

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

Agenda Item #: 5-A-1

AGENDA ITEM SUMMARY

Meeting Date: December 5, 2006 Consent Regular
 Workshop Public Hearing

Department:

Submitted By: Legislative Affairs

Submitted For: Administration

I. EXECUTIVE BRIEF


Motion and Title: Staff requests Board direction on A) A draft FY07 State Legislative Program. B) A Local Bill amending Section 10, Chapter 2006-328 relating to the Town of Loxahatchee Groves.

Summary: Staff requests the Board's review of the draft FY07 State Legislative Program, which includes issues that have been submitted by Board members and County staff, and identification of legislative and appropriations priorities. The Legislative Program outlines the issues that the County's Legislative Affairs Department in conjunction with the County's lobbyists, will be working on for the Board in the upcoming Legislative Session. The local bill addresses minor revisions to Florida Statutes regarding the applicability of Palm Beach County ordinances within the Town of Loxahatchee Groves and clarifying corporate boundaries of the Town. Countywide. (DW)

Background and Policy Issues: Each year, the Board of County Commissioners adopts a program of legislative and appropriations priorities for the upcoming Legislative Session. The Legislative Program will be reviewed at a workshop with the Legislative Delegation on December 11, 2006. Input from the Legislators will help us identify sponsors for bills and funding requests, and evaluate the feasibility of gaining legislative approval of issues and appropriations. The FY07 State Legislative Session begins March 6, 2007.

Attachments:

- 1. Draft FY07 State Legislative Program
- 2. Local Bill

Recommended by:  12/4/06
Legislative Affairs Director Date

Approved By:  _____
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009
Capital Expenditures	---	---	---	---
Operating Costs	---	---	---	---
External Revenues	---	---	---	---
Program Income (County)	---	---	---	---
In-Kind Match (County)	---	---	---	---
NET FISCAL IMPACT	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	---	---	---	---

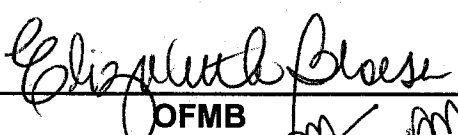
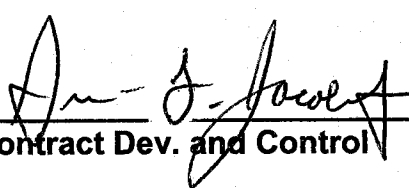
Is Item Included In Current Budget? Yes ___ No ___
 Budget Account No.: Fund ___ Agency ___ Org. ___ Object ___
 Reporting Category ___

B. Recommended Sources of Funds/Summary of Fiscal Impact:


C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

 _____ OFMB 11/30/06 11-30-06	 _____ Contract Dev. and Control 12/1/06
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B. Legal Sufficiency:



 Assistant County Attorney
 12/3/06

C. Other Department Review:

 Department Director

ATTACHMENT 1

**Palm Beach County
Board of County Commissioners
Proposed FY 2007 STATE LEGISLATIVE PROGRAM**

Palm Beach County's Top Three Priorities for the 2007 Legislative Session

- | | | |
|----|--|--------------|
| 1. | Property Tax Reform | |
| 2. | Lake Region Water Treatment Plant (<i>Water & Environment</i>) | \$ 3,500,000 |
| 3. | Unfunded Mandates/Cost Shifts (<i>Local Control</i>) | |

Other Appropriations Priorities

- | | | |
|-----|--|---------------|
| 4. | Lake Worth Lagoon Partnership Grant Program (<i>Water & Environment</i>) | \$ 3,500,000 |
| 5. | Beach & Inlet Management Project Appropriations (<i>Water & Environment</i>) | \$ 14,106,150 |
| 6. | C-51 Sediment Management Program (<i>Water & Environment</i>) | \$ 2,000,000 |
| 7. | Chain of Lakes Restoration (<i>Water & Environment</i>) | \$ 2,000,000 |
| 8. | Loxahatchee Slough Bridge Over Northlake Boulevard | \$1,200,000 |
| 9. | Transportation Funding SR 710 & SR 7 (Transportation) | \$ 9,000,000 |
| 10. | DMV Facility Service/Mounts Botanical Garden (<i>Transportation</i>) | \$ 1,900,000 |
| 11. | Florida Office of Homelessness (<i>Health Care</i>) | |
| 12. | Juvenile Assessment Center (<i>Public Safety</i>) | |

Legislative Priorities

- | | | |
|-----|---|--|
| 13. | Article V (<i>Public Safety</i>) | |
| 14. | Hurricane Relief Issues (<i>Public Safety</i>) | |
| 15. | Traffic Safety Photo Enforcement (<i>Public Safety</i>) | |
| 16. | Pawn Brokering (<i>Public Safety</i>) | |
| 17. | Transportation Disadvantaged Programs/ F.S. Chpt. 427 and Medicaid Non-Emergency
Transportation Funding (<i>Health Care</i>) | |
| 18. | Stem Cell Research (<i>Health Care</i>) | |
| 19. | AIDS Testing for Jail Detainees (<i>Health Care</i>) | |
| 20. | Trauma Care for Individuals in Multi County Areas (<i>Health Care</i>) | |
| 21. | Towing Bill (<i>Consumer Affairs</i>) | |
| 22. | Gas Tax Indexing (<i>Local Control</i>) | |
| 23. | Gas Tax Funding for Boating Improvement | |
| 24. | Public Marina/Working Waterfront/Affordable Housing Property Tax Differential | |
| 25. | Mobile Home Park Conversion and Relocation Issues | |
| 26. | Governmental Indemnification | |
| 27. | Planning Zoning & Building Issues | |
| 28. | Airport Issues | |

Appropriation Support Issues

29.	Loxahatchee River Initiative (<i>Water & Environment</i>)	\$ 3,254,000
30.	Lake Okeechobee Scenic Trail (<i>Water & Environment</i>)	\$ 2,500,000
31.	Florida Forever and Everglades Restoration (<i>Water & Environment</i>)	
32.	Glades General Hospital Replacement Facility (<i>Health Care</i>)	\$ 2,000,000
33.	Canal Point Sanitary Sewer Expansion System	

Legislative Support Issues

34.	Invasive Exotic Plant Control (<i>Water & Environment</i>)	
35.	Water Reservations (<i>Water & Environment</i>)	
36.	Total Maximum Daily Load Program (<i>Water & Environment</i>)	
37.	Water Conservation and Mandatory Rate Structures for Public Utilities (<i>Water & Environment</i>)	
38.	Firework Safety Local Ordinances (<i>Public Safety</i>)	
39.	State Hospital Costs for Mentally Ill Inmates (<i>Public Safety</i>)	
40.	Juvenile Justice Issues (<i>Public Safety</i>)	
41.	Criminal Justice/Growth Management Issues (<i>Public Safety</i>)	
42.	Deadly Force Definition/ Use of Dart Firing Stun Guns (<i>Public Safety</i>)	
43.	Animal Care Definitions (<i>Public Safety</i>)	
44.	Exemption from Public Records for Animal Care and Control Officers (<i>Public Safety</i>)	
45.	State Library Funding (<i>Workforce & Education</i>)	
46.	Video Franchising	
47.	Parks and Recreation (<i>Recreation</i>)	
48.	County Maintenance Division Employees as Contractors	
49.	Scanner Law	
50.	Definition of a Farm/Dumping of Manure (<i>Agriculture</i>)	
51.	Retinoblastoma (<i>Health Care</i>)	

Palm Beach County's Top Three Priorities – 2007 Legislative Session

Property Tax Reform

Background: Palm Beach County recognizes the need to explore real reforms to the existing property tax structure in the State of Florida, and like most local governmental units in Florida, has experienced first hand the effect of the Save Our Homes amendment. While residential property values have soared, tax bills for long time homesteaded properties have increased at about the rate of inflation. At the same time, assessments on non-homesteaded residential and commercial properties have increased substantially. This has resulted in a shift in the percentage of the overall tax burden from homesteaded property taxpayers to rental housing and other commercial properties.

After careful consideration of various tax reform proposals, the County has developed the following consensus recommendations to address inequities that now exist in the current property tax and appraisal system.

- ◆ **Commercial and rental property should be assessed based on the greater of its current use based on an income approach or actual purchase price rather than a higher assessment based on its potential for alternate development or redevelopment.**
- ◆ **The Florida Constitution should be amended to allow portability of the Save Our Homes reduction on homesteaded properties.**
- ◆ **A Save Our Homes type of cap of 7-10% should be extended to other residential and commercial properties.**
- ◆ **Palm Beach County recommends more consistency between Counties in the way that property is assessed.**
- ◆ **Guidelines should be strengthened for obtaining an agricultural use assessment on property.**
- ◆ **Palm Beach County does not support an increase in the \$25,000 homestead exemption.**
- ◆ **Palm Beach County does not support across the board revenue or expenditure caps.**

The County has prepared a White Paper detailing the rationale behind each of these recommendations.

PURPOSE: To address inequities in the current property tax and appraisal system.

BENEFIT: These proposed changes will help provide tax relief to both homesteaded and non-homesteaded property owners and address the real issues associated with the current tax and appraisal system.

FOR MORE INFORMATION:

Contact: Richard Roberts, Director, Office of Financial Management & Budget 561/355-2580

Palm Beach County's Top Three Priorities - 2007 Legislative Session

Lake Region Water Treatment Plant

\$3,500,000

BACKGROUND: The Lake Region Water Treatment Plant is a 10 mgd reverse osmosis water treatment facility that will utilize an alternative water supply, the Floridan Aquifer, as a source of water, replacing the three aging surface water treatment plants that are owned by the cities of Belle Glade, Pahokee, and South Bay. Each of these facilities has been under consent orders in the past due to poor water quality.

Hurricanes have severely affected water supply due to shifting water levels, sediment suspension, and massive fish kills. In 2005, Lake Okeechobee was plagued by algal blooms some of which were suspected to be toxic blue-green algae. From a public policy perspective, building one regional plant rather than funding three separate plants makes better economic sense as a consequence of the economies of scale.

Using reverse osmosis treatment of the brackish Floridan Aquifer instead of Lake Okeechobee water will free up water for restoration of the Everglades ecosystem and assist the South Florida Water Management District in meeting minimum flows and levels in Lake Okeechobee. The LRWTP will produce a very high quality drinking water supply for the cities of Belle Glade, Pahokee, and South Bay. This \$58 million project (Treatment Plant, Pipeline, Supply Wells, and Deep Well Injection Disposal Well) is partially funded through grant funding. The LRWTP is located within a State of Florida Rural Area of Critical Economic Concern under Florida Executive Order Number 01-26.

Palm Beach County requests a total of \$3.5 million from the State of Florida Legislature for the LRWTP. Palm Beach County requested \$5.0 million in 2006 and received \$4.0 million, bringing the total funds received from State appropriation to \$4.2 million. The total cost of the project is approximately \$58.0 million and includes contributions from Palm Beach County (\$12.5 million), the SFWMD (\$11.1 million), State appropriation (\$4.2 million), the Florida Department of Environmental Protection (\$2.8 million), and federal funding support (\$0.8 million). Approximately \$26.6 million is still needed to complete the funding for this project.

PURPOSE: Obtain funding for the Lake Region Water Treatment Plant for construction of the new regional water plant.

BENEFIT: The Lake Region Water Treatment Plant would provide clean drinking water for the cities of Pahokee, South Bay, and Belle Glade in the Western region of Palm Beach County and provide additional water availability to Everglades Restoration.

FOR MORE INFORMATION:

Contact: Bevin Beaudet, Director, Water Utilities Department 561/693-6001

Palm Beach County's Top Three Priorities - 2007 Legislative Session

Unfunded Mandates/ Cost Shifts

BACKGROUND: The State Legislature has frequently passed legislation that compels local governments to provide a service, program, or benefit without providing the appropriate funding or a funding source. This compromises local governments' ability to provide services requested by their local communities by diverting resources to these state-directed, unfunded mandates or cost shifts. In addition, as more and more mandates are created, local governments are faced with the burden of using local tax dollars to finance functions which they have little control over.

Quite often legislation is passed and these burdens to local government are overlooked or ignored. During the 2001 Legislative session, the legislature shifted two days of funding responsibility to the counties for funding Medicaid patient care. This amounted to a \$715,000 state to county cost shift for Palm Beach County. During the 2002 Regular Session and Special Session E, the legislature tried to shift a potential \$48 million in additional Medicaid costs associated with nursing home care. This measure was defeated; however, the Legislature has directed a study to be conducted to determine the counties' share for Medicaid nursing home costs. During the 2003 legislative session, a mandate was placed upon Palm Beach County, despite repeated objections from the county, to fund over \$4,200,000 for the operational and capital expenses associated with the creation of the Regional Transit Authority. The 2004 legislature imposed a \$4,800,000 cost shift to Palm Beach County to pay for costs associated with Juvenile Justice pretrial disposition. During the 2006 legislative session, HB 293 shifted future funding growth in communications tax revenue from cities and counties to fund fiscally constrained counties. This amounted to a cost shift of approximately \$1.2 million to Palm Beach County and its municipalities. The state must do a better job of truthfully identifying costs to local governments when passing new legislation and must provide funding or a funding source for every legislative initiative that imposes a cost on counties. Palm Beach County will oppose new unfunded mandates and unfunded state to county cost shifts.

PURPOSE: To improve the state's recognition of the costs imposed by unfunded mandates and cost shifts, and to properly fund any new legislation which will create costs at the local level. In addition, Cities and Counties hope to reverse last years communications cost shift by substituting current funding source with general revenue dollars.

BENEFIT: Eliminating unfunded mandates is legislatively responsible and will ensure that local governments can plan more effectively to provide the most basic services to their citizens.

FOR MORE INFORMATION:

Contact: Richard Roberts, Director, Office of Financial Management & Budget 561/355-2580

Appropriations Priorities – 2007

Lake Worth Lagoon Partnership Grant Program

\$3,500,000

BACKGROUND: The Lake Worth Lagoon, which stretches 20 miles from North Palm Beach to Boynton Beach, has been subjected to pollution and habitat destruction for decades. The Board of County Commissioners and the Florida Department of Environmental Protection have endorsed a \$52 million plan to restore the lagoon, including restoration of seagrasses and mangroves, removal of muck and run-off control projects. Revitalizing this important waterbody will provide long-term environmental, recreational and economic benefits to the region. State, federal and local money is being sought to help implement this plan.

The management plan identifies a project to foster community involvement by offering a cost-share program to municipalities and other eligible entities for the benefit of Lake Worth Lagoon. This project has become a reality through implementation of the Lake Worth Lagoon Partnership Grant Program. The program uses State dollars appropriated by the legislature and managed by Palm Beach County to fund construction projects to benefit the Lagoon. Projects are selected through a competitive process approved by the Lake Worth Lagoon Steering Committee. Each State dollar is matched at the local level on a minimum 50:50 cost-share basis. Through this program, over \$12.3 million in State funds and \$33.7 million in local funds have been dedicated to restoring the Lagoon. Thirty-nine projects to date have included stormwater drainage improvements, habitat restoration and enhancement, marina sewage pumpout facility, artificial reef construction, and monitoring. In 2005, a \$1 million State appropriation and \$500,000 in funding from the South Florida Water Management District was received for this project. In 2006, an additional \$2 million in State appropriations was received.

PURPOSE: Obtain funding of \$3.5 million to help implement the Lake Worth Lagoon Partnership Grant Program.

BENEFIT: Funding will help restore the Lake Worth Lagoon as a valuable public resource.

FOR MORE INFORMATION:

Contact: Richard Walesky, Director, Environmental Resources Management 561/ 233-2400

Appropriations Priorities – 2007

Beach and Inlet Management Project Appropriations
\$14,106,150

BACKGROUND: Florida's beaches are the #1 tourist attraction in the state. Their importance to the tourism industry makes them key components of our economy. Additionally, their role in providing upland property protection against storm damage is critical. Erosion has been declared by the Legislature as a serious menace to the economy and the general welfare of the state.

State funding is critical for the restoration and maintenance of Palm Beach County's beaches. Through the Shoreline Protection Program, the County is able to provide publicly accessible beaches, help maintain the tourist-based economy and protect upland property. A dedicated source of funding for beach and inlet management projects was established in 1998 from the documentary stamp tax revenue. The legislature has established intent to appropriate \$30 million annually in certain documentary stamp tax revenues to the Ecosystem Management and Restoration Trust Fund for the purposes of beach preservation and repair. To repair the extensive beach damage caused by the 2005 hurricanes, \$78.5 million was appropriated for this program last year. The County is requesting inclusion of the following Palm Beach County shore protection projects in the State's Fiscal Year 2006/07 Beach Erosion Control Program.

Project	Federal	State	County	City	Total
Juno Beach Shore Protection Project	\$1,906,000	\$5,222,000	\$5,222,000		\$12,350,000
Singer Island Shore Protection Project		\$4,160,000	\$6,240,000		\$10,400,000
South Palm Beach Shore Protection Project		\$2,256,000	\$2,444,000	\$488,800	\$5,188,800
Ocean Ridge Shore Protection Project		\$1,000,000	\$1,000,000		\$2,000,000
Jupiter/Carlin Shore Protection Project		\$1,290,000	\$1,290,000		\$2,580,000
Monitoring associated with eligible projects	\$156,800	\$178,150	\$188,550		\$523,500
Total Request:	\$2,062,800	\$14,106,150	\$16,384,550	\$488,800	\$33,042,300

PURPOSE: These projects are part of Palm Beach County's ongoing beach management and shore protection efforts.

BENEFIT: The restoration and maintenance of Palm Beach County's beaches provides a positive economic impact, storm protection for uplands, and recreation benefits for the citizens of the County and the State.

FOR MORE INFORMATION:

Contact: Richard E. Walesky, Director, Environmental Resources Management 561/233-2400