learned that implementation of the final rule will be outlined in an updated version of the Fee-to-Trust Manual. VSA is tracking the completion of this updated version, which has not yet been completed.

### VSA Developed a Funding Capture Strategy for the Redundant Fiber Optic Ring Project

- Provided recommendations and analysis of which potential earmark account would be eligible for the project and included trends of past awardees for similar projects.
- Personally briefed Representative Moskowitz's (D-FL-23) Legislative Director on the project's merits.
- Representative Moskowitz approved this project and submitted it to the Appropriations Committee for consideration this year.
- **The committee approved the project at \$1,152,000.** The project is included in the current House version of the Commerce, Justice, Science Appropriations draft bill. VSA is tracking the pending outcome of this bill as the Continuing Resolution and legislation involving appropriations continue to be negotiated by the current Congress.

### VSA Developed a Funding Capture Strategy for a City Fleet Building Hardening Project

- Provided recommendations and analysis for the Federal Emergency Management (FEMA) Building Resilient Infrastructure & Communities (BRIC) earmark application for this project.
- Contacted State Mitigation Officer and connected this office with city officials to discuss eligibility.
- Submitted a CPF (earmark) request in coordination with Congressman Moskowitz's office, and personally briefed Representative Moskowitz's (D-FL-23) Legislative Director on the project's merits.
- The Fiber Optic Ring project was chosen for earmark support; however, VSA provided alternate funding strategy, deadlines, and scoring criteria priorities for this project, and the City has submitted a Notice Of Intent for separate grant funding.

### Assisted With Grant Application to Department of Justice Grant Program re: \$963,000 Body Worn Camera Community Project Funding Award (Earmark)

- All approved earmarks must submit an agency application to verify program eligibility. In 2023, VSA assisted the City in receiving Congressional approval for an earmark to fund body-worn cameras for the City. In 2024, VSA coordinated with the City during the follow-up application process, reviewing and providing feedback on the grant application, while providing updates to Congressman Moskowitz's Legislative Director

of how the City was meeting the eligibility requirements to physically receive the earmark funds. This type of positive reporting helps support future earmark requests.

### **Provided 2024 Monthly Reporting, Grant Analysis, & Grant Forecast Reports**

- Throughout 2024, VSA regularly interpreted funding guidance, eligibility, and competitiveness of potential federal funding streams, including:
  - Continued American Rescue Plan (ARPA) funding, policy developments, and reporting requirements
  - FEMA Assistance to Firefighters Grants (AFG), which was submitted for two projects in December 20, 2024
  - DOT EV Charging & Fueling Infrastructure Discretionary Grant Program
  - New US Army Corps of Engineers (USACE) funding for local water projects
  - Main Street Project Grant Assessments
- Additionally, VSA reviewed the City's Capital Improvement Plan (CIP) with staff to identify potential funding opportunities and shared 16 opportunities.
- VSA is assisting staff in developing a funding strategy for the City's 2025 CPF (earmark) request(s) in coordination with Congressman Moskowitz's office.

### **Developing 2025 Confirmed Funding Targets & Analysis**

- Pending any changes in availability and eligibility requirements, the City/VSA will pursue the following federal funding opportunities in 2025:



#### **MARCH**

##### **FEMA SAFER Grant**

*To support staffing the City's firefighters.*



##### **FEMA BRIC Earmark**

*To fund hazard mitigation activities that bolster the city's resiliency against natural disasters.*

##### **Potential DHS or DOJ Earmark**

*To fund a secondary data recovery station at the new fire station.*



#### **NOVEMBER**

##### **FEMA AFG Grant**

*To fund critically needed resources to equip and train emergency personnel, enhance efficiencies, and support community resilience.*



#### **DECEMBER**

##### **EPA Solid Waste Infrastructure for Recycling Grant**

*To support the City's green infrastructure initiatives.*



**AS NEEDED**

**HUD Disaster Recovery Funds**

*To assist the City in recovery and response efforts following Presidentially declared disasters.*

## Energy & Environment

### FEDERAL ISSUE: Federal Landfill Emissions Regulations

#### BACKGROUND & EFFECT ON COCONUT CREEK

The North Broward County Resource Recovery and Central Disposal Sanitary Landfill, also known as Monarch Hill Renewable Energy Park, is a 225-foot-high landfill site owned by Waste Management (WM) adjacent to the City of Coconut Creek. The landfill takes in an average of 5,000 tons of trash per day and has long emitted emission odors into the air. Odors from the facility have been reported as far as four miles away.

In 2016, the Environmental Protection Agency (EPA) finalized a new emissions standard requiring a reduction of municipal landfill emissions. This regulation was adjusted in 2018 to extend the timing requirements for compliance from May 2017 to August 2019. In December 2019, the first Trump administration attempted to extend the compliance timeline again but was denied by a federal judge. The court concluded this violated the *Clean Air Act* by not acting on harmful emissions from landfills.

During this uncertain time, VSA worked with the City staff and the City Commission to develop letters in support of implementing the original 2016 regulations. This included working with Representative Deutch (D-FL-22), Senators Rubio (R-FL) and Scott (R-FL), and directly with EPA through public hearings and coalition building.

In December 2020, the State of Florida submitted its proposed plan for meeting the new emission regulations. VSA continued its federal advocacy coordination with the City's Congressional delegation to support the implementation of the 2016 regulations and in consideration of legislative language that would encourage the implementation of the regulations.

In February 2022, EPA published the Final Rule for the new landfill emission standards. Hazardous pollutants covered by the rule include, but are not limited to, vinyl chloride, ethyl benzene, toluene, and benzene. The new emission standards are now in place and, for Florida, will be monitored by the Florida Department of Environmental Quality.

Monarch Hill is seeking a Land Use Plan Amendment for a 24-acre parcel of land within the 500-acre park, of which 382 acres are permitted for disposal. As of November 2024, the landfill has an estimated six years of capacity remaining at current inbound volumes of 5,000 tons of waste. WM is also working with Broward County on a proposed code amendment allowing the landfill to go from 225 feet to 325 feet to maximize vertical height.

In 2025, the Trump Administration could attempt again to revise the EPA final rule with a new ruling that would extend compliance requirements. VSA will monitor the regulatory environment during 2025 as it is expected to be very active in potentially changing rulemaking during the Biden Administration.

#### 2025 POSITION

**Support** federal regulations that create stricter environmental standards and testing for municipal solid waste landfills and waste transportation through communities. **Oppose** efforts to weaken

landfill regulations. **Monitor** the EPA's oversight of the emission standards approved in early 2022 and Florida DEP emission monitoring of local landfill's compliance. **Monitor** the proposed plans to expand the Broward County landfill and how the EPA ruling affects its control of emissions. **Monitor** potential groundwater contamination.

## FEDERAL ISSUE: National Flood Insurance Program

### BACKGROUND & EFFECT ON COCONUT CREEK

Congress established the National Flood Insurance Program (NFIP) in 1968 to address the nation's flood exposure. Private insurance companies at the time claimed that the flood peril was uninsurable and could not be underwritten in the private insurance market. The program has two primary goals: (1) providing primary flood insurance and (2) mitigating and reducing the nation's comprehensive flood risk through the development and implementation of floodplain management standards. Today, more than 22,000 communities, including Coconut Creek, participate in the program.

Until 2005, NFIP was self-supporting, as policy premiums and fees covered its expenses and claim payments. However, significant flooding events in the past 15 years have resulted in a debt of approximately \$20.2 billion. Since 2017, Congress has enacted 31 temporary NFIP reauthorizations. The program is currently authorized through December 20, 2024.

One of the most significant changes to the program in recent years is the adoption of FEMA's Risk Rating 2.0, a much more granular, property-specific approach, factoring in elements like elevation, distance to water, flood frequency, and the type of flooding (e.g., storm surge or riverine flooding). The goal is to accurately reflect each property's individual flood risk, ensuring premiums better match the actual threat. While this system aims for fairness and accuracy, it has sparked concerns, particularly among homeowners in moderate-to-low-risk areas, who may face higher premiums than the old system, where they were often subsidized.

In 2025, President-elect Trump's preference for privatization and deregulation could likely lead to efforts to scale back or reform NFIP. His administration previously explored ways to reduce federal spending on disaster relief and insurance, promoting private-sector solutions. For example, this could include rolling back the FEMA Federal Flood Risk Management Standard, which defines broader floodplains subject to federal funding requirements while shifting more of the financial burden for disaster recovery and preparedness to states, homeowners, and private insurers.

### 2025 POSITION

**Support** efforts to reform and improve the National Flood Insurance Program for the benefit of all participants during the ongoing 2021 reauthorization and reform process. **Oppose** recommendations that would raise rates to Coconut Creek ratepayers from FEMA's intent to implement Risk Rating 2.0.



## FEDERAL ISSUE: Water Quality Legislation and Rulemaking – PFAS

### BACKGROUND & EFFECT ON COCONUT CREEK

Per- and polyfluoroalkyl substances (PFAS), a class of over 9,000 man-made chemicals manufactured and used in various industries around the globe, have made their way into communities around the country. This pollution is particularly common in communities near military installations, airports, and industrial sites. Most directly affected are local governments' drinking water and wastewater with PFAS found in soil, landfills, waterways, and many other locations.

On April 10, 2024, the EPA finalized the National Primary Drinking Water Regulation (NPDWR), establishing Maximum Contaminant Levels (MCLs) for specific PFAS in drinking water. This regulation sets enforceable limits on six PFAS chemicals, including widely recognized substances such as PFOA and PFOS, to address potential health risks. The NPDWR aims to reduce public exposure to these "forever chemicals," which have been linked to serious health issues such as cancer, liver damage, and developmental effects. By mandating regular monitoring, public notification, and corrective measures when levels exceed the MCLs, the regulation represents a significant step toward improving drinking water safety and protecting communities from the long-term impacts of PFAS contamination.

On April 19, 2024, the EPA formally designated PFAS as hazardous substances under the *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)*. This classification empowers the EPA to enforce stricter liability on entities responsible for releasing PFAS into the environment and mandates reporting of significant discharges of these chemicals. The designation under CERCLA is critical in enhancing regulatory oversight and advancing efforts to clean up contaminated sites while holding polluters accountable. It also facilitates better public awareness and prioritization of resources to address PFAS pollution nationwide.

As communities across the country face challenges addressing PFAS contamination, many are turning to legal suits to recover damages and cleanup costs. Several large manufacturers of PFAS chemicals have reached settlements with local governments, and other legal cases are still pending in courts.

These suits come as the U.S. Environmental Protection Agency is undergoing several rulemaking processes regarding PFAS, and Congress is drafting legislation. The results of these actions may affect the City's liabilities and future costs.

Local governments, including water utilities, municipal landfills, and solid waste facilities, are passive receivers of PFAS chemicals that do not cause or contribute to contamination. Additionally, local governments, including municipal airports and fire departments, were required by federal law to use firefighting foam containing PFAS chemicals. As such, local governments should not be held liable for PFAS contamination or cleanup costs. Rather, polluters should pay for cleanup – not communities and taxpayers.

In 2025, we expect the Trump Administration to re-evaluate PFAS Regulations and potentially the passive receivership exceptions.

## 2025 POSITION

***Monitor*** the development of PFAS chemical treatment legislation and rulemaking for water quality standards that may impact the City financially. ***Pursue*** EPA STAG grant funding opportunities, as necessary.

## FEDERAL ISSUE: Energy Exploration

### BACKGROUND & EFFECT ON COCONUT CREEK

Offshore Energy Development: Florida's western and eastern coasts are under a moratorium on oil and gas activities within 125 miles of the Florida coastline under the *Gulf of Mexico Energy Security Act (GOMESA) of 2006*. The original moratorium was set to expire in 2022 but was extended through 2032 by then-President Trump. The latest moratorium also expands the 10-year ban to Florida's Atlantic coast.

In September 2023, the U.S. Department of Interior announced its long-awaited 5-year Offshore Leasing Plan for oil exploration as required by the *Outer Continental Shelf Lands Act* – referred to as “the Plan” in that Act. The Plan calls for a maximum of three offshore oil and gas lease sales in the Gulf of Mexico in 2025, 2027, and 2029, with no lease sales scheduled for the Atlantic and Pacific Oceans and Alaska.

The Interior Department's Bureau of Ocean Energy Management (BOEM) stated that the Plan included the minimum number of offshore oil and gas lease sales to enable BOEM "to continue to expand its offshore wind leasing program through 2030." The *2022 Inflation Reduction Act (IRA)* requires the Interior Department to hold at least one offshore oil and gas sale within the year of any offshore wind lease sale. The Interior Department has a 60-day waiting period before formal approval. In prior plans and historically, the Interior Department has offered approximately 11 lease sales in a five-year span.

In response to the Department of the Interior's (DOI) recently finalized 2024–2029 offshore oil and gas leasing program, the American Petroleum Institute (API) has filed a motion to intervene. This program reduced the originally proposed 11 offshore lease sales to just three, focusing on the Gulf of Mexico while omitting new sales in the Atlantic, Pacific, and Alaskan waters. The reduction aligns with the Biden administration's climate goals and the IRA requirements, which ties offshore oil and gas leasing to offshore wind development. API and oil companies like Chevron and Shell have challenged these limitations, arguing that fewer lease sales could negatively impact U.S. energy security and competitiveness.

Simultaneously, environmental groups have filed lawsuits arguing that even the reduced lease sales fail to adequately address climate change impacts and environmental justice concerns, particularly for Gulf Coast communities already facing pollution and climate risks. This legal battle reflects broader tensions between fossil fuel interests and environmental priorities under the current administration's push for a cleaner energy future.

Fracking: Broward County has passed resolutions explicitly opposing hydraulic fracturing, acid fracturing, and other forms of well-stimulation within Florida. These resolutions are framed as a means to protect public health, the environment, and the country's natural resources. Additionally, Broward County has urged the Florida Legislature to enact a statewide ban on fracking, emphasizing that the risks of groundwater contamination and ecological damage extend beyond county lines.

If fracking were introduced in Florida, residents in counties with a history of oil and gas extraction, such as Escambia, Santa Rosa, Collier, Lee, Hendry, and Lee, would likely be the primary targets. Counties neighboring these extraction-prone areas are likely to experience the impact of fracking as well, given that the application of horizontal drilling techniques could

facilitate exploration for miles in underground horizontal directions. Consequently, counties, including Broward, Miami-Dade, Glades, Okaloosa, and others, might be susceptible to fracking-related impacts. Given these potential concerns, VSA will continue to closely monitor any initiatives by the incoming administration that would affect future oil and gas exploration on public lands and any efforts that could lead to fracking in Florida.

## 2025 POSITION

***Oppose*** relaxation of the prohibition against leases on permits for drilling oil or gas wells within the boundaries of Florida's territorial seas. ***Oppose*** legislation preventing the Florida Department of Environmental Protection from blocking requests for offshore drilling in federal waters off Florida's coast. ***Oppose*** seismic surveying within the Everglades, surrounding critical areas, or other federal lands. ***Oppose*** efforts to ease restrictions on hydraulic fracturing and other oil and gas extraction activities.

## **FEDERAL ISSUE: Waters of the United States and Regulatory Reform**

### **BACKGROUND & EFFECT ON COCONUT CREEK**

Congress enacted the *Clean Water Act (CWA)* in 1972 with the statutory objective “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.” One of the Act’s principal tools in achieving that objective is prohibiting the discharge of pollutants from a point source to “navigable waters” unless otherwise authorized. “Navigable waters” are defined in the Act as “the waters of the United States, including the territorial seas.” Thus, “waters of the United States” (WOTUS) is a threshold term establishing the geographic scope of federal jurisdiction under the CWA. The term “waters of the United States” is not defined by the Act but has been determined by the EPA and Army in regulations since the 1970s and jointly implemented in the agencies’ respective programmatic activities.

The EPA and the U.S. Army Corps of Engineers (USACE) announced a final rule amending the 2023 definition of “waters of the United States” to conform with the recent Supreme Court decision in *Sackett v. EPA*. In announcing the new rule, the agencies say their actions provide the clarity needed to advance the CWA's goals while moving forward with infrastructure projects, economic opportunities, and agricultural activities.

While the 2023 Waters of the United States proposed rule, issued by the agencies on January 18, was not directly before the Supreme Court, the agencies said the decision in *Sackett* made clear that certain aspects of the 2023 rule are invalid. The amendments are intended to be limited and change only parts of the 2023 rule that are invalid under the *Sackett v. EPA* decision. For example, the final rule removes the significant nexus test from consideration when identifying tributaries and other waters as federally protected.

With this action, the USACE will resume issuing all jurisdictional determinations. Because this rule's sole purpose is to amend specific provisions of the 2023 Rule that are invalid under *Sackett*, it will take effect immediately.

The WOTUS Rule may affect which project actions within the City require CWA permitting and additional environmental analysis. This includes actions taken by the City and other public and private project sponsors.

As of early 2024, multiple states and interest groups are challenging the EPA's amended WOTUS rule, particularly after the *Sackett v. EPA* Supreme Court decision. For example, 24 states have filed a complaint in the U.S. District Court for North Dakota, arguing that the rule is overly broad, vague, and violates the CWA, asking the court to vacate the amended rule. They state the rule improperly includes waters with "no reasonable connection" to navigable waters, creating an arbitrary and unclear regulatory framework that could impose excessive burdens on landowners. In addition, Texas and Idaho have filed their own complaints, arguing that the EPA issued the amended rule without providing a public comment period, violating administrative procedures.

Each Administration for the past several years has revised this rule to align it with Administration policy. We expect that the Trump Administration will review the current rule in 2025 and recommend a new policy closer to the policy they supported in 2017.

#### 2025 POSITION

***Monitor*** the Administration's efforts in implementing the new ruling defining waters of the United States and evaluate cost impacts to the City.

## FEDERAL ISSUE: Climate Change

### BACKGROUND & EFFECT ON COCONUT CREEK

During President-elect Trump's first term, his administration prioritized deregulation to support the fossil fuel industry and changed significant climate-related policies established under President Obama. Most notable actions included canceling methane emissions reporting requirements for oil and gas companies, revising rules limiting emissions on public lands, and weakening standards for toxic emissions from major industrial polluters. The administration also stopped the enforcement of rules that limited the use of hydrofluorocarbons in appliances, repealed mandates for tracking vehicle emissions on federal highways, and directed agencies to stop the use of the "social cost of carbon" to estimate the long-term economic benefits of reducing carbon dioxide emissions.

In his second term, President-elect Trump will likely take significant actions to reverse many of President Biden's climate change mitigation efforts. Trump's campaign emphasized repealing Biden-era climate policies like the IRA, which supported clean energy projects and manufacturing jobs nationwide. While some Republicans have voiced support for preserving aspects of the IRA due to its economic benefits, Trump's administration could still scale back funding over time, potentially causing these programs to die out. Additionally, Trump will likely remove the U.S. from the Paris Climate Agreement again. The Biden administration is urgently working to protect mitigation efforts by releasing many grants under the IRA and IIJA to make projects more resilient to defunding efforts.

### 2025 POSITION

**Monitor** any proposed climate change legislation that may impact the environment and ensure that any adverse environmental and health impacts are disclosed prior to approval.

## FEDERAL ISSUE: Monarch Butterfly

### BACKGROUND & EFFECT ON COCONUT CREEK

The Monarch butterfly thrives as a year-round resident in Southern Florida, thanks to the region's warm climate and the consistent availability of host plants like milkweed. Beyond supporting resident populations, Florida plays a pivotal role as a key stopover and destination for migratory Monarchs from northeastern North America. Monarchs traveling from northeastern United States and southeastern Canada rely on Florida as an essential location for breeding and surviving the winter.

Coconut Creek, proudly known as the “*Butterfly Capital of the World*,” exemplifies a strong commitment to environmental stewardship and biodiversity. Home to Butterfly World—the largest butterfly park in the world—the City has long been a haven for pollinators, including the iconic Monarch butterfly. Despite this dedication, Coconut Creek, like many communities nationwide, faces the troubling decline of Monarch populations. Habitat loss, climate change, and pesticide use have significantly impacted these vital pollinators, threatening both resident and migratory populations. Since 2005, Florida's Monarch butterfly population has plummeted by 80% (Ref. Florida Museum of Natural History).

As a result of the declining population, the U.S. Fish and Wildlife Service (USFWS) joined Tribes, state agencies, and other federal agencies to identify threats to the Monarch and take steps to conserve Monarchs where they exist. In December, the USFWS proposed listing the Monarch butterfly as threatened under the Endangered Species Act with a proposed ruling currently open to public review. The proposed rule can be found [here](#).

The USFWS will hold virtual public meetings over the proposed listing on January 14 – 15, 2025. Information on attending the USFWS meetings can be found on their website.

### 2025 POSITION

**Monitor** the development of the proposed listing of the Monarch butterfly under the Endangered Species Act. **Support** policies that protect the Monarch butterfly and stop its declining populations.



## Social Services & Economic Development

### FEDERAL ISSUE: Department of Housing & Urban Development Grant Programs

#### BACKGROUND & EFFECT ON COCONUT CREEK

The number of affordable homes for the typical family in South Florida has plummeted to some of the lowest levels in almost a decade. Higher mortgage rates, low supply and intense demand combined have increasingly made affordability a challenge. According to the 3<sup>rd</sup> Quarter 2024 National Association of Home Builders/Wells Fargo Housing Opportunity Index, the Miami-Fort Lauderdale-Pompano Beach metro area housing market is in the top five most severely cost burdened markets in the nation; the report estimates a typical family must pay 63% of their income to live in a median-priced existing home. The need to expand affordable housing options, supported by federal funding opportunities, is clear.

While the Department of Housing and Urban Development (HUD) provides various funding opportunities, the Community Development Block Grant (CDBG) program stands out as a significant resource for Coconut Creek, FL. As a recipient of direct allocations through this program, Coconut Creek can strategically leverage CDBG funds to realize its long-term housing goals. The CDBG program empowers elected county officials to comprehensively plan, implement, and evaluate local community development and housing assistance initiatives. By committing CDBG funds to projects aligned with local priorities, Coconut Creek can make significant strides in addressing housing and the specific needs of low-income populations within its jurisdiction. The established objectives of the CDBG program align seamlessly with Coconut Creek's vision, aiming to promote affordable housing, expand economic opportunities, and enhance community infrastructure in low to moderate-income areas.

CDBG was funded at a level of \$3.3 billion in FY24. With FY25 funding bills stalled, however, and a continuing resolution likely that will keep the government funded through early spring, it is difficult to predict the final FY25 funding amount. While both the House and Senate proposed to keep funding at the same level in their respective FY25 THUD bills, the new Congress, under full Republican control and looking for spending cuts, could choose to lower that amount when considering final FY25 spending levels. In addition, in the first Trump Administration, all four of the President's budget requests proposed eliminating CDBG entirely, and its formula spending could once again be a target for the incoming Administration.

#### RELATED FEDERAL FUNDING OPPORTUNITIES

- HOME Investment Partnerships Program
- Continuum of Care, Homeless Assistance Program
- Community Development Block Grants Program
- Supportive Housing for the Elderly Program
- Supportive Housing for Persons with Disabilities Program

#### 2025 POSITION

**Support** continued, adequate funding for the Community Development Block Grant program for future fiscal years because of its critical role in the City's efforts to support those that are least

fortunate and ***oppose*** any effort to eliminate or severely cut CDBG funding. ***Monitor*** current legislation reforming the CDBG emergency funding program and its potential impacts on the City.

## FEDERAL ISSUE: Healthcare Policy & Reform

### BACKGROUND & EFFECT ON COCONUT CREEK

The American Rescue Plan (ARP), the Administration's COVID relief plan that passed in March 2021, contained multiple provisions intended to bolster the *Affordable Care Act (ACA)* and get more Americans health coverage. The ARP did this by increasing funding for Medicaid and the Children's Health Insurance Program, expanding COBRA subsidies, and enhancing subsidies for ACA marketplace coverage, including for people receiving unemployment benefits.

The extension of ACA premium subsidies, in particular, has significantly impacted healthcare coverage for low and middle-income residents in Florida, which leads the nation in ACA plan enrollment — in absolute numbers and as a percentage of its population. As of 2023, there are 3.2 million Floridians enrolled, nearly 15% of the state's population. The more people with access to affordable health insurance, the less the burden on city's resources for addressing uncompensated care. This, in turn, has helped alleviate the financial strain on city-funded healthcare programs and facilities.

The premium subsidies, which were extended by the IRA, are set to expire at the end of 2025. In December 2024, the Congressional Budget Office (CBO) released an estimate that if Congress fails to extend the increased subsidies, approximately 2.2 million people will become uninsured in 2026 alone, with an average of an additional 3.8 million people losing health insurance every year through 2034. There could be movement on this issue in final FY25 spending negotiations; the Washington Post reported in early December that Congressional Democrats had made an offer to their Republican counterparts to extend the subsidies for an additional year in exchange for automatic budget cuts (also known as a "sequester") elsewhere.

The IRA will also begin capping the cost of out-of-pocket prescription drugs for individuals enrolled in Medicare at \$2,000/year starting in FY 2025. Beneficiaries will be able to distribute those drug costs through monthly payments throughout the year. Capping prescription drug costs will improve health outcomes for the most vulnerable and reduce the burden on locally funded hospitals and emergency rooms. The IRA also contained a provision to provide free CDC-recommended vaccines to individuals enrolled in Medicare.

The ACA and Medicaid continue to be a perennial source of tension between Republicans and Democrats in both chambers of Congress. As lawmakers navigate potential policy and budgetary changes, VSA will closely monitor developments and advocate for policies that align with the needs of Coconut Creek's residents.

### 2025 POSITION

**Monitor** changes to Medicare in relation to any healthcare reform legislation. **Monitor** implementation of provisions in the IRA.

## FEDERAL ISSUE: Affordable Senior Healthcare

### BACKGROUND & EFFECT ON COCONUT CREEK

Many seniors are becoming increasingly concerned about escalating healthcare costs, including the price of prescription drugs, medical billing, and out-of-pocket expenses. According to a comprehensive survey conducted by West Health and Gallup, nearly two-thirds of adults aged 65 and above acknowledge that healthcare costs pose either a major (15%) or minor (51%) financial burden. This financial strain has forced a significant portion of this demographic to make difficult sacrifices with one in four seniors reporting that they reduced their spending on essential needs like food, utilities, clothing, or medication to cover healthcare costs. Moreover, 11% of seniors admitted to skipping prescribed medication to save money.

Initiatives at the federal level to improve the affordability of healthcare for seniors have included efforts to increase transparency in drug pricing, promote competition between pharmaceutical companies, and encourage the use of generic drugs. In addition, laws like the *Medicare Modernization Act* have tried to make it easier for seniors to access affordable medications. Policymakers have also looked into ways to import cheaper prescription drugs and negotiate drug prices for Medicare. Although some progress has been made, there is clearly much more work to be done in ongoing collaboration with the federal agencies, Congress, and the administration to make meaningful and sustainable improvements in healthcare affordability for seniors.

Using authority from the IRA, the Centers for Medicare & Medicaid Services is to announce a list of up to 15 Medicare Part D drugs to be selected for the second round of price negotiation by February 1, 2025, after concluding the first round of negotiation for 10 Part D drugs in August 2024. The initial drug list included widely prescribed medicines used to treat a variety of common conditions in the elderly, including diabetes, blood clots, kidney disease, heart failure, and arthritis.

### 2025 POSITION

**Monitor** legislative and regulatory initiatives impacting the affordability of healthcare of seniors.  
**Support** federal efforts to contain and reduce the price of prescription drugs.

## **FEDERAL ISSUE: Assistance to Small Businesses**

### **BACKGROUND & EFFECT ON COCONUT CREEK**

Small businesses play a pivotal role in the economic landscape of Coconut Creek, Florida, contributing significantly to the city's vibrancy and overall prosperity. Recent estimates from the Broward County Office of Economic and Small Business Development indicate that 89% of all businesses in the County have less than 20 employees. These enterprises, ranging from local boutiques and cafes to specialized professional services, collectively form the backbone of the community. Recognizing the importance of small businesses, Coconut Creek has demonstrated a steadfast commitment to fostering an environment where local entrepreneurs can thrive.

Van Scoyoc Associates will continue to assist Coconut Creek in securing federal funds to support the expansion and retention of small businesses to drive local job creation and economic development. The Small Business Administration (SBA) administers several such programs to help small businesses, including:

- direct disaster loan programs for businesses, homeowners, and renters to assist their recovery from natural disasters;
- loan guaranty and venture capital programs to enhance small business access to capital;
- small business management and technical assistance training programs to assist business formation and expansion; and
- programs to increase small business opportunities in federal contracting.

The SBA and its programs could face significant funding obstacles in 2025. In October 2024, after an influx of applications due to Hurricanes Helene, Milton, and other natural disasters around the country, the agency notified Congress that the disaster relief program had run out of funding and would be on pause until new funds were provided. As part of its year-end spending negotiations, Congress is currently considering a supplemental disaster spending package that would provide additional resources to the SBA, and VSA will continue to monitor funding for the program in 2025.

### **2025 POSITION**

**Support** federal policies, legislation, and agency programs that provide direct assistance to support the expansion and retention of small businesses.

# Infrastructure

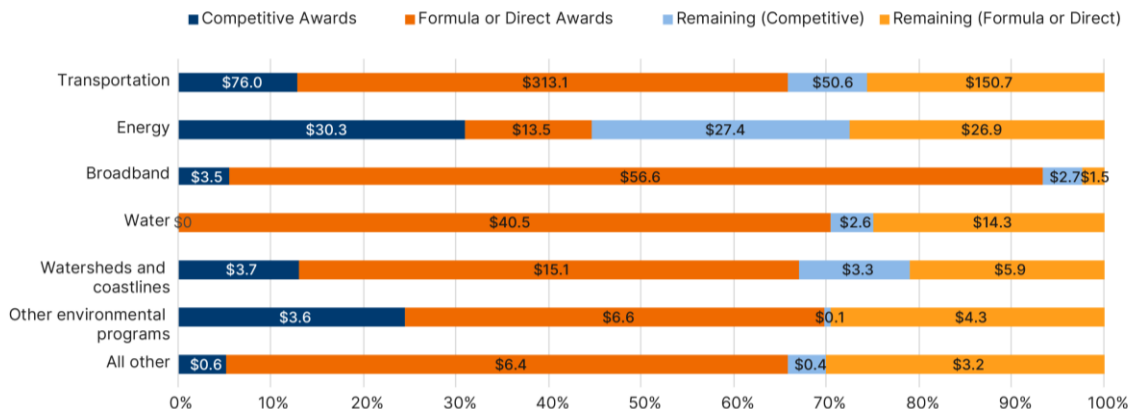
## FEDERAL ISSUE: Infrastructure Investment

### BACKGROUND & EFFECT ON COCONUT CREEK

On November 15, 2021, President Biden signed into law the *Infrastructure Investment and Jobs Act* (IIJA, also commonly referred to as the Bipartisan Infrastructure Law). The IIJA was a broad infrastructure bill that included reauthorization of the surface transportation bill, water infrastructure legislation, and the *Energy Infrastructure Act*. The bill includes \$550 billion in new funding and, when combined with the other pieces of passed legislation, reaches a funding total of approximately \$1 trillion.

Most programs in the IIJA were meant to last five years; this means the incoming Trump Administration will be charged with executing the final two years of the law's programming. Through the first three years of the law's implementation, the Biden Administration has awarded approximately \$570 billion, or 66% of the IIJA's original funding, leaving roughly \$294 billion for the Trump Administration to award. Approximately \$88 billion remains in competitive funding, and Trump appointees will have wide latitude to administer those funds and choose winners.

### IIJA-Awarded Funding, By Infrastructure Sector & Funding Type (As Of November 15, 2024)



Source: *Brookings Metro*

There will be serious obstacles in the implementation of the IIJA's final two years of spending. Like any new administration, it will take time for the Trump White House to staff up the implementing agencies and departments charged with executing the law, such as the Department of Transportation. Staff will then need to familiarize themselves with these programs, their application processes, and evaluation criteria, all of which could lead to a slowdown in the rollout of funds in the first few months of the Trump Administration.

In addition, the new Administration has made it clear that cutting federal spending is a priority, and the money remaining in the IIJA could be an attractive target for such efforts. Congressional

Republicans are holding close their agenda for early 2025, but the Trump Administration could request and Congress could rescind the remaining IIJA funds, or use them as offsets for an extension of the 2017 tax cuts. That could be a difficult fight, however. A number of IIJA programs were funded with advance appropriations, meaning funding for future fiscal years could have already been obligated, and politically, the IIJA was crafted and passed with bipartisan support; plenty of Republican lawmakers will have an interest in bringing the remaining funding to projects in their states and districts, and many will not want to spend political capital with just two years of spending left.

## 2025 POSITION

**Support** continued implementation of the IIJA. **Support** all opportunities to secure funding for Coconut Creek's infrastructure priorities with reauthorization of existing programs within the Act and funding for new programs. Consider a short-term and long-term strategy to take advantage of these funding opportunities. **Support** funding strategies and opportunities to support the Complete Streets Improvement Project.

## FEDERAL ISSUE: *Inflation Reduction Act*

### BACKGROUND & EFFECT ON COCONUT CREEK

On August 16, 2022, the President signed into law the IRA with the aims of curbing inflation by reducing the deficit, lowering drug prices, and investing in domestic energy production. Notably, the IRA allows tax-exempt and governmental entities to receive elective payments for 12 clean energy tax credits, including the major Investment and Production Tax credits, as well as tax credits for electric vehicles and charging stations. Businesses can also choose elective pay for three of those credits: the credits for Advanced Manufacturing (45X), Carbon Oxide Sequestration (45Q), and Clean Hydrogen (45V).

In March 2024, the Department of the Treasury released its final “Elective Pay” rule for many renewable energy tax credits created in the IRA. Direct Pay allows cities, counties, and other state and local government agencies to claim these tax credits that have previously only been available to those who pay taxes to the federal government. The final rule clarifies which entities are eligible for credit monetization mechanisms and outlines the process to claim or transfer credits.

Many of the IRA’s clean energy programs and elective pay credits could be at risk in 2025, though a full repeal of the law seems unlikely. During the 2024 campaign, then-candidate Donald Trump explicitly stated he would attempt to rescind any unspent funds should he be elected, and with his election and full Republican control of Congress, it seems more likely than not his Administration will attempt to claw back at least some funding to use as an offset for any extension of the 2017 tax cuts.

Clean vehicle programs and tax credits, in particular, could be vulnerable and have attracted a great deal of attention in the aftermath of the 2024 election. Incentives for the generation of wind and solar power have also drawn the ire of Congressional Republicans and could be on the chopping block, as could the energy efficiency credits for consumers and homeowners.

### 2025 POSITION

**Support** the implementation of the IRA. **Support** all opportunities to secure funding for Coconut Creek’s infrastructure priorities with funding for new programs. Consider a short-term and long-term strategy to take advantage of these funding opportunities; this includes not just grants but also rebates and new tax credits created by the law that can be accessed by local governments through the IRS’s new “Elective Pay” program. **Monitor** efforts to repeal IRA programs and tax credits.



## **FEDERAL ISSUE: Federal Funding for Deepening/Widening C-14 West Basin**

### **BACKGROUND & EFFECT ON COCONUT CREEK**

The USACE and its non-federal sponsor partner, the [South Florida Water Management District](#) (SFWMD) began a flood risk management (FRM) [study](#) initiated under the authority of Section 216 of the *Flood Control Act of 1970* within the Central and Southern Florida (C&SF) Flood Resiliency Project.

The purpose of the study is to identify the need to provide continued flood risk management to reduce the most immediate risk to the C&SF Project due to changing conditions including climate change, sea level change, land development, and population growth in the lower east coast of Florida in Palm Beach, Broward, and Miami-Dade counties. Potential measures to be evaluated may include a combination of structural, non-structural, natural, and nature-based features.

Current studies demonstrate that the most vulnerable locations to flood risk are within Broward County within the C14 West Basin, which includes Coconut Creek. Flood gates in this area are estimated to only provide protection from a 5-year flood event. Many factors have contributed to this over the years including higher sea levels and increased development.

The study will evaluate future sea level risk and other factors to determine future flood risk and then recommend alternatives to address and protect the basin.

### **2025 POSITION**

**Support** the development of the USACE/SFWMD study. Participate as appropriate with input and data. Monitor potential recommendations that affect Coconut Creek.

# Public Safety

## FEDERAL ISSUE: Cybersecurity Legislation & Policy

### BACKGROUND & EFFECT ON COCONUT CREEK

In an increasingly interconnected world, cyber threats pose a significant risk to local government operations, potentially compromising essential services and residents' privacy. Federal cybersecurity policies often provide guidelines, resources, and funding opportunities that can help enhance the City's resilience against evolving cyber threats. By staying attuned to these policies, the City can tap into crucial resources and funding to ensure it can effectively respond to and recover from cyber incidents, safeguarding the well-being of its residents and the integrity of its digital infrastructure.

In May 2024, the White House released the National Cybersecurity Strategy Implementation Plan (Version 2.0). This plan outlines actions the Federal Government is taking to improve cybersecurity. This plan, which currently governs federal agency policy, has the following components:

- Defend Critical Infrastructure, prioritizing the Healthcare/Public Health Sector, Education Facilities, and Water/Wastewater Systems
- Disrupt and Dismantle Threat Actors
- Shape Market Forces to Drive Security and Resilience
- Invest in a Resilient Future
- Forge International Partnerships to Pursue Shared Goals

The National Cybersecurity Plan served as the Biden Administration's playbook, but it is unclear how it may change in 2025 with the new Administration and Congress. Many, if not all, the issues related to cybersecurity are fairly bi-partisan, and we expect the Plan will continue unchanged for the time being until the new Administration assigns new leaders within CISA and/or establishes new priorities to emphasize, including opportunities for cybersecurity funding for local governments.

### 2025 POSITION

**Monitor** the development of cybersecurity legislation and federal policy. **Support** federal funding and programs that help local governments improve their cybersecurity strategic goals and prevent "ransomware" attacks.

## FEDERAL ISSUE: Federal Funding of Public Safety Programs

### BACKGROUND & EFFECT ON COCONUT CREEK

Most federal grant funding for safety programs within the Departments of Justice (DOJ) and Homeland Security (DHS) is provided as block grants, with each state receiving a certain amount of funding linked to population. That funding is then passed through to local jurisdictions to help support police, fire, emergency management, and homeland security functions. Examples of these formula programs include the Emergency Management Performance Grant (EMPG), the Byrne Justice Assistance Grant (JAG), and Project Safe Neighborhoods (PSN).

In other instances, funding from Federal programs is made available to local governments via competitive grant solicitations. Competitive program funds can be used to hire police officers through Community Oriented Policing Services (COPS) or firefighters through Staffing for Adequate Fire & Emergency Response Grants (SAFER) and purchase equipment through the Assistance to Firefighters Grant (AFG). The IJA increased funding for many of these programs.

While the City has benefited from several formula-based federal programs in the past, VSA will continue to assist the City in pursuing competitive grant opportunities during 2025. We will identify opportunities on a monthly basis while providing a funding analysis of all DOJ and FEMA public safety grant programs of specific interest to the City. We will also prepare strategies for Congressional support for each grant application.

Finally, we will evaluate the new operating rules for the 119<sup>th</sup> Congress in January and verify which Safety Program agency accounts will be eligible for Community Project Funding or Congressionally-directed funding in 2025. We will incorporate this information into the City's funding pursuits and targets as the year unfolds.

### 2025 POSITION

**Support** continued funding for the wide variety of DOJ and DHS grants, i.e., Community Oriented Policing Services, Byrne Justice Assistance Grants, Emergency Management Preparedness Grants, Assistance to Firefighters Grants, Staffing for Adequate Fire and Emergency Response Grants, Urban Areas Security Initiative grants, and other security-specific grants. **Support** the City of Coconut Creek's applications for these funds.

## FEDERAL ISSUE: Mental Health Care Initiatives to Reduce Gun & Other Violence

### BACKGROUND & EFFECT ON COCONUT CREEK

In June 2022, Congress passed the *Bipartisan Safer Communities Act*, marking the first federal legislation in 30 years to combat escalating gun violence. The Act encompasses evidence-based provisions focusing on community-oriented solutions, mental health system improvement, school safety programs, and gun safety laws. Key components include support for state crisis intervention orders, enhanced protection for domestic violence victims, clarification of the "Federally Licensed Firearms Dealer" definition, and establishing an under-21 enhanced review process. The Act embodies a holistic approach to addressing public safety and mental health challenges.

In September 2024, the Biden administration issued a new, more specific Executive Order directing federal agencies to combat the emerging threats of machinegun conversion devices and unserialized 3D-printed firearms. This measure addresses the need to reduce the availability of dangerous firearms in combination with the previous mental health system improvements. According to the White House:

***Machinegun conversion devices*** enable semi-automatic firearms, including easily concealable handguns, to match or exceed the rate of fire of many military machine guns with a single engagement of the trigger. From 2017 through 2021, ATF recovered 5,454 of these devices, a 570 percent increase over the previous five-year period. Machinegun conversion devices are illegal to possess under federal law, but we continue to see these devices show up at crime scenes because they are small, cheap, and easy to install. The 3D printing of a machinegun conversion device costs as little as 40 cents and takes fewer than 30 minutes.

***Unserialized, 3D-printed firearms*** can be 3D-printed from computer code downloaded from the Internet and produced without serial numbers that law enforcement uses to trace firearms recovered in criminal investigations. As 3D-printing technology continues to develop rapidly, the safety threat posed by 3D-printed firearms may suddenly increase.

We expect a softer approach to gun control measures by the new Administration in 2025, but this would not preclude continued focus, policy, and funding for mental health initiatives to reduce gun and other violence by both Congress and the Administration as an alternative to stricter gun control laws.

### 2025 POSITION

**Support** legislation that bans high-capacity assault weapons and unserialized firearms. **Support** legislation that requires thorough background checks and licensing. **Support** legislation that responsibly expands treatment options and mental health programs.

## **FEDERAL ISSUE: Thin Blue Line Legislation**

### **BACKGROUND & EFFECT ON COCONUT CREEK**

A group of congressional leaders has introduced and supported this bill each year because of a significant increase in law enforcement fatalities nationally. Co-sponsors have been exclusively Republicans who argue that this legislation is necessary to address escalating threats to public safety. Opponents cite that this legislation is unnecessary and duplicative to improving law enforcement and community relations, and they add that all 50 states currently have the provision at the state level.

If reintroduced in the 119<sup>th</sup> Congress, the bill could gain more support and improve its chances of passage with a Republican-led House and Senate. VSA will meet with the sponsors in the Senate and House early in the new congressional session to determine interest and needs for broader support for the legislation.

### **2025 POSITION**

**Monitor** the development of legislation that expands statutory aggravated determinations to include killing or targeting law enforcement.

## General Regulatory Issues

### FEDERAL ISSUE: Tribal Legislation & Regulation

#### BACKGROUND & EFFECT ON COCONUT CREEK

Van Scoyoc Associates continues to monitor tribal legislation and regulations to determine if they could impact the City of Coconut Creek. This focus includes any legislation or federal ruling that could affect the Class III Gaming Compact with the State of Florida in accordance with the *Indian Gaming Regulatory Act of 1988*, as well as any federal rule-making efforts that may affect the long-standing relationship between the City and Seminole Tribe.

In December 2023, the Bureau of Indian Affairs (BIA) finalized the fee-to-trust, which reformed the process by which BIA can take tribal land into the federal government's trust. Despite extensive input from municipal entities, including Coconut Creek, the [Final Rule](#) largely mirrored the 2022 Proposed Rule, accelerating the decision timeline to 120 days for complete applications and simplifying criteria for different types of land acquisitions. The rule maintained the 30-day comment period for state and local stakeholders despite many cities flagging this as insufficient for meaningful input during the comment period. The rule also retained the existing process for considering off-reservation impacts, a potential concern for local governments. The Final Rule took effect on January 11, 2024. Specific implementation steps are to be described in more detail in an updated “Fee-to-Trust Handbook” which the BIA is preparing and expected to complete in early 2025. Heading into 2025, VSA will continue to look for opportunities to support tribal self-governance while emphasizing the need for city governments to participate actively in the land-into-trust process.

#### 2025 POSITION

**Monitor** tribal legislation and regulations that could impact the City of Coconut Creek.

## FEDERAL ISSUE: Federal Policy & Legislation Related to Employment & Labor Laws (NEW)

### BACKGROUND & EFFECT ON COCONUT CREEK

Over the past decade, significant federal labor and workforce development policy shifts have profoundly affected municipal workforces. Legislative changes, such as updates to the *Fair Labor Standards Act (FLSA)*, raised overtime pay thresholds, directly influencing city budgets. Similarly, the *Affordable Care Act (ACA)* imposed heightened oversight and compliance requirements for health benefits administration, adding pressure on municipal employers to manage rising healthcare costs. These and other developments have intensified the need for cities to balance employee welfare with fiscal responsibility.

Under the Trump administration, Coconut Creek could face heightened uncertainty as federal labor policies shift toward deregulation and reduced federal oversight. For example, potential rollbacks of FLSA overtime rules could result in eligibility reversals, directly impacting employee compensation and city operations. Likewise, changes to the *Family and Medical Leave Act (FMLA)* could affect how the City supports employees who require leave for personal or family health issues. Furthermore, potential ACA rollbacks to employer mandates under the incoming Trump administration could reduce the quality or affordability of health benefits, complicating recruitment and retention efforts in a competitive job market.

Another likely legislative priority to watch in the 119<sup>th</sup> Congress is reauthorizing the *Workforce Innovation and Opportunity Act (WIOA)*, which lapsed in 2020. This bipartisan legislation has represented the single largest source of federal funding for workforce development opportunities since it was enacted in 2014. Funds from the bill help support job training, employment services, and education for individuals facing barriers to employment across the county. While WIOA has provided substantial resources for workforce development over the past several years, its reauthorization is necessary to address emerging labor market needs and ensure that localities like Coconut Creek can continue to maintain and expand their skilled workforces. The 119th Congress is expected to take up this reauthorization effort, and any changes could directly impact funding streams for local workforce development programs.

### 2025 POSITION

**Monitor** employment and labor law legislation, including but not limited to the FLSA, FMLA, ACA, and WIOA.

## FEDERAL ISSUE: ADA Government Website Accessibility

### BACKGROUND & EFFECT ON COCONUT CREEK

The *Americans with Disabilities Act (ADA)* governs accessibility for those with disabilities. Specifically, Title III of the ADA has been interpreted by the courts to include public websites and the process of making content and functions accessible to those with disabilities. The federal government's goal of accessibility is to ensure that people with disabilities can enjoy the full use of online content and services provided by state and local governments.

In April 2024, the DOJ released the [final rule](#) for state and local government website and mobile application accessibility. The rule formally adopted the [Web Content Accessibility Guidelines \(WCAG\) 2.1 Level AA](#) technical standards. Among the 50 success criteria is ensuring pictures and documents are accessible for individuals with vision loss and providing video captions for those with hearing loss. Public entities with populations greater than 50,000, like the City of Coconut Creek, must comply with the rule by April 24, 2027.

### 2025 POSITION

**Monitor** federal regulations and policies related to ADA accessibility, standards, and requirements for government websites.



## FEDERAL ISSUE: FCC Regulations Supporting the Deployment of Communications Facilities & Wireless Infrastructure

### BACKGROUND & EFFECT ON COCONUT CREEK

On September 26, 2018, the Federal Communications Commission (FCC) adopted a Declaratory Ruling and Third Report and Order titled “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment.” In the order, the FCC clarified when the *Telecommunications Act of 1996* preempts state and local requirements for deploying fifth generation (5G) wireless infrastructure. It also sets time frames (or “shot clocks”) for localities to review 5G infrastructure applications. As described in a press release, the FCC issued the order to “remove regulatory barriers that inhibit the deployment of infrastructure necessary for 5G and other advanced wireless services.”

Many local government entities have characterized the 2018 decision as federal overreach. For instance, the CEO and Executive Director of the U.S. Conference of Mayors stated that it “misapplies federal law to federalize local public property” and “needlessly introduce[s] increased risk of right-of-way and other public safety hazards.” It is clear from the federal court opinions challenging that CFR, at least for the time being, localities retain some ability to regulate the aesthetics of the above-ground installations within their communities.

In the 118<sup>th</sup> Congress, Representative Buddy Carter (R-GA-01) introduced the *American Broadband Deployment Act of 2023*. The Act again specifies “shot clocks” for approval or denial of telecommunication service facilities within 90 days of a request to local jurisdictions. This may be useful to the City, as the State of Florida’s shot clock, under certain scenarios, is as little as 60 days. The bill also sets requirements for local jurisdictions to deny a request. The House Energy & Commerce Committee passed the measure on a party-line 27-23 vote. It did not reach the House floor for a vote by the full Chamber but is likely to be reintroduced in the 119<sup>th</sup> Congress.

### 2025 POSITION

**Monitor** for the reintroduction of the *American Broadband Deployment Act* and generally **oppose** legislation that preempts or limits local government zoning ordinances and its review process for installing 5G “small cell” wireless towers and other broadband infrastructure.

## FEDERAL ISSUE: Transparency

### BACKGROUND & EFFECT ON COCONUT CREEK

Federal efforts to improve transparency and accountability have primarily centered on initiatives that increase public access to information about government spending and programs. Notably, the IIJA required detailed reporting on the use of its \$1.2 trillion in funding for infrastructure projects. This effort was accompanied by improvements to USASpending.gov, which now provides more comprehensive data on federal expenditures, including real-time reporting on contracts, grants, and loans. Additionally, the *Digital Accountability & Transparency Act (DATA) Act* has continued to drive standardization in federal reporting. Despite these efforts, challenges persist in tracking federal spending due to disparate data sources and varying reporting requirements.

These federal initiatives have directly impacted local governments like Coconut Creek, which must meet increasingly stringent reporting requirements to remain eligible for federal funding. For example, projects funded through IIJA require detailed quarterly reports on spending and progress, necessitating investments in staff training and digital systems capable of handling federal data standards. While this increases accountability, it requires a concerted effort to balance compliance with federal mandates, given constrained financial and staff resources.

Looking forward, Coconut Creek remains committed to supporting federal efforts that promote government transparency and the accessibility of public records. However, the City will carefully monitor potential legislative or regulatory changes that might impose additional mandates or costs related to data reporting, advocating for balanced approaches that ensure accountability and operational feasibility.

### 2025 POSITION

**Support** efforts to increase government transparency and accessibility of public records.

**Monitor** efforts that may require increased mandates or costs related to data reporting.

## FEDERAL ISSUE: Federal Marijuana Policy

### BACKGROUND & EFFECT ON COCONUT CREEK

As of December 2024, twenty-four states have legalized the recreational use of marijuana, including hemp and CBD products. Another seven states have decriminalized its use. Thirty-nine states in total allow the medical use of cannabis products, including Florida.

In November 2024, Florida voters considered a ballot initiative that would have legalized recreational, allowing possession of up to three ounces and sales through licensed dispensaries. The measure garnered 55.9% of the vote, just short of the 60% threshold required to pass a state constitutional amendment. This is the first time a Southern state has secured a majority vote for the recreational legalization of the drug.

In May 2024, the U.S. Drug Enforcement Administration (DEA) issued a notice of proposed rulemaking to reschedule marijuana under the *Controlled Substances Act* from a Schedule I to a Schedule III drug. The proposal was consistent with the Department of Health and Human Services' conclusion that marijuana should be reclassified based on its low risk for substance abuse and recognized medical uses. The DEA's public comment period closed on July 22, 2024, with more than 42,000 submissions. Formal hearings began on December 2, 2024. If implemented, the reclassification would be one of the most significant shifts in federal drug policy in decades.

As it currently stands, with marijuana classified as a Schedule III drug, financial institutions providing banking services to state-licensed cannabis businesses are subject to criminal prosecution, such as "aiding and abetting" and money laundering. Therefore, businesses that legally grow, market, or sell cannabis in states that have legalized its sale are generally locked out of the banking system.

In response, Senator Merkley (D-OR) introduced the *Secure & Fair Enforcement Regulation Banking (SAFER) Act* to provide a safe harbor for banks, credit unions, and other institutions providing financial services to state-sanctioned marijuana businesses. The bill received bipartisan approval from the Senate Banking Committee, passing with a vote of 14-9. Notably, then-Senator JD Vance (R-OH) voted "nay." The bill did not make it to the Senate floor. Senator Merkley has championed versions of the bill in the last three Congresses and is likely to reintroduce the Act in the 119<sup>th</sup>.

President-elect Trump publicly stated that during his second term, he will "continue to focus on research to unlock the medical uses of marijuana to a Schedule III drug, and work with Congress to pass common-sense laws, including safe banking for state-authorized companies, and supporting states' rights to pass marijuana laws, like in Florida, that work so well for their citizens." This is largely in line with the Biden-era approach.

### 2025 POSITION

**Monitor** federal legislation and agency policies related to marijuana and hemp and their potential impact on Florida's medical marijuana program and industry.