

Board of County Commissioners
Leon County, Florida

Workshop on 2007 State and Federal Legislative Priorities

October 10, 2006
1:30 - 3:00 p.m.

Leon County Board of County Commission Chambers
Leon County Courthouse, 5th Floor

Board of County Commissioners Workshop Item

Date of Meeting: October 10, 2006
Date Submitted: October 4, 2006

TO: Honorable Chairman and Members of the Board

FROM: Parwez Alam, County Administrator
Vincent Long, Deputy County Administrator
Ken Morris, Intergovernmental Affairs Coordinator

SUBJECT: Workshop on 2007 State and Federal Legislative Priorities

STATEMENT OF ISSUE:

To conduct a workshop with the Board on the state and federal legislative priorities to guide the County's lobbying efforts for the 2007 state legislative session and the first session of the 110th Congress.

BACKGROUND:

Historically, the Board has conducted a workshop with staff on legislative priorities to guide the County's lobbying efforts. In recent years, staff has utilized this forum to receive Board direction on and approval of priority legislative issues to guide the County's lobbying efforts at both the state and federal level.

ANALYSIS:

Upon the close of the state legislative session each year, staff solicits legislative appropriations and policy requests from the County's departments. A follow-up working session is conducted with staff to compile a proposed list of new policy issues and appropriations requests, as well as others sought in previous sessions, for Board consideration. Staff has identified 11 appropriation requests for the 2007 state and federal legislative cycles. (please see Attachment #1). Additionally, staff has identified 16 policy statements for the 2007 state legislative session (please see Attachment #2).

Rather than ask the Board to rank projects in priority order, staff is seeking Board assent to the state and federal substantive and appropriations issues presented here to be included in the County's 2007 State and Federal Legislative Programs. Upon Board approval, staff and contract lobbyists will pursue all of the legislative issues approved by the Board, and in so doing, place appropriate priority on the issues given the opportunities that arise during the legislative process. Notwithstanding this, staff will assign priority to any issue that the Board directs to receive a special level of attention in 2007. Staff would also like to welcome the addition or deletion of issues that the Board deems appropriate for our 2007 legislative efforts.

It is important to note that in addition to the specific Leon County issues identified herein by staff, much of the County's legislative efforts each session are focused on statewide issues in conjunction with the Florida Association of Counties (FAC). FAC will finalize their 2007 legislative program during their legislative conference on November 29, 2006. These issues are often times the most critical issues facing the County during the State legislative session. The Board will have an opportunity to communicate its legislative priorities prior to the 2007 legislative session, when the

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 2

County hosts the Leon County Legislative Delegation for a public hearing in the Leon County Commission Chambers. It is important for the Board to be active participants in the legislative process by testifying on behalf of the County and working with the Legislative Delegation. Staff will continue to keep the Board involved in legislative issues through agenda items, resolutions, memorandum, "call to action" emails, and weekly *Capital Updates* throughout session.

**PROPOSED LEON COUNTY 2007 STATE & FEDERAL LEGISLATIVE SESSION:
Appropriation Requests**

(Please Note: For complete information on each, see Attachment #1)

The Board of County Commissioner's practice of retaining professional contractual lobbying services, at both the state and federal levels, is based primarily on increasing the County's chances of obtaining legislative appropriations. Staff works throughout the year to identify County projects for which to submit state and federal appropriations requests. The 2007 appropriation requests identified below include costly capital projects ranging from increased funding for stormwater and transportation needs to facilities projects.

One of the most important appropriation requests that the County has targeted for state funding is the Mahan Drive (US 90) road widening project from Dempsey Mayo Road to I-10. This project was made a priority by the Board during FY 2004/05. An important accomplishment came in 2005, as the County, *Blueprint 2000*, and the Capital Regional Transportation Planning Agency (CRTPA) successfully advocated for Mahan Drive to be designated as a part of the Strategic Intermodal System (SIS), and thus eligible for SIS funding. SIS was created in 2003 to ensure adequate planning and funding of transportation systems that connect airports, seaports, bus terminals, and major highways. Staff has been working with the Florida Department of Transportation (FDOT), who administers the SIS program, to prioritize this project for SIS funding. In 2005, the Legislature created the Transportation Regional Incentive Program (TRIP) to improve regional transportation facilities through a partnership of local governments, the state, and the private sector. Under TRIP, FDOT may provide up to 50 percent of project costs for regional projects such as Capital Circle Southeast. The County has had success during the past two years in securing SIS and TRIP funding for priority projects, including \$42.6 million for right of way purchase along Capital Circle SW through SIS and \$11.3 million for Capital Circle SE through TRIP. The County will continue to seek state funding under both TRIP and SIS as part of the 2007 legislative cycle, as well as seek federal funding for these Board priorities.

The Board's 2006 top retreat priority to establish a joint dispatch center is included in the 2007 State and Federal appropriation requests. At the Board's 2006 Annual Retreat, the Board directed staff to pursue a joint dispatch center to ensure that the closest available unit is dispatched to an emergency, reducing the response time during a critical emergency in a coordinated manner. The County has been working with the Leon County Sheriff's Office and the City of Tallahassee under a Memorandum of Agreement with future intentions of executing an interlocal agreement. Although the Board has not provided staff with formal direction to proceed with the construction of the joint dispatch center, the 2007 appropriation request will serve as a placeholder should the Board choose to pursue this endeavor. Staff will continue to work with the Public Safety Communications Board as directed by the Board.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 3

The County has also applied for three grants through its Parks and Recreation Division. Two of these projects will be requested under the Department of Environmental Protection's Florida Recreation Development Assistance Program (FRDAP). The program provides a 100% match for acquisition or development of land for public outdoor recreation. The Board authorized staff to submit applications for the Lake Henrietta Trail System and the Miccosukee Greenway Trail head. In 2006, the County was awarded a grant from FRDAP in the amount of \$112,000 for the renovation of playground equipment and restrooms at J. Lewis Hall, Sr. Park in Woodville. A grant will also be requested for the construction of Phase I landscape on Route 27 in front of the Apalachee Regional Park under the One Florida Highway Beautification Council Grant.

The other projects listed below, from the Wakulla Springs Aquifer Protection Project to the Lake Jackson Ecopassage, provide staff and the County's contract lobbyists with the opportunity to identify and advocate for funding of Board priorities that match with state and federal objectives, during the legislative process. During the 2006 legislative session the Wakulla Springs Aquifer Protection Project was appropriated \$250,000 which was subsequently vetoed by the Governor. Staff will continue to actively secure funding for this project and others during the 2007 legislative session. The following is the proposed Leon County 2007 State and Federal appropriation requests:

<u>Mahan Drive</u>	\$40,000,000
Dempsey Mayo Rd. to I-10 - Construction	
<u>Leon County/ City of Tallahassee Joint Dispatch Center</u>	\$15,000,000
Construction	
<u>Capital Circle Southeast</u>	\$8,000,000
Woodville Hwy to Tram Rd - Construction	
<u>Wakulla Springs Aquifer Protection Project</u>	\$300,000
Planning/Design	
<u>Frenchtown Primary, Specialty & Mental Health Clinic</u>	\$3,000,000
Siting/Planning/Construction	
<u>Emergency Medical Services Facility</u>	\$2,100,000
Construction	
<u>Lake Jackson/Lexington Flood Mitigation/Water Quality Retrofit</u>	\$750,000*
Land acquisition and construction	
<u>Lake Jackson Ecopassage</u>	\$4,500,000
Construction	
<u>Lake Henrietta Trail System</u>	\$200,000#
Construction	

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 4

<u>Miccosukee Greenway Trailhead</u>	\$90,000#
Construction of trailhead/restrooms	
 <u>Route 27 Beautification Landscape</u>	 \$100,000
Landscape Construction	

- * DEP Water Quality Program Grant to be submitted, requires 2007 legislative approval
- # FRDAP grants require 2007 state legislative approval.

PROPOSED LEON COUNTY 2007 STATE LEGISLATIVE SESSION
Policy Requests

(Please Note: For complete information on each, see Attachment #2)

Like most legislation, much of the County's legislative efforts are incremental and are focused on issues that are built upon throughout several sessions. However, each year staff evaluates the trends and issues affecting all County programs and services to identify potential policy or "substantive" legislative issues. Significant substantive issues that have been identified for County participation range from protection of charter county home rule to property tax reform; from continued state funding for state aid to libraries grant programs to increased funding for mental health services. The impact of state violators of probation (VOPs) on the county jails is an issue that burdens most Florida counties, including Leon County, which FAC intends to address at its annual legislative conference on November 29, 2006.

In addition to the substantive issues identified by the County, staff works daily with FAC and the Florida Association on Intergovernmental Relations (FAIR) to identify developing issues that effect counties during session's quick pace. In many cases, the County joins FAC and FAIR members to advocate for or against initiatives that would substantially impact counties (*Please note: FAIR members are representatives of local governments from across the state.*) Please find, below, a listing of the proposed Leon County 2007 state legislative session policy requests. Each request provides a brief overview of the issue and indicates the specific legislative action recommended:

Section I. Finance and Tax

Property Tax Reform

Issue: The 2006 Legislature considered numerous property tax reform bills and proposed constitutional amendments on the Homestead Exemption and "Save Our Homes" program. The Legislature directed the Department of Revenue to study the state's property tax structure and offer recommendations prior to the 2007 legislative session. In addition, the Governor created a property tax reform committee to address similar property tax issues.

Action: Oppose property tax reform that would significantly restrict the ability of counties to provide high quality services and address critical community needs.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 5

County Expenditures

Issue: Legislation to reduce local government authority by limiting expenditure authority was closely tied to the property tax reform efforts of 2006.

Action: Oppose legislation restricting or eroding local government fiscal autonomy.

State Cost-shift opposition

Issue: The 2004 Legislature passed a bill shifting \$90 million in state costs for the predisposition of juvenile offenders to counties. This legislation will impact Leon County annually, and resulted in a \$1.4 million expense in 2005 alone. In 2005, the Legislature upheld the cost shift despite counties' strong opposition.

Action: Support the continued state funding of state programs and oppose any cost shifts to counties.

Payment In Lieu of Taxes (PILOT)

Issue: In 2002, the Legislative Committee on Intergovernmental Relations studied the PILOT issue and it's potential applicability for Florida. Substantial efforts to pass PILOT legislation, as led by Leon County, has been met with significant opposition and was unsuccessful. However, this worthy issue remains qualified for additional legislative effort.

Action: Seek legislation creating a new PILOT program beneficial to Leon County.

Budget Adoption

Issue: Florida Statutes requires county budget officers to submit the tentative budget no later than 15 days after the certification of value. This makes it extremely difficult to get the budget document finalized for distribution to county commissioners.

Action: Support efforts to extend deadline to submit the tentative budget from 15 to 21 days after the certification of value.

Section II. Growth Management, Environment, Transportation & Infrastructure

Growth Management Reform

Issue: The 2005 Legislature passed Senate Bill 360, including significant growth management reforms ranging from school planning to water supply funding. The Board has held several workshops on the implementation of SB 360 and also hosted its first-ever "Smart Growth Summit" on June 7, 2006, to give the community an opportunity to interact firsthand with local and state planning and growth management officials.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 6

Action: Continue to monitor growth management issues and advocate the County's position through the Florida Association of Counties and County's Planning Department.

SIS Funding

Issue: Legislators created the Strategic Intermodal System (SIS) in 2003 to improve the system by which state road projects are prioritized for funding. During the 2004 regular session, a funding mechanism for this system was designated. In 2005, FDOT awarded \$42.6 million in SIS funding for the advanced right of way purchase for the widening of Capital Circle SW. Later that year, FDOT designated Mahan Drive as an SIS Connector. For 2007, staff will continue to work with key decision makers to place priority County transportation projects on the SIS and enhance the potential for state funding of these County projects.

Action: Support continued funding for county transportation projects through SIS.

TRIP Funding

Issue: In 2005 the Legislature created the Transportation Regional Incentive Program (TRIP) under SB 360 to improve regionally significant facilities in "regional transportation areas." The program, administered by FDOT, provides a 50% match in state funding to local governments and the private sector for critically needed projects that benefit regional travel and commerce. On November 8, 2005 Capital Circle Southeast from Woodville Highway (State Road 61) to Tram Road received \$4.3 million in TRIP funding for right-of-way acquisition. The project received an additional \$7 million for construction in the spring of 2006.

Action: Support continued funding for county transportation projects through TRIP.

Section III. Health and Social Services

Mental Health

Issue: Improve the shortage of local treatment opportunities and reduce the number of mentally ill in the county jail.

Action: Support expanded funding for mental health services across the region and state.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 7

Section IV. Public Safety

County Jail

Issue: Jail Overcrowding

Action: Support the Florida Association of Counties and the Florida Sheriff's Association in their efforts to reduce county jail population, including state Violators of Probation (VOP) inmates in county jails. FAC is expected to address specific VOP issues during the upcoming legislative conference on November 29, 2006.

Probation

Issue: Jail Overcrowding

Action: Monitor any changes affecting house arrest and support its expanded allowable use as a condition of probation in misdemeanor and traffic offenses.

Issue: Pretrial Release

Action: Monitor any changes to statutes affecting pretrial release and advocate continued support for program.

Issue: Juvenile Justice Funding

Action: Monitor funding levels and the potential reduction of local alternative and prevention programs to ensure that no further burden for treatment and prevention of juveniles is not shifted to counties (a \$90 million cost shift to counties for DJJ costs was approved in 2005).

Emergency Medical Services Employees

Issue: The 2005 Legislature passed a bill that provides individuals the authority to use deadly force or cause great bodily harm to someone who unlawfully enters a dwelling. An exemption is provided for law enforcement officers entering a dwelling in accordance with his/her official duties. However, an exemption does not exist for EMS personnel.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 8

Action: Support the changing of the exemption language to include all public safety officials and first responders.

Section V. General Government and Libraries

Libraries

Issue: State aid for libraries

Action: Continue to support full or expanded funding for State Aid to Libraries

Section VI. Statewide Issues

Charter County Preemption

Issue: Charter county authority was challenged during the 2006 legislative session by the Florida League of Cities. On April 11, 2006, the Board adopted Resolution #R06-13 to urge the Florida Legislature to oppose legislation that would limit, restrict, or preempt charter county home rule authority. Florida's charter counties partnered with the Florida Association of Counties and provided funding for the hiring of contract lobbyists to specifically work on charter county issues in 2006. For the 2007 legislative session, the Florida Association of Counties has requested charter counties to contribute \$5,000 to facilitate the hiring of contract lobbyists to oppose charter county preemption legislation.

Action: Coordinate with the Florida Association of Counties and charter counties to oppose charter county preemption legislation and authorize the County Administrator to issue a \$5,000 payment to the Florida Association of Counties to contract with external lobbyists.

Protection of State Workforce

Issue: State workers comprise a substantial percentage of Leon County's population, contributing to our community, economy and diversity. In 2006, the Legislature provided state employees a 3% raise, a \$30 increase in travel per diem reimbursement, increases in the maximum amount of money authorized for meals, and an increase in mileage allowance from 25 cents to 44.5 cents per mile. In addition, there were no increases in state employee's insurance premiums.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 9

Action: Monitor this issue and advocate for the continued protection of our state workforce.

Local Government Cable Franchise Authority

Issue: In 2006, telephone companies looking to compete in the cable market aggressively pursued legislative changes to local governments' cable franchise authority at the state and federal levels. The cable franchise legislation threatens local government authority to issue franchise authority for cable services.

Action: Continue to monitor cable franchise legislation at the state and federal levels and advocate the County's position through the Florida Association of Counties and the National Association of Counties.

Emergency Medical Services Employees

Issue: Florida Statutes exempts all police, firefighters, jail workers, and judges from having their names, addresses, and families' personal information from being disclosed publicly.

Action: Support legislation that would add EMS and paramedics to the exempt list for public records.

Florida Association of Counties (FAC) Issues

Issue: FAC represents 67 counties at the Legislature on issues that have broad statewide appeal, such as the opposition of unfunded mandates or cost shifts to counties (similar to the \$90 million DJJ cost shift that was passed in 2004) to supporting the reconciliation of any outstanding "glitch" issues to fully implement of Revision 7 to Article V (state funding of state court costs). FAC will finalize their 2006 legislative program during their legislative conference in December, 2005.

Action: Support the 2006 FAC legislative program unless specific issues conflict with the County's issues.

Workshop: 2007 State and Federal Legislative Priorities.
Date: October 10, 2006
Page: 10

FEDERAL LEGISLATIVE ISSUES:

The first session of the 110th Congress is expected to begin in early January of 2007. The Board of County Commissioner's practice has been to focus the County's federal legislative program on appropriations issues. At the Board's request, the federal appropriation requests have been combined with the state appropriations request (Page #3 of the Analysis Section). Any substantive issues that the County has at the federal level are coordinated through our National Association of Counties (NACO) representation.

Staff continually works with the County's federal contract lobbying firm, Patton Boggs, throughout the year, to advocate for the County's targeted appropriation requests. Staff coordinates weekly with Patton Boggs by phone and e-mail to strategize on key federal budget issues and to identify new federal grant funding that could potentially fund County project requests. In addition, Patton Boggs has been submitting monthly memoranda to update the Board on their federal lobbying activities in order to further improve communication between the Board and their federal lobbying firm.

Recent federal appropriation cycles have yielded positive outcomes for County funding requests. Significantly, Congress passed the long awaited re-authorization of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005, which provide \$16.1 million for right of way and construction of Capital Circle NW. Congress is still working toward completing this year's budget but is expected to pass a Continuing Resolution (CR).

During the previous year, Patton Boggs has also worked with the County to identify additional grant sources such as for the County's stormwater and housing programs. In addition to supporting the County's federal appropriation requests, these activities have been very beneficial to the County. Similar to previous years, staff recommends that the Board approve the continuation of these ongoing federal lobbying efforts.

Please note that the contract with the current County federal lobbyist, Patton Boggs, is scheduled to end on December 31, 2006. Based upon their performance during the past year, staff is preparing an agenda item for the Board's regular meeting on December 12, 2006, recommending an extension of the contract with Patton Boggs for federal lobbying services.

OPTIONS:

- 1) Approve the 2007 state legislative issues and 110th Congress (1st session) federal legislative issues as presented.

- 2) Authorize the County Administrator to issue a \$5,000 payment to the Florida Association of Counties to contract with external lobbyists to oppose charter county preemption legislation.

Workshop: 2007 State and Federal Legislative Priorities.

Date: October 10, 2006

Page: 11

3) Approve the 2007 state legislative issues and 110th Congress (1st session) federal legislative issues as amended by the Board.

4) Provide Staff other direction.

RECOMMENDATION:

Options #1 and #2

Attachments:

#1: 2007 State and Federal Legislative Session Appropriation Request Forms and Related Materials

#2: 2007 State Legislative Session Policy Request Forms and Related Materials

PA/VL/KM