

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

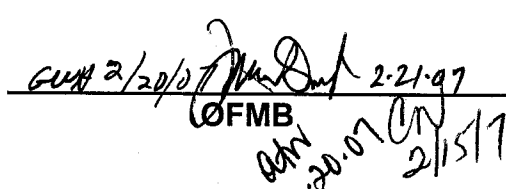

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____ Reporting Category _____

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
 Contract Dev. and Control

B. Legal Sufficiency:


 Assistant County Attorney

C. Other Department Review:

 Department Director

**Palm Beach County Board of County Commissioners
PROPOSED FEDERAL AGENDA FY2008**

PRIORITY/Palm Beach County APPROPRIATIONS Issues

1. Lake Region Water Treatment Plant	\$26,800,000
2. State Road 710	\$5,000,000
3. PalmTran: Bus and Radio Funding	\$6,500,000
4. Lake Worth Lagoon Restoration	\$2,000,000
5. Loxahatchee River Land Acquisition/Restoration	\$5,000,000
6. Airport Tower Replacement	\$10,000,000
7. Tri-Party Beach and Inlet Funding	

PRIORITY/Palm Beach County LEGISLATIVE Issues

1. Peanut Island - Section 1135 Authorization - WRDA
2. Community Transit Programs
3. Medicare Funding Formula
4. Modifications to S-44 Water Control Structure on the C-17 Canal
5. Desalinization Water Supply
6. Federal Outstanding Natural Area – Jupiter Inlet Lighthouse

MONITOR/Appropriation Issues

1. Solid Waste Pelletization Facility
2. Ryan White (HIV) Grant Application
3. Lake Okeechobee Scenic Trail
4. Intracoastal Waterway
5. Army Corps of Engineers Permit Review Backlog

MONITOR/General Issues

1. Funding for Seniors Programs
2. Telecommunications
3. Funding for Purchase of Farmland (Ag Reserve)
4. Property Rights Legislation
5. Deep Injection Wells
6. FEMA Funding for Parks & Recreation/Pre-Disaster Mitigation Programs/Reimbursements
7. Health Issues
8. Brownfields
9. Interstate Moving Laws
10. FY2008 Appropriations for HUD Programs
11. Medicaid Funding
12. Comprehensive Everglades Restoration Plan
13. Film and Television Production Industry Act
14. Funding for Homeless Programs
15. Law Enforcement Funding

**PRIORITY Palm Beach County
APPROPRIATIONS Issues**

1. **Lake Region Water Treatment Plant:** The Lake Region Water Treatment Plant is a proposed regional 10 million gallon per day reverse osmosis treatment plant that will be designed to replace the three aging surface water treatment plants that are owned by Belle Glade, Pahokee, and South Bay. The existing plants in each of these cities are in poor condition, and each city has been issued numerous water quality violations and enforcement actions by the Palm Beach County Health Department. From a public policy perspective, it makes better sense to build one regional plant rather than to fund three separate plants. Given the estimated \$58,000,000 capital cost of the facility, and the demographics of the area around the Lake, it is imperative that considerable funding for this project come from State and Federal sources.

To date contributions to the LRWTP include \$12.5 million from Palm Beach County, \$11.2 million from SFWMD, \$6.7 million from the State, and \$800,000 from EPA. Approximately \$26.8 million is still needed to complete the funding for the project. The County is submitting a STAG grant and requesting an earmark of \$26,800,000 in FY08. In addition, the County is submitting a USDA Rural Development Grant for the same amount to help cover any funds that are not appropriated through the STAG process.

Dept.: Water Utilities (Bevin Beaudet)

2. **State Road 710:** The FDOT Draft FY 08-12 Work Program contains the remainder of funding for SR 710 right-of-way acquisition from Congress Avenue to Australian Avenue. The next construction phase of SR 710 will provide for a connector road into the Port that will elevate the roadway over existing railway tracks.

State Road 710 provides access to the Port of Palm Beach, an intermodal hub. It also provides access to Riviera Beach, an area with a major redevelopment project underway that will provide significant economic benefits to the county and region.

The County is requesting \$5 million for the design phase of the 710 connector road over existing railway heading into the Port of Palm Beach. In addition, Congress should reallocate funding from the PGA Boulevard extension provided in the SAFETEA-LU reauthorization bill in the amount of \$800,000 to the expansion of State Road 710.

Dept: Engineering (George Webb); MPO (Randy Whitfield)

3. **Palm Tran Bus Funding and AVL/APC System:** Support FY 2008 request of: \$3.5 million for 10 buses with wheelchair ramps and bike racks, and \$3 million for a Farebox System/Automated Vehicle Locator/Automated Passenger Counter.

During FY08 Palm Tran will need 10 additional forty-foot buses. Fixed route ridership is increasing in Palm Beach County, Florida. Ridership for 2006 was up more than 12% from last fiscal year. Total ridership was 9,323,434 trips, over 1 million more trips than last year with only four additional buses in service. Palm Tran would use these additional buses to provide Palm Beach County residents half hour peak service to meet commuter rail connections. Palm Tran currently connects with all six stations of Tri-Rail serving Palm Beach County. Seven of the 14 bus routes currently connecting to Tri-Rail only offer hourly service, which will not provide good connections with Tri-Rail's new schedule that includes peak hour 20 minute service. To meet this new demand Palm Tran seeks \$3.5 million for 10 Expansion low floor buses (40') with wheelchair ramps and bike racks.

In FY 2008, Palm Tran is acquiring an Automated Vehicle Locator (AVL) and Automated Passenger Counter (APC). The \$3.0 million would help provide this technology that will improve efficiency and productivity for all of its routes. Additional funding is required to complete this project and to replace the existing farebox system to integrate the technology of the AVL/APC system to maximize the effectiveness of using this new transportation technology.

In FY 06, \$2,926,000 was allocated for the Belle Glade Combined Passenger facility, \$209,000 was allocated for smart card fareboxes, \$1,254,000 for new buses, and \$1,000,000 for replacement buses.

Dept.: Palm Tran (Chuck Cohen)

4. **Lake Worth Lagoon Restoration: Corps of Engineers Project:** Track legislation and line item appropriations or authorizations for ecosystem management projects. The County is seeking a \$2 million appropriation to supplement County and State funding of the Lake Worth Lagoon Restoration Project, an ecosystem management project which includes the Lake Worth Lagoon Partnership Grant Program initiated in 1998.

Dept.: Env. Resources Management (Rich Walesky)

5. **Loxahatchee River Land Acquisition/Restoration:** The Northwest Fork of the Loxahatchee River is the first federally designated Wild and Scenic River in Florida. Despite this designation, the federal government has not contributed to current efforts to restore the River. Critical to River restoration is increased flow of freshwater. A surface water reservoir established along the west leg of the C-18 canal would provide the needed water supply to maintain the necessary base-flow to the River. Seek \$5 million in federal funds to support the County and Water Management District's efforts

to acquire and/or restore certain lands in the River corridor. The C-18 Reservoir is a component of the Northern Palm Beach County Comprehensive Water Management Plan and is incorporated into the larger Northern Everglades Comprehensive Everglades Restoration Plan.

Dept.: Env. Resources Management (Rich Walesky)

6. Airport Tower Replacement: The Palm Beach Air Traffic Control Tower and the Palm Beach Base Building are both validated projects on the FAA project list. The current building was built in 1967 and its base building measures 7800 sq./ft. and is approximately 95 ft. tall. With current planned equipment upgrades and installation, the estimate for the base building requirements would be 20,000sq./ft. at a height of 125ft. The total cost for the replacement tower is \$17.5 million. In 2007, a \$10 million earmark was provided in the FAA budget for this project, but since no earmarks were approved last year, the County is requesting a \$10 million appropriation request in FY 08 to continue efforts to fast track construction of the Palm Beach County Airport Tower. Since FY 2004, \$7,200,000 has been allocated for the Palm Beach Airport Tower project.

Dept: Airports (Bruce Pelly)

7. Tri-Party Beach and Inlet Funding:

- Lake Worth Inlet Feasibility Study - \$500,000 - The Port of Palm Beach is turning away vessels due to channel depth limitations and the problem will grow as larger ships become more prevalent in the trade; this study will enable cost/benefit analysis of channel deepening and widening to accommodate more efficient trade and assure the port's role in international shipping.
- Lake Worth Inlet Sand Transfer Plant - \$2 million - The Lake Worth Inlet Sand Transfer Plant was authorized by Congress in WRDA 1996. Restoration work has been initiated by the local sponsor and is expected to continue through 2007-8.
- Palm Beach Harbor/Lake Worth Inlet Maintenance Dredging - \$3 million - The Port of Palm Beach is the fourth largest container Port in Florida and the 18th busiest in the nation; regular maintenance dredging is necessary to ensure operation of the Port and place sand on nearby eroding beaches. There is a corresponding request for directive language to expand the existing sand settling basin as part of O&M to provide better inlet projection and reduce annual maintenance dredging costs and frequency.

Dept.: Env. Resources Management (Rich Walesky)

**PRIORITY Palm Beach County
LEGISLATIVE Issues**

1. Peanut Island Environmental Enhancement Project - Section 1135

Authorization: The Peanut Island Environmental Enhancement Project is a joint Army Corps of Engineers (ACOE), Palm Beach County and Florida Inland Navigation District (FIND) project that includes environmental restoration and enhancement and the addition of recreational amenities to Peanut Island. We are seeking the insertion of language into the next Water Resources Development Act lifting the Section 1135 cap on the Army Corps of Engineers financial contribution to the project (currently \$5 million) or reauthorizing the project under another program that is not subject to the 1135 cap. Total project cost, previously estimated at approximately \$27 million is now expected to exceed \$30 million. Support Florida Navigation District (FIND) efforts to lift or raise the cap.

Dept: Env. Resources Management (Rich Walesky)

2. Community Transit Programs: The Palm Beach County Metropolitan Planning Organization in 2004 initiated the "Palm Beach County Community Transit Program," designed to provide local municipalities with funding to operate their own local "trolley" programs. The program envisioned would have provided 50/50 Federal funding in the amount of \$40,000 per vehicle per year to each municipality, a total of \$1,200,000 for the three year program.

The program was originally designed to use Federal Congestion Mitigation and Air Quality (CMAQ) funding under the Federal Highway Administration; however, in 2005, those funds were transferred from FHWA to Federal Transit Administration (FTA). Due to this change, those grants would need to be redone using FTA grant procedures. The FTA grant process requires the Federal Department of Labor (DOL) to certify each grant. The DOL Certification issued in May 2006 required that the Amalgamated Transit Union (ATU) be party to these agreements, and the terms of the ATU include a number of labor provision protections. All five of the local municipalities, Boca Raton, Boynton Beach, Delray Beach, Jupiter, and West Palm Beach have contracts with a local service provider and that provider has indicated it can not operate the service if those labor requirements are attached to the contract. Those federal requirements should be waived for local trolley service to ensure that these five municipalities can continue operating under their contract agreements.

Dept: Palm Tran (Chuck Cohen)

3. Medicare Funding Formula: There has been a discrepancy between several of the counties in South Florida regarding federal Medicare reimbursements for health care costs such as doctor office visits, outpatient substance abuse care, emergency care, inpatient hospital care, and outpatient prescription drugs. In response, HMOs in Palm Beach County have raised premiums to compensate for inadequate Medicare reimbursements. Seek changes in the Medicare funding distribution formula which allow for more equitable disbursement of federal funds.

Dept: Risk Management (Nancy Bolton)

4. **Modifications to S-44 Water Control Structure on the C-17 Canal:** Support South Florida Water Management District's application to the U.S. Army Corps of Engineers to modify the existing S-44 water control structure on the C-17 canal and install a third control gate. This would allow more water to move into the C-17 at a faster rate, possibly reducing the amount of flooding that occurs in Northern Palm Beach County areas. [BCC Resolution No. R-99-189.]

Dept: County Engineering (George Webb)

5. **Desalination Water Supply Shortage Prevention Act of 2005 – S.1016:** S 1016 directs the Secretary of Energy to make incentive payments to the owners or operators of qualified desalination facilities to partially offset the cost of electrical energy required to operate the facilities. If enacted, Palm Beach County and the Cities of Belle Glade, South Bay, and Pahokee would directly benefit through the operation of the Lake Region Water Treatment Plant, a "qualified desalination facility". As that plant will produce for sale to domestic customers' brackish groundwater (an alternative water supply), operation of this plant would potentially qualify under the provisions of the Bill to offset approximately \$0.5 Million in annual ratepayer costs. This estimated annual energy cost savings of more than 50% is based on an estimate of the projected kilowatt hours of electricity anticipated to be consumed during plant operation against the base payment provisions of the bill. Support similar legislation during the 110th Congress.

Dept: Palm Beach County Water Utilities (Bevin Beaudet)

6. **Federal Outstanding Natural Area – Jupiter Inlet Lighthouse:** The Jupiter Inlet Working Group, comprised of the Town of Jupiter, Village of Tequesta, Loxahatchee River Historical Society, the Federal Bureau of Land Management, Palm Beach County Environmental Resources Management Department and the US Coast Guard has partnered for years to preserve and protect the government owned properties surrounding the Jupiter Inlet Lighthouse. The Lighthouse is a local and regional icon with surrounding properties that contain significant cultural and biological resources. The designation of the Jupiter Inlet Lighthouse and the surrounding 126 acres as a federally designated "Outstanding Natural Area" will protect this land that offers unique scenic, scientific, educational, and recreational value. With this designation, the Jupiter Inlet Lighthouse will be the sole East Coast representative of the National Landscape Conservation System.

Dept: Env. Resources Management (Rich Walesky)

MONITOR
Appropriation Issues

1. **Solid Waste Pelletization Facility:** The Solid Waste Authority of Palm Beach County is requesting a \$1 million federal appropriation to fund a Biosolids Pelletization Facility which is designed to eliminate land application of wastewater sludge from thirteen participating utilities. The total cost of the facility is \$26.7 million. Pledges of \$3 million have already been committed including a \$1,125,000 grant from the South Florida Water Management District.

Dept: Solid Waste Authority (John Booth)

2. **Ryan White (HIV) Grant Application:** Monitor appropriation requests to fund Palm Beach County's share of funding of Ryan White (HIV) Grant funding. In FY 04 the funding level was \$9,408,695 and FY 05 funding was at \$9.5 million. In FY 06 Palm Beach County's allocation was reduced by \$1.2 million to roughly \$8.5 million. The County has submitted a new application this year for \$12,711,001.

Dept: Community Services (Ed Rich)

3. **Lake Okeechobee Scenic Trail:** FDOT is in the process of finishing this trail (which is part of a federally-designated National Scenic Trail) to provide unique recreational activities around Lake Okeechobee. The County will monitor this project for the potential of grants and construction efforts, both of which could assist efforts to stimulate ecotourism in Palm Beach County associated with the trailhead connection for the Ocean to Lake Trail. In FY05 and in FY06, the State allocated \$1,000,000 for this project.

Dept: P, Z & B (Barbara Alterman); Env. Resources Mgt. (Rich Walesky)

4. **Intracoastal Waterway (AIWW):** The Army Corps of Engineers completed a draft report of an economic re-evaluation study of the AIWW in Palm Beach County. The Corps received the draft environmental impact statement (EIS) from their consultant in late October 2003. The document is still in draft but is expected to soon be completed. Funding for this project is being provided under a continuing authority provided to the Corps. No additional authorizations or appropriations are needed at this time.

Dept: Env. Management (Rich Walesky)

5. **Army Corps of Engineers Permit Review Backlog:** The Corps of Engineers is experiencing delays in permit reviews due to a shortage of employees to handle new growth amid the state's complex environmental issues. Support the Corps efforts to retain additional employees to deal with increased work demand. Oppose the delegation of this authority from the Army Corps to the Florida DEP.

Dept: Engineering (George Webb)

MONITOR
General Issues

1. **Funding for Seniors Programs:** Seek increased funding for Federal Programs for the Aging (e.g., Supportive Services, Nutrition Services, Older Americans Act) in FY 2008 Labor, Health and Human Services Appropriations. The County is significantly overmatching grants (e.g., 60% for CCE [state]; 86% for OAA [federal]) already.

Dept: Community Services (Ed Rich)

2. **Telecommunications:** Monitor agency (FCC) rule-making relating to the Telecommunications Act of 1996, Open Access regulation, and the relocation/transition of Multipoint Distribution Services/Instructional Fixed Television Services (MDS/ITFS), and also general Congressional (Commerce Committee) involvement in telecommunications issues, specifically relating to local control of rights-of-way and zoning, and local authority to assess and collect franchise fees.

Dept: County Attorney (Mike Jones); County Engineer (George Webb); Office of Financial Mgmt. & Budget (Liz Bloeser); Public Affairs (Beth Ingold-Love)

3. **Funding for Purchase of Farmland:** Seek \$25 million from federal grants for state and local governments for land conservation and resources protection; and seek \$5 million from the Farmland Protection Program in the 2008 reauthorization of the Farm Bill. [\$100 million in local support authorized by Palm Beach County voter approval of 3/9/99 Bond Referendum.]

Dept: County Administration (Verdenia Baker); Planning, Zoning & Building (Barbara Alterman); Cooperative Extension (Brad Merriman)

4. **Property Rights Legislation:** Monitor bills being considered by Congress which would affect a local government's authority over land use planning, making it easier for property owners to challenge local land use decisions by taking land use disputes almost directly to Federal court, and bypassing local authorities.

Dept: County Engineer (George Webb); County Attorney (Bob Banks); Water Utilities (Bevin Beaudet)

5. **Deep Injection Wells:** Monitor attempts to ban the use of deep injection wells for the disposal of highly treated wastewater effluent. Failure to do so could require a 25% or more increase in wastewater rates.

Dept: Water Utilities (Bevin Beaudet)

6. **FEMA Funding for Parks & Recreation/Pre-Disaster Mitigation Programs:** Monitor any legislation concerning reauthorization of the Disaster Relief and Emergency Assistance Act, particularly language which would have a significant negative impact on parks and recreation areas, denying funding, under the Stafford Disaster Relief and Emergency Act, for disaster relief to parks, recreation departments,

beaches and other similar entities. Also, monitor any proposals for FEMA to offer pre-disaster mitigation pilot grants in communities throughout the nation (a total of \$220 million was authorized over a 6-year period), as well as, reimbursements for services provided during the 2005 hurricane season.

Dept: Emergency Management (Paul Milleli); Parks & Recreation (Eric Call); Risk Management (Nancy Bolton)

7. **Health Issues:** Monitor legislative proposals which would create significant new costs to counties, for example, eroding an employer's ability to establish preferred provider networks and allowing employees to sue employers in state court for personal injuries they received through their health care plans.

Dept: Risk Management (Nancy Bolton)

8. **Brownfields:** Monitor proposed Federal funding for Brownfields by various agencies (EPA, HUD). Monitor changes in the Superfund (CERCLA) legislation that may impact brownfields (i.e., liability).

Dept: Planning, Zoning & Building (Barbara Alterman/Meg Smith)

9. **Interstate Moving Law:** The County should be supportive of any federal legislation that would permit local or state governments to enforce federal interstate moving laws related to household goods. Since we have had our own local laws, the number of consumer complaints has decreased. Most of our complaints now relate to interstate household moving. This proposal or one similar to it would be very beneficial to the residents of Palm Beach County and the state of Florida. Currently, there is no federal agency who will respond to individual complaints against a household moving company doing interstate moves.

Dept: Consumer Affairs (Dennis Moore)

10. **FY2008 Appropriations for HUD Programs:** Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs have faced deep cuts in the budget process in previous years. These cuts would have caused significant reduction in CDBG and HOME funds brought to Palm Beach County, jeopardizing important neighborhood programs. Fortunately, during budget negotiations, these cuts were removed. Encourage Congressional support of CDBG and HOME programs, rather than such drastic cuts.

Dept: Housing & Community Development

11. **Medicaid funding:** Medicaid spending has been one of the most rapidly increasing segments of the State's budget. One of the priorities of the current Administration in Washington, D.C. is to propose changes to the current Medicaid system that would limit future program spending and allow states more flexibility in setting and limiting benefits for optional beneficiaries. Monitor proposals that may limit the state's ability to effectively meet the needs of Medicaid patients.

Dept: Community Services (Ed Rich)

12. **Comprehensive Everglades Restoration Project:** The federal Share of Comprehensive Everglades Restoration Plan is expected to average about \$200 million per year over the lifetime of the project. Congressional appropriations should be sufficient to fully implement all plan components at the agreed upon cost share in accordance with adopted project schedules. Continue to monitor the federal funding support for CERP. Support congressional authorization of the Indian River Lagoon South CERP project in the Water Resources Development Act.

Dept: Env. Resources Management (Rich Walesky)

13. **Film and Television Production Industry Act:** In 2006, House Resolution 3131 and Senate Bill 1278 would have created a Federal Income tax credit designed to address the issue of "runaway film and television production." It would encourage film and television/cable production in the United States and employment of U.S. small business workers on such productions. Continue to support efforts that would encourage film and television production in Palm Beach County.

14. **Funding for Homeless Programs:** Seek increased funding in FY 2008 Department of Housing and Urban Development Appropriations (e.g., Stewart B. McKinney Act) and in FY 2008 Department of Health and Human Services Appropriations (e.g., SAMHSA) for federal programs for the homeless in the effort to end chronic homelessness. The County is now serving as the Lead Entity for coordination of funding for homeless services in Palm Beach County. The Federal government's involvement in aiding local homelessness initiatives is crucial to the success and advancement of these programs.

Dept: Community Services (Ed Rich)

15. **Law Enforcement Funding:** The Criminal Justice Commission administers the federal block grant allocations from the Dept. of Justice for Palm Beach County. They include the Edward Byrne Memorial Law Enforcement Fund and the Local Law Enforcement Block Grant Fund. Over the past 4 years, the administration has unsuccessfully tried to consolidate these funds under a single program, the Justice Assistance Block Grant. In addition, the funding levels obtained by cities and counties under these programs have steadily decreased. Monitor the Byrne Law Enforcement Funds and the Local Law Enforcement Block Grant to keep these allocations separate and to restore earlier funding cuts. In addition, opportunities to identify funding sources for local gang violence programs in Palm Beach County should be pursued.

Dept: Criminal Justice Commission (Diana Cunningham)