

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<i>* See below</i>				
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:

** No Fiscal Impact*

[Signature]

 OFMB

11/25/09
9/25/09
11/25/09
11/25/09

[Signature]

 Contract Dev. and Control

B. Legal Sufficiency:

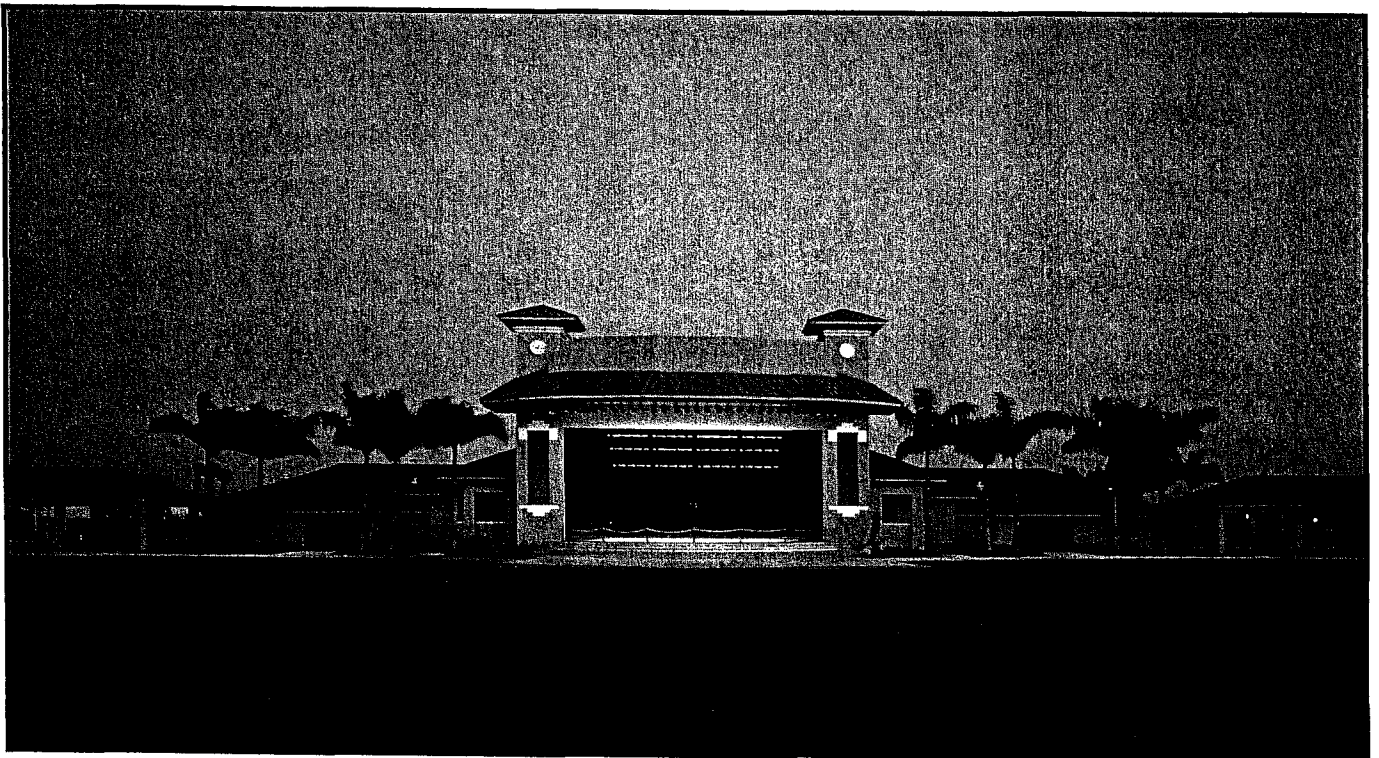
[Signature]

 Assistant County Attorney

C. Other Department Review:

 Department Director

Palm Beach County **LEGISLATIVE ISSUES** **2010**



Sunset Cove Amphitheatre

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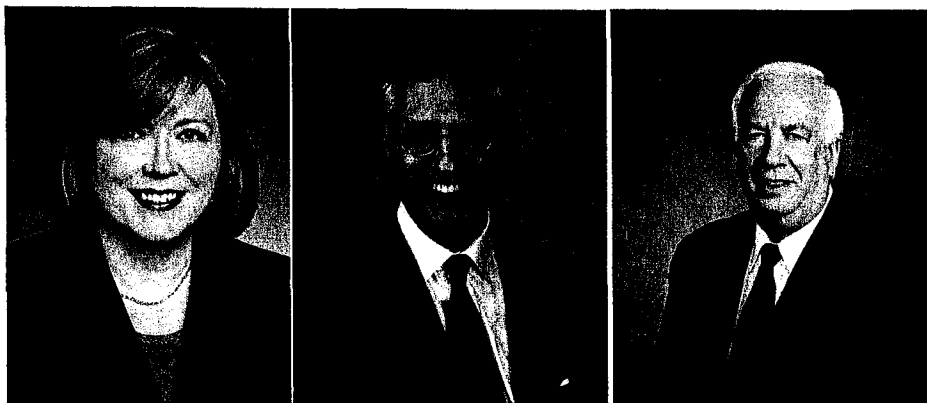
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ECONOMIC DEVELOPMENT LEGISLATIVE PRIORITIES - 2010

LAKE OKEECHOBEE REGIONAL INITIATIVE (LORI)

Palm Beach, Hendry, and Glades Counties have joined together to in an effort to provide economic growth and stimulus to the region surrounding Lake Okeechobee. Through the Initiative, Several legislative issues have been identified that representatives from the three counties will collectively support. Among the issues are:

- Fast track construction of the intersection of SR 80 and US 27 in Hendry County
- Lake Okeechobee Scenic Trail state funding and reconstruction of existing pavement by the COE
- Proviso language to earmark \$5 million in Quick Action Closing Fund dollars for the Glades region
- Additional Workforce Development dollars directed to the Glades region
- Support Alternative Energy legislation that will encourage economic activity in the Glades

Since the announcement of the State purchase of US Sugar, the communities surrounding Lake Okeechobee have been working to ensure state and federal resources are available to offset lost jobs from the sale of this corporation and its holdings and as a means to stimulate the local economy.

GLADES REGION INLAND PORT (INLAND LOGISTICS CENTER (ILC))

Inland ports are shipping, receiving and distribution centers designed to relieve the congestion in increasingly busy seaports, and are located away from traditional ports. South Florida ports are facing increased congestion, limited expansion opportunities, and high levels of growth. This congestion will only increase exponentially with the expansion of the Panama Canal. The Port of Palm Beach would like to ease its congestion by constructing an inland port terminal and associated distribution/warehouse space. An Inland Port could also be utilized by Port Everglades, Port of Miami, and associated operators and users. Land in South Florida is limited for the construction of new port space, distribution space, and warehouse space. A study commissioned by FDOT indicates that the optimal location for a facility is within the Tri-Cities region. The Tri-Cities region was highlighted due to its abundance of developable land, highway infrastructure and access to rail corridors reaching all points of Florida.

Another study commissioned by FDOT in 2008 estimates that industrial square footage demand in South Florida will reach 80 million square feet by 2025. The Tri-Cities region can capture a large percentage of the projected 80 million square feet, which could create: 1) 32,000 new jobs, 2) \$1.8 billion in total personal income, 3) \$1.2 billion in total business revenue, and 4) \$164 million in state and local taxes all by 2015.

During the 2009 session the Legislature authorized FDOT to spend up to \$1 million on additional studies to assist in the implementation of the inland port.

GLADES REGION AGRICULTURAL PROGRAM \$350,000

The Economic Development Office is seeking \$350,000 to develop an agricultural business training program for small growers located in the economically depressed Glades region. Program participants will learn to use several hydroponic systems to grow alternative and specialty crops, then effectively package, market and distribute the resulting produce. This program will consist of estimated eight-week sessions during a three-year period to familiarize students with the entire process from seedling to harvest, environmental and consumer issues, customer service/hospitality training, and business planning, including formation of a grower cooperative, financing, site/equipment selection and development, packaging, marketing and distribution.

Funds obtained from the state will assist in instructors' fees, classroom space rental, design fees based on the selected site, and capital costs of purchasing/ installing structures and equipment such as shade houses, mist houses, site development including utilities/infrastructure and parking, pedestrian paths, landscaping, fencing, lighting and other security measures.

QUALIFIED TARGET INDUSTRY BUSINESSES

Support amending F.S. to modify the criteria to be eligible for Qualified Target Industry (QTI) businesses by providing an additional one year grace period for expanding companies to hire employees as required in the QTI contracts, and authorizing the Office of Tourism Trade and Economic Development (OTTED) to review QTI's that would be effected to allow qualifying companies to remain in the QTI program. The amendment recognizes the importance of the QTI to the State of Florida in encouraging quality job growth in targeted high value added businesses. Companies participating in the QTI program ensure higher employment and higher tax revenue. Many businesses already felt the recession beginning January 1, 2008, but the State's Economic Stimulus Exemption commenced one year later, January 1, 2009. By allowing the new 2008 date, and authorizing OTTED to review QTI's that would otherwise be terminated for non-compliance, the State of Florida appropriately addresses real world economic circumstances, and is proactive in preventing targeted cluster companies from leaving Florida. The QTI companies are an important economic engine for the State of Florida and local governing jurisdictions, supplying steady yet growing employment during this difficult economic period.

Amend F.S. 288.106 to read:

A qualified target industry business may submit a request for an economic-stimulus exemption to the office in lieu of any tax refund claim scheduled to be submitted after January 1, ~~2009~~ 2008, but before July 1, 2011.

ENTERPRISE ZONE BOUNDARIES

The Florida Enterprise Zone (FEZ) Program has 56 enterprise zones statewide, which are areas targeted for economic revitalization. This program offers tax incentives to businesses located in designated FEZ areas of urban and rural communities to encourage private investment and increase employment opportunities for the area's residents. The Florida Enterprise Zone (FEZ) Program was formally established in May 1995 for a 10-year period, which ended in the year 2005, and reenacted for another 10-year period to sunset in the year 2015.

There are two Urban Enterprise Zones in Palm Beach County. The State designated Enterprise Zone boundaries for Palm Beach County include portions of the municipalities of West Palm Beach, Riviera Beach, Belle Glade, South Bay, and a small portion of unincorporated County in the vicinity of Belle Glade. This area is approximately 10 square miles. The City of Pahokee has its own designation covering the municipal boundaries.

By amending the F.S. language cited below, expansion of the enterprise zone boundaries in the cities of Belle Glade, Pahokee and South Bay will have a greater impact in attracting businesses and job opportunities for Palm Beach County's Lake region.

Section 290.0055(6) (d) is amended to read:

The governing body of a jurisdiction which nominated the application for an enterprise zone that includes a portion of one state designated rural area of critical economic concern, pursuant to s. 288.0656 (7), Florida Statutes, may apply to the Office of Tourism, Trade, and Economic Development to expand its boundary by not more than three (3) square miles. The application must be submitted by December 31, 2011.

Notwithstanding the area of limitations found in s. 290.0055 (4), the Office of Tourism, Trade, and Economic Development may approve the boundary amendment request if the boundary change continues to satisfy the remaining requirements of section 290.0055.

The Office of Tourism, Trade, and Economic Development shall establish the initial effective date of the enterprise zone designated under this section.

This act shall take effect January 1, 2011.

EXPANSION OF GAMBLING AT PARI-MUTUEL FACILITIES

In 2004, voters of the state passed an amendment that paved the way for expansion of gambling at pari-mutuel facilities in Broward and Miami-Dade Counties. Since that time, the gambling facilities at several Indian reservations located throughout the state have been allowed to expand their operations. The ability for these facilities to expand their operation has placed Palm Beach County pari-mutuels at an unfair

competitive disadvantage. If passed in its current form, the proposed Seminole Compact with the State of Florida will prevent Palm Beach facilities from being able to expand gaming to compete with existing and future gambling facilities in Miami-Dade and Broward County and could result in the demise of the Palm Beach Kennel Club, a local business that employs 624 people and attracts over 750,000 people a year. Oppose legislation or pending compacts that would place Palm Beach County pari-mutuel facilities at an unfair competitive disadvantage as it relates to the expansion of gambling in the state.

BUDGET & TAXATION POLICY LEGISLATIVE PRIORITIES - 2010

UNFUNDED MANDATES/ MEDICAID COST SHIFTS

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.

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 opposes new unfunded mandates and unfunded state to county cost shifts.

ARTICLE V

During the 2004-2006 sessions, the State took more responsibility for funding Florida's judicial system. During the 2004 session the Legislature passed SB 2962 which provided the funding mechanisms to pay for the state court system. Since then, the Legislature worked very closely with local governments and other effected parties at the local level to draft legislation to define responsibilities of court funding and to address some fiscal needs; however, there are still revisions that need to be addressed during the 2010 Legislative session. More specifically there has been a difference between the revenue projections and actual revenue receipts from these local funding sources. Revenue collections have fallen well short of original estimates and the need to expand these sources is detrimental to maintaining the current system.

The State should allow for the expansion of the \$65 mandatory court fee to be applied to civil cases in addition to the already allowed criminal cases. This fee would allow for additional revenue to fund the state court system. We support the continuation and enhancement of the \$2.00 recording fee to be distributed to counties to fund court-related technology needs. We support full funding for statewide traffic hearing officer programs.

Under existing law, Counties are required to increase funding for courts by 1.5% a year. Under current economic conditions where local governments have been reducing funding levels across the board, this requirement may lead to fiscal difficulties for local governments and the funding increase mandate should be eliminated.

GAS TAX FUNDING FOR BOATING IMPROVEMENTS

A growing population with increased boat ownership combined with the conversion of public marine facilities to private ownership is putting a greater demand for public access to State waters. Gas used to fuel boats is taxed but not all of these funds are used for boating improvements. Increasing the current cap on the allocation available for public marine facilities, boating improvements and water front access projects will help offset the economic factors that are contributing to the loss of public access.

In addition, support legislation or administrative action that either amends or clarifies Florida Statute 328.72(15) after "public launching facilities" to read or to be interpreted to include: "boating destination facilities, which includes docks, rest rooms, picnic tables and pavilions; public marinas and dockage; and boat ramps with related amenities, which includes docks, parking and rest rooms."

ENVIRONMENTAL/NATURAL RESOURCES LEGISLATIVE PRIORITIES- 2010

LAKE REGION WATER TREATMENT PLANT \$3,500,000

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.

Palm Beach County requests a total of \$3.5 million from the State of Florida Legislature for the LRWTP. 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 (\$7.4 million), federal funding support (\$1.3 million) and federal funding authorization (\$7.5 million). Approximately \$16.7 million is still needed to complete the funding for this project.

LAKE WORTH LAGOON INITIATIVE \$4,265,000

The Lake Worth Lagoon, which stretches 20 miles from North Palm Beach to Boynton Beach, has been subjected to pollution and habitat loss for decades. The County, the South Florida Water Management District and the Florida Department of Environmental Protection have endorsed a plan to restore the Lagoon, including restoration of seagrasses and mangroves, removal of muck and storm water control projects. Revitalizing this important water body provides long-term environmental, recreational and economic benefits to the region.

The Initiative provides a cost-share program to municipalities for the benefit of Lake Worth Lagoon. Money is allocated through the Lake Worth Lagoon Partnership Grant Program. Restoration 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 \$17 million in State funds and \$39 million in local funds have been dedicated to restoring the Lagoon. Obtain funding of \$4.265 million, matched with \$6,037,350 in local funds, to implement the Lake Worth Lagoon.

LWL Funding Requests for Fiscal Year 2010-2011

FY 2010 /2011 LWL FUNDING REQUESTS				
Project Name	Grant Funding Request	Local Match	Estimated Project Cost	
Everglades Artificial Reef	\$500,000	\$500,000	\$1,000,000	
Monastery Artificial Reef	\$250,000	\$250,000	\$500,000	
Palm Beach Atlantic University Restoration Project	\$550,000	\$550,000	\$1,100,000	
Monroe and Monceaux Exfiltration Trench	\$450,000	\$507,350	\$957,350	
Westgate/Belvedere Sanitary Sewer Project – Phase 1	\$1,500,000	\$2,716,000	\$4,216,000	
John's Island Oyster Reef - Phase 2	\$750,000	\$750,000	\$1,500,000	
Monitoring and Administration	\$265,000	0	\$265,000	
TOTAL	\$4,265,000	\$ 6,037,350	\$ 11,016,350	

BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS \$10,912,797

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. However, recent budgetary restrictions have reduced this amount to just over \$20 million in 2008, and less in 2009. The County is requesting inclusion of the following Palm Beach County shore protection projects in the State's Fiscal Year 2010/11 Beach Erosion Control Program:

FY 2010 BEACHES FUNDING REQUESTS						
No.	Project Name	State Grant Funding Request	Federal Match	County Match	Municipal Match	Estimated Project Cost
1	Jupiter/Carlin Shore Protection	\$1,991,110	\$4,674,780	\$1,991,110		\$8,657,000
2	Jupiter Beach Erosion Control	\$550,000		\$550,000		\$1,100,000
3	Juno Beach Shore Protection	\$157,750		\$157,750		\$315,500
4	Singer Island Shore Protection	\$3,135,554		\$3,871,299	\$842,825	\$7,849,678
5	Central PBC Erosion Control	\$4,650,000		\$2,790,000	\$1,860,000	\$9,300,000
6	South Lake Worth Inlet	\$52,000		\$52,000		\$104,000
7	Ocean Ridge Shore Protection	\$221,490	\$520,000	\$221,490		\$963,000
8	Delray Beach Shore Protection	\$154,893	\$309,786	\$130,110	\$24,783	\$619,572
	TOTAL	\$10,912,797	\$5,504,566	\$9,763,759	\$2,727,608	\$28,908,912

CHAIN OF LAKES RESTORATION \$720,500

The Chain of Lakes, in Palm Beach County, covers 30 miles from West Palm Beach to Delray Beach, and consists of five lakes: Pine, Clarke, Osborne, Eden and Ida. A Chain of Lakes Management Plan was approved by the Palm Beach County Board of County Commissioners to provide fish and wildlife habitat along the lake shorelines, improve water quality, reduce stormwater discharges, and promote public outreach and education. Projects completed under this Plan, and with State appropriations, include creation of over one mile of shoreline habitat, restoration of over 10 acres of high quality wetlands, and dredging 130,000 cubic yards of muck sediments. State funds will be utilized for construction of three new projects to provide wetland restoration, shoreline enhancements, muck removal, and stormwater management improvements. These projects are identified in the Chain of Lakes Management Plan. Obtain funding of \$720,500 to implement stormwater and restoration projects identified in the Chain of Lakes Management Plan. This funding will be matched with \$ 720,500 in local funds.

In 2009, no State appropriation was received for this project.

COL Funding Requests for Fiscal Year 2010-2011

FY 2010 /2011 COL FUNDING REQUESTS				
Project Name	Grant Funding Request	Local Match	Estimated Project Cost	
Crinum Island	\$450,000	\$450,000	\$900,000	
North Lobe Lake Osborne	\$165,000	\$165,000	\$330,000	
Monitoring and Administration	\$105,500	\$105,500	\$211,000	
	\$720,500	\$720,500	\$1,440,000	

GENERAL PERMIT FOR RESTORATION ACTIVITIES

Currently in statute there are 23 exemptions, two no-notice general permits and 20 noticed general permits for development related activities which create minimal environmental impacts. There are no such exemptions or general permits for local governments to conduct environmental restoration.

Time and money spent obtaining Environmental Resource Permits delays restoration projects and consumes precious dollars which would otherwise accomplish additional restoration. In most cases, local government restoration projects are conducted with matching state funds which have time constraints which may be exceeded by permitting time frames.

At the same time, agency review staff time is consumed reviewing and issuing permits for a class of projects which will only provide environmental restoration. Support recommendations to:

- 1) Amend s. 373.406, F.S. to exempt certain public use facilities located on county-owned natural areas.
- 2) Create s. 373.407, F.S. to provide a noticed general permit for certain restoration activities.
- 3) Amend s. 253.03, F.S. to provide a form of authorization for certain restoration activities.
- 4) Amend s. 253.034, F.S. to limit certain filling of state lands to restoration activities.

TRANSPORTATION & INFRASTRUCTURE LEGISLATIVE PRIORITIES- 2010

SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY

Fifty Percent of the operating funding for the South FL Regional Transportation Authority (SFRTA) is provided by the Florida Department of Transportation (FDOT) with the remaining 50% shared equally among three participating Counties (Broward, Miami-Dade and Palm Beach County). Palm Beach County is statutorily required to contribute annually not less than \$1,565,000 to SFRTA's operating budget. In addition, the County is required to fund \$2,670,000 for capital costs related to the SFRTA. Administrators at the Federal Department of Transportation and Federal Transit Administration have expressed concern over the current state funding structure for Tri-Rail. They have expressed the lack of a strong state commitment for a dedicated revenue source could jeopardize future transit funding for the entire state and it may lead to the federal government requesting SFRTA to reimburse the federal government for the total amount of funding that was used to complete the double tracking of Tri-Rail. Support legislation that would provide a dedicated state funding source for the SFRTA.

GROWTH MANAGEMENT AND INFRASTRUCTURE

Florida's growth management laws were recently amended in an effort to continue to plan for the future growth and sustainability of our state. Legislation during the 2009 session amended state law to eliminate state transportation concurrency requirements in urban service areas of the state's most dense populated cities and counties. Palm Beach County understands the changes made to law last session and believe those changes should be allowed to work in practice before making new revisions. Any new revisions to growth management laws should focus specifically on the study of alternative approaches to transportation funding and concurrency including mobility fees and efforts to strengthen intergovernmental coordination so that land use decisions of one jurisdiction do not negatively impact another.

STRATEGIC INTERMODAL SYSTEM (SIS) FUNDING

The SIS is a statewide network of high-priority transportation facilities, including airports, seaports, freight and passenger rail, buses and highways that are key elements to the state's economy responding to trends including population, economic growth, stimulation of rural areas, growth management and the environment. The intent of this gas tax generated revenue source is to enhance Florida's economic competitiveness by focusing limited state resources on those transportation facilities that are critical to Florida's economy and quality of life.

While Palm Beach County realizes that SIS funds are used on a statewide basis, the allocations to South Florida do not meet the needs of urbanized Southeast Florida. The SIS funding process allocated by the Florida Department of Transportation was done as a policy without Legislative direction and is not based on population, lane miles or gas taxes collected as in other funding formulas which would provide for a more equitable allocation of funds.

The Legislature should provide a formula for distribution of SIS funds through the Legislature based on gas tax revenues collected to more adequately meet the needs of Southeast Florida by recouping a proportionate allocation of gas tax revenues collected.

DMV FACILITY SERVICE/MOUNTS BOTANICAL GARDENS \$1,900,000

Currently, the Department of Motor Vehicles licensing building is located on a parcel of land that sits on the northeast corner of Mounts Botanical Gardens. The garden exists to support the educational mission of the Palm Beach County Cooperative Extension Service whose office is adjacent to the Garden and the DMV facility. The Garden has extensive collections of native and exotic trees, shrubs, flowers, and grasses that are used for teaching, display, research and conservation.

In 1991, a design team was asked to prepare a master plan for the Botanical Gardens that would enable it to expand and be used as an important teaching and research arm for the agriculture community. Under this plan, the current site of the DMV office would become an integral part of the future Education Center.

In order to utilize the current DMV location, a new building would have to be constructed to replace the aging facility. DMV estimates figure a new "turn key" 8375 square foot building would cost approximately \$225/square foot for a replacement total before land costs of \$1,900,000. The building site is on land that can either be exchanged or granted for other property to the DMV by Palm Beach County.

In an effort to alleviate congestion at existing DMV facilities throughout the County and to improve customer service at those facilities, additional employees should be assigned to work at current DMV locations. Also the Legislature should encourage the Department to work creatively with existing businesses to provide satellite DMV locations for expanded service.

AIRPORT ISSUES

DISPOSITION OF ABANDONED MOTOR VEHICLES & AIRCRAFT ON AIRPORT PROPERTY:

Amend Chapter 705 F.S., "Lost or Abandoned Property" to establish a clear method for airports to dispose of abandoned personal property, vehicles and aircraft.

PUBLIC RECORDS: Support legislation that provides that proprietary confidential business information held by an airport is confidential and exempt from public records requirements.

CONCURRENCY: Support legislation that exempts aircraft assembly and aircraft manufacturing from concurrency of local comprehensive plans.

PUBLIC SAFETY LEGISLATIVE PRIORITIES – 2010

JUVENILE ASSESSMENT CENTER (JAC) \$400,000

The current Juvenile Assessment Center is a shared resource between the Department of Juvenile Justice (DJJ), Palm Beach County, the State Attorney, PBC School District and other local providers. The DJJ leases the space from PBC Department of Airports for \$250,962 annually with an additional \$128,000 for maintenance and utilities. The DJJ then subleases space to the School District (\$57,600), State Attorney (\$33,600), and nonprofit providers (\$27,600) annually.

The Department of Airports is required to terminate their lease with the DJJ in September 2016. Florida Statute 985.69 provides a local option to create a Juvenile Assessment Center but there is no mandate or state funding to support the physical structure.

Amend Chapter 985 of the Florida Statutes to support State funding for a Juvenile Assessment Center, whose purpose is to provide an array of assessment services for juveniles upon initial entry into the Justice System for more effective case planning. Additionally, support the Department of Juvenile Justice's \$25.3 million Capital Improvement Plan request for the design and building of a new complex that would house both the new Juvenile Assessment Center and Juvenile Detention Center. The initial \$400,000 request is for the planning stage of the Capital Improvement Plan. DJJ included this request in their 2010 budget proposal to the Governor.

The Juvenile Assessment Center was originally created to reduce law enforcement time processing youthful offenders. Co-location of partners and services such as assessments of risk and treatment needs, intake and probation, delinquency diversion services and substance abuse assessments allows the center to serve as a one-stop for youth and families.

TRAFFIC SAFETY PHOTO ENFORCEMENT

Red light running has become a dangerous problem across the nation and in Palm Beach County. Local data shows that accidents caused by disregarding a traffic signal are on the rise, and have higher fatality and injury rates. This reflects a national trend of increased red light running and an increase in fatalities caused by accidents at signalized intersections. To help address this problem, Palm Beach County has approved a program to use traffic cameras to enforce traffic signals. Currently, camera monitoring is used at railroad crossings and at tollbooths in the state; however, state law prohibits issuing tickets for running red lights based on photographic evidence. Palm Beach County's ordinance creates a municipal code violation for those who run red lights. Ensure that any legislative action allows Palm Beach County to continue their local program.

REENTRY FOR NON-VIOLENT OFFENDERS

Florida has the third largest prison population in America and over 30,000 people returning home from prison each year. In FY 2008-09 the number of inmate releases to Palm Beach County was 1,241, the 8th largest number of inmate releases in State. The continual growth of imprisonment in the State has created an unprecedented challenge for our State and for the local communities who must absorb these individuals upon their return home. Palm Beach County supported previous state actions to restore rights to felons released from prison. The State should continue to provide resources to ensure successful re-entry of inmates into the regular workforce. Support legislation that would create corporate tax credits for businesses that hire non-violent felons as part of a re-entry program.

SUBSTANTIAL ASSISTANCE FOR NON-DRUG OFFENSES

Current law does not allow for the State to enter into substantial assistance agreements with defendants when they are charged with most crimes. Only three substantial assistance provisions exist: in Chapter 893 (drug chapter), in 817 (fraudulent I.D chapter), and 790 ("hoax bomb" chapter). The Legislature should enact a statute that allows the State to move the sentencing court to reduce or suspend the sentence of any person who is convicted of a violation of any felony offense and who provides substantial assistance in the identification, arrest, or conviction of any of that person's accomplices, accessories, co-conspirators, or principals or of any other person engaged in criminal activity which would constitute a felony. Upon good cause shown, the motion may be filed and heard. The judge hearing the motion may reduce or suspend the sentence if the judge finds that the defendant rendered such substantial assistance. The provision helps in the identification, investigation and prosecution of crimes which would otherwise get undetected.

SUMMER CAMP PERSONNEL SCREENING

Child abuse and sex crime cases within a summer camp facility have surfaced in several states that include Ohio, New Jersey, and Oregon. These instances could have been avoided or minimized by using proper background checks. In most cases, volunteers not required to have a fingerprint background check were involved. By expanding the fingerprinting requirements to all employees and volunteers at summer recreation camps, summer day camps and summer 24 hour camps, risk to children and youth under the care of these providers would be minimized. Seek clarification in FL Statute 409.1758 on Level II screening for all summer camp program personnel.

HEALTH CARE LEGISLATIVE PRIORITIES -2010

TRANSPORTATION DISADVANTAGED PROGRAMS

In 2010, the State of Florida will provide Palm Beach County with \$1,868,189 in funding to support the non-sponsored Transportation Disadvantaged (TD) services. TD funding is an important funding source for Palm Tran, enabling Palm Beach County to provide the most economically challenged customers with discounted rides on both our fixed route and CONNECTION services. To maintain the level of services and accommodate the needs of residents, Palm Beach County has annually supported the TD program efforts with additional funding (this year - \$3,265,226) Last year the state allocated \$2,331,714 and Palm Beach County provided \$8,160,303). Palm Beach County supports attempts to maintain funding to the TD program and to prevent diversion of these dollars for other purposes.

HOMELESSNESS

Florida Statute is not clear as to the definition and functions of Continuum of Care Lead Entity if the Lead Entity is not the Homeless Coalition. The COC Lead Entity has the responsibility of planning, networking, coordinating and monitoring the delivery of services to the homeless. The COC Lead Entity carries out these responsibilities through an alliance with appropriate local groups and associations, faith-based organizations, municipalities, law enforcement, funders and health departments. The COC Lead Entity is also responsible for the coordination of local, state and federal grant applications related to funding for homeless services. The Statute identifies the above functions as those of a Homeless Coalition, however in communities where there is both a COC Lead Entity and Homeless Coalition, these functions could be carried out by each entity often duplicating administrative costs and responsibilities. Amend F.S. to clarify for communities that have both a COC Lead Entity and Homeless Coalition to clearly reflect roles and responsibilities.

LOCAL FUNDING PARITY FOR HEALTH AND HUMAN SERVICE PROGRAMS

Census data coupled with periodic agency needs analysis have been two of the main factors that determine how financial resources are allocated for programs such as mental health, substance abuse, and re-entry forensic services. Often the needs analysis used to calculate these allocations are outdated and have led to inequities in how these types of program funds are allocated to Palm Beach County as compared to other urban counties in the state. Support changes in law that require needs analysis data used to allocate program allocations be no more than two years old.

CONSUMER SERVICES LEGISLATIVE PRIORITIES - 2010

TOWING BILL

The following three changes should be considered to provide additional consumer protection:

F.S. 715.07 implies but does not require the direct and express authorization from a property owner to have a towing company remove an illegally parked vehicle. Tow company drivers have been given that "responsibility" by default. Amend Florida Statute 715.07 to specifically define "express authorization" so that only a property owner or their specific designee can authorize the towing of inappropriately parked vehicles or vessels on private property.

F.S. 715.07 provides no guidance or definition as to what documentation is required for owners of impounded vehicles or vessels to prove they are the actual owners. Amend F.S. 715.07 to define the required documentation which towing companies must accept to prove that a person owns an impounded vehicle or vessel. These definitions would save consumers considerable dollars in compounding storage fees and give towing companies direction in requiring specific types of ownership documentation.

Previous legislation filed in the Florida Legislature would have provided certification and training for wrecker operators and require at least two forms of payment including cash to be accepted but did not pass out of final committees. Require towing companies to accept payment for towed vehicles/vessels beyond cash to include valid checks and credit cards.

EMPLOYEE/VENDOR CRIMINAL BACKGROUND CHECKS

Amend Florida Statutes to allow for requiring federal criminal background checks in addition to the state background checks currently permitted for those who apply for a Vehicle for Hire Driver's I.D. Badge. Limiting counties to state FDLE background checks excludes any information regarding criminal history outside of the State of Florida possibly impacting the safety of the passenger. In addition, Vehicle for Hire Drivers often have access to airports, seaports and other security sensitive areas. Applicants would be responsible for the cost of the federal background check which is estimated to be an additional \$49.00. The current fee for a State FDLE check is \$24.00.

LOCAL GOVERNMENT/ADMINISTRATIVE LEGISLATIVE PRIORITIES - 2010

SUPERVISOR OF ELECTIONS – SPECIAL ELECTION FUNDING AND ADA COMPLIANCE

In 2009, the Supervisor of Elections in Palm Beach County incurred \$246,598 in expenses related to two Special Elections held for State Senate District 28 and State House Seat 84. Under statute 100.103, the county is required to incur these expenses and then submit our expenses to the State for reimbursement. Because of current economic difficulties, the recent practice of the legislature has been to allot a flat amount for this account that does not cover the total requested reimbursement amounts by the counties who held special elections.

During the 2007 Legislative Session, HB 537 relating to elections was passed which amended Florida Statutes by mandating that by 2012, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements under the Federal Help America Vote Act. At the time of passage of the legislation, this technology was largely conceptual and currently is still in the development stages. With the impending deadline approaching to meet the statute's requirements, we believe it would be in the interest of all parties concerned that the implementation date should be revised to 2016.

F.S. 101.56075(3) would be amended to read:

By ~~2012~~ 2016, persons with disabilities shall vote on a voter interface device that meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 which are consistent with subsection (1) of this section.

VALUE ADJUSTMENT BOARD

Due to changes in the state law last year, the presumption of correctness now rests on the property appraiser's office and petitioners to the Value Adjustment Board no longer are required to prove the assessed value of their property was inaccurate. The Palm Beach County Value Adjustment Board has received a record 18,000 petitions this year from residents who pay a \$15 filing fee in comparison to the approximate \$43 in costs to the County. With the changes in law coupled with the vast number of petitions filed and expected to grow, the filing fee should be raised to \$50 to cover the anticipated increasing costs to process them.

ENVIRONMENTAL AND NATURAL RESOURCES SUPPORT ISSUES -2010

LOXAHATCHEE RIVER INITIATIVE \$2,670,000

The Loxahatchee River is the southernmost tributary of the Indian River Lagoon and includes the North Fork of the Loxahatchee River, one of two nationally designated Wild and Scenic Rivers in Florida. Despite its Federal designation as a Wild and Scenic River and the protective status associated with classification as an Outstanding Florida Water, significant problems with the River need to be addressed. Development in the River's watershed has altered much of the natural flow of the River and water quality concerns are widespread. Within the Wild and Scenic portion of the River, virtually all of the cypress trees in the lowermost segment have been killed by the upstream movement of saltwater. This condition is the direct result of hydrologic alterations of the watershed that have reduced the volume of freshwater to the River.

The Loxahatchee River Preservation Initiative is the outgrowth of a watershed management effort started by the Department of Environmental Protection in 1996. A multi-agency and community-based coalition, the Loxahatchee River Watershed Planning Committee was created to define and evaluate the status of the entire watershed and propose actions that would improve and protect the natural resources within the watershed.

FY 2010 LRPI Legislative Funding Request

FY 2010 LRPI FUNDING REQUESTS				
Project Name	Grant Funding Request	Local Match	Estimated Project Cost	
Loxahatchee River Water Quality & Biological Monitoring	\$120,000	\$120,000	\$240,000	
Urban Stormwater Management System Rehabilitation-Phase	\$200,000	\$200,000	\$400,000	
North Jupiter Flatwoods Restoration - Phase I	\$350,000	\$350,000	\$700,000	
Northwest Fork Tributary, Environmentally Sensitive Lands, Recreation, and Water Resource Acquisition Project-Phase I	\$2,000,000	\$17,826,440	\$19,826,440	
TOTAL	\$2,670,000	\$18,496,440	\$21,166,440	

LAKE OKEECHOBEE SCENIC TRAIL (LOST) COMPLETION OF PHASE II \$1,610,000

The Lake Okeechobee Scenic Trail (LOST) is part of the Florida National Scenic Trail, and one of eight federally-designated National Scenic Trails in the country. It is a multi-agency, multi-government project to turn the lands around Lake Okeechobee into an internationally-recognized recreational area and tourist destination. This in turn will help revitalize and provide economic stability to the communities surrounding Lake Okeechobee.

The completion of Phase II Lake Okeechobee Scenic Trail (LOST) Connections will expand visitor accessibility to the downtowns from the Lake Okeechobee Scenic Trail. Coordination with the communities, the Lake Okeechobee Regional Economic Alliance of Palm Beach County, Inc., the EDGE Center, Inc., and Workforce Alliance will assist in attracting tourism-related businesses, jobs and private investments.

FLORIDA FOREVER AND EVERGLADES RESTORATION

\$300 Million (\$10 million debt service) for Florida Forever and funding for Everglades Restoration

The Florida Forever Program, which replaced the highly successful Preservation 2000 Conservation Lands Acquisition Program, is described by the Florida Department of Environmental Protection as the blueprint for conservation of the State's natural resources. It encompasses a wide range of goals including acquisition of conservation lands, restoration of environmental systems, water resource development and increased public access. Millions of acres of lands have been preserved under this and predecessor programs. Additionally, at least 27 local governments have initiated conservation lands acquisition programs, leveraging state dollars with local funds to preserve locally and regionally important ecosystems.

Issue 1 – Address Pre-acquired Lands

The Florida Forever program was not funded by the Legislature in 2009. This was a major setback to both state and local efforts to preserve the natural resources of the State. Particularly, it is a devastating setback to Palm Beach County which pre-acquired the Hatcher property prior to seeking reimbursement from the State. The Florida Communities Trust (FCT) is proposing rule changes that could, but currently do not, address pre-acquired properties. Legislation should be sought to address pre-acquired parcels

Issue 2 – Prevent Changes in Ranking Process

Changes limiting dollars available per grant applicant and removal of criteria supporting conservation and restoration of natural lands are proposed. These changes to the way rankings are made would negatively affect Palm Beach County projects. Successfully negotiating these changes could protect millions of potential cost-sharing revenue dollars for the County.

WATER RESERVATIONS

Chapter 373, Florida Statutes, allows the Water Management Districts (Districts) and the Florida Department of Environmental Protection (DEP) to reserve from use by permit applicants, water that may be required for the protection of fish and wildlife or for public health and safety. The Statute does not include specific criteria for reservations or a process for creating them. Since 1972, only two water reservations have been established in the State (Payne's Prairies Preserve and Apalachicola River). In addition, the Water Resource Development Act of 2000 (WRDA 2000) requires reservations of water concurrent with the design of projects within the Comprehensive Everglades Restoration Plan (CERP). In May 2006, DEP successfully adopted Florida Administrative Code Rule 62-40.474 addressing water reservations in their Water Resource Implementation Rule (Chapter 62-40, F.A.C.) This rule was highly contested by a variety of interest groups.

In response to concerns expressed by the development community and utilities that reservations of water could limit access to water for public water supply purposes, bills to repeal the statutory authority of the Districts and DEP to reserve water were filed in the 2003 legislative session. The bills were strongly opposed by the DEP and statewide environmental organizations. Amended versions of the bills considered during the session would have retained the authority of the DEP and districts to create reservations under various restrictions and caveats. The bills died in session.

Recently SFWMD initiated rule making for a water reservation at Picayune Strand located in Collier County and Kissimmee River Basin. Upon review of SFWMD's draft rules and meeting comments, the utilities prior concerns related to water supply have since come to fruition. SFWMD has indicated that even if excess water is available at certain times of the year, this water will not be made available for potable water supply. Instead, excess water will be discharged to tide. While utilities support the state's goals of reserving enough water for the protection of fish and wildlife and human health, any excess water should be made available to utilities as a means of dealing with the ever difficult water supply issues. Thus, rules relating to water reservations should include provisions authorizing utilities to create reservoirs for storing and utilizing any water supplies not necessary for protection of fish and wildlife or human health and which would otherwise be lost to tide.

Support legislation providing specific criteria and a scientifically-based process similar to the setting of minimum flows and levels for the establishment of reservations and the maintenance of current statutory language that protects existing legal users of water so long as such use is not contrary to the public interest. The process should consider the needs of the environment and legal users of water including agriculture, urban and other water suppliers.

TOTAL MAXIMUM DAILY LOAD PROGRAM

Under the Federal Clean Water Act, states are required to submit a list of impaired water bodies and establish Total Maximum Daily Loads (TMDL) in those water bodies. The states are charged with identifying what is contributing to the nutrient/pollutant loading, develop the maximum nutrient/pollutant load that the affected water body can sustain, and implement a program or regulation to protect the water body. This program will have far-reaching impacts and will affect the environment, agriculture, urban areas, as well as water supply. Therefore, the program must be developed cautiously and with consideration of all

possible ramifications. For example, water reclamation projects that recycle water provide environmental and water supply benefits which could be negatively impacted by the TMDL program. The Florida Department of Environmental Protection is currently developing regulations regarding the implementation of a State-Wide Total Maximum Daily Load (TMDL) Program. Monitor the development of the state's TMDL program to ensure that the input of local governments is properly considered.

WATER CONSERVATION & MANDATORY RATE STRUCTURES FOR PUBLIC UTILITIES

Legislation mandating the establishment of specific statewide conservation rate structures and drought rates on a "one size fits all" basis would negatively impact local government utilities. Utility rulemaking is already a very complex process, and is currently governed by a myriad of State rules and regulations. If the State mandates a particular conservation rate structure, it could negatively impact the ability of a local government to properly fund its operations. The end result is that the local utility would not have the funding necessary to implement the various water conservation and alternative water supply initiatives that may be needed in the future. The State should focus its efforts on establishing global conservation goals and creating incentive programs to encourage local governments to voluntarily comply with those goals.

Palm Beach County recognizes that water conservation is unique to each local utility and should be addressed through a community's water conservation plan and any attempt to develop a statewide comprehensive water conservation program should provide the process and methodology for local utilities to develop a specific, "goal-based" water conservation program, unique to their community, which could include a wide array of alternative water conservation initiatives. Funding should be provided by the District's for those programs that meet specific, "goal-based" criteria established through the statewide comprehensive water conservation program. Any change in State water law should recognize that a local public utility has the responsibility and right to establish rates and rate structures for its services.

ALTERNATIVE WATER SUPPLY

Support the restoration of full funding for the development of alternative water supply projects from the Water Protection and Sustainability Program in order to implement the development of capital alternative water supply projects. In 2005, the State Legislature enacted the Water Protection and Sustainability Program requiring the regional water supply planning function of the water management districts to promote alternative water supply projects and enhance the state's water supplies. At the beginning of each fiscal year, revenues were to be distributed by the Florida Department of Environmental Protection into the alternative water supply trust fund accounts created by each water management district. A total of \$100 million was established in recurring funding. The South Florida Water Management District would get 30% of the total allocation, which was to be combined with matching financial assistance for alternative water supply projects from each district's budget to assist in funding alternative water supply construction costs selected by each District's governing board.

In 2008, funding from the Water Protection and Sustainability Program Trust Fund was reduced to \$7.7 million state-wide, and the SFWMD received a total of \$3.8 million of that total from the State for local match of which \$3 million was specifically earmarked for Miami-Dade County. In 2009, the funding level was reduced to \$2 million total statewide.

NON-POTABLE WATER REUSE

Support legislation that would recognize reclaimed water as the preferred water source for non-potable water uses where it is economically, technically, and environmentally feasible to do so. During the 2008 Session, there was proposed language to define reuse of reclaimed water, to authorize the designation of mandatory reclaimed water zones and to direct the water management districts to require the use of reclaimed water outside of mandatory reclaimed water zones. The legislation was also intended to assign reclaimed water offsets when available to reclaimed water providers and to allow the supplementation of reclaimed water with surface water, groundwater, or stormwater to better achieve peak flows without the need for additional storage.

As a result of the proposed legislation, the Governor asked for a review from the Department of Environmental Protection to evaluate reclaimed water issues with key stakeholders and come back with recommendations for the 2010 Legislative Session. In conjunction with that effort, Palm Beach County served on the Commission's Task Force before the Water Policy Congress, and chaired the Florida 2030 Reuse Subcommittee to develop short and long-term action plans addressing reclaimed water issues and possibly new legislation for the 2010 Legislative Session.

NUMERIC NUTRIENT CRITERIA RULEMAKING

It is likely that USEPA's rule-making effort will undergo extensive debate and revisions. The Legislature may give direction to the Florida Department of Environmental Protection regarding the state's participation in USEPA's numeric nutrient standard during this session.

Adoption of a nutrient standard will greatly benefit all Palm Beach County waters and Lake Worth Lagoon and the Chain of Lakes would be significantly benefitted. Currently, residential and agricultural runoff provide a heavy nutrient load to these systems which accelerates their eutrophication.

Application of a numeric nutrient standard is also likely to be costly. Any necessary retrofit of existing systems probably would and should be phased in over time. Introduction of new treatment technologies and best management practices, if necessary, will also likely take time to be developed and brought on-line.

It is likely that wastewater and stormwater discharges to surface waters, including land application systems, rapid infiltration basins, stormwater treatment systems, and public access reuse systems would have to be either eliminated or treated to a higher degree.

Palm Beach County Water Utilities Department (PBCWUD) presently operates the Southern Region Water Reclamation Facility, and, in conjunction with other municipal utilities operates the East Central Regional Water Treatment Facility. These plants have a combined treatment capacity of 99 Million Gallons of Wastewater per Day (MGD). Presently, 25 MGD is reclaimed for non-potable irrigation uses; another 22MGD is designed and being constructed with Florida Power and Light Company for industrial cooling at their West County Energy Plant, scheduled for project completion in January 2011. The total reclaimed water investment by PBCWUD presently stands at nearly \$200 Million.

Many of the County's reclamation facilities presently discharge to stormwater detention ponds for irrigation use at golf courses and residential developments. Depending on the standards which may be set forth, existing re-use customers may opt to no longer accept reclaimed water without additional treatment. In this latter case, delivery of reclaimed water services could become technologically, economically, or environmentally infeasible and the County's current reclaimed water investments could become stranded assets that could no longer be useful for its intended purposes. Additionally, the wastewater would need to be further treated beyond current treatment levels or the reclaimed water being produced would need to be eliminated through deep well injection, requiring that additional deep injection wells be constructed for that purpose. For this reason, it is important that any new standard also consider the practical realities and benefits of wastewater treatment and re-use.

Support any legislative bills, amendments, or policies imposed on local governments that provide at a minimum, implementation of numeric nutrient criteria that would:

- Ensure that any numeric nutrient criteria rule in Florida is based on scientifically valid and economically feasible Florida-specific data; and
- Provide a significant ecological benefit to Palm beach County waters, including Lake Worth Lagoon and the Chain of Lakes; and
- Consider the value of Palm Beach County's wastewater treatment and reclamation programs; and
- Would not mandate either directly or indirectly the use of reverse osmosis technologies to achieve new numeric nutrient levels; and
- Provide that pre-existing reclaimed water customers maintain connection to an existing reclaimed water provider; and
- Provide a dedicated funding source for conversion of water treatment technologies to achieve numeric nutrient standards beyond the AWT level.

RESTORE FUNDING TO THE STATE PETROLEUM CLEANUP PROGRAM

In 2009, the Florida Legislature tapped the Inland Protection Trust Fund (IPTF) for \$70,000,000 to meet other budgetary needs. The Fund is supported by a tax on each barrel of oil sold in the state. Monies are used to clean up sites where groundwater is contaminated with petroleum products, typically as a result of leaking storage tanks at gas stations. The funds are administered by DEP and contracted by local government programs, including Palm Beach County. In 2009, the Legislature allocated \$10M, as compared to \$151M in 2008/09. The \$10M was used to secure a bond in the amount of \$90M just to keep the program going through a nearly non-funded year.

Encourage the legislature to not tap into the Fund to provide for other services and ensure that the Fund is expended in accordance with the State Underground Petroleum Environmental response Act.

Absence of funding puts private drinking water wells at risk and increases costs of water treatment for public water supplies; contamination continues to spread over the upper surfaces of groundwater, thereby increasing its eventual cleanup cost; former gas station sites are unmarketable without a cleanup fund – owners, developers and lenders will not invest in contaminated sites; and litigation cost accelerate as contamination spreads and new, third party liabilities come into question.

PUBLIC SAFETY SUPPORT ISSUES - 2010

EMERGENCY PREPAREDNESS ISSUES

Emergency Management Preparedness and Assistance Trust Fund (EMPA):

The Emergency Management Preparedness and Assistance Trust Fund (EMPA) was created within Ch 252, F.S. Since inception of the Trust Fund in 1993 it has remained at the same funding level despite a substantial increase in demands on county and municipal emergency management. The EMPA is administered by the Florida Department of Community Affairs (DCA). Currently an annual surcharge of \$2.00 per resident and \$4.00 per commercial property insurance policy is imposed. A recent LCIR study suggests that changes in the insurance industry since the 1994 inception of the surcharge may be responsible for unintended "loopholes" in surcharge assessments. It is important to note that the fees or types of policies this surcharge affects has not been modified since this trust fund's inception. Support an examination into methods to correct the deficiencies in surcharge collection and apply the surcharge to the number of units or parcels included for coverage in a commercial or residential insurance policy.

Prior to 2003, proceeds from the EMPA trust fund were distributed based on fixed allocation formula in the statute and authorized each year by the Legislature. Since then, the annual appropriation level for Base Grants to County Emergency management Programs have equaled \$7.1 million annually, a historical level representing approximately 51 percent of the trust fund annual proceeds. Support maintaining this funding level as the minimum allocation for County Base Grants.

FIREWORK SAFETY LOCAL ORDINANCES

From July 2005 through July 2006, over 5000 incidents/complaints regarding fireworks were filed with Palm Beach County law enforcement agencies. During the 2005 session, the fireworks industry unsuccessfully attempted several amendments that would have preempted the regulation of fireworks for all local ordinances passed after March 1, 2005. In 2006, Senator Lawson introduced SB 440 that would define agencies responsible for enforcing provisions and would revise registration requirements for manufacturers, distributors and wholesalers of sparklers or fireworks but the bill died in Committee.

During the 2007 session, SB 1372 created the Consumer Fireworks Task Force to study and evaluate issues relating to fireworks. These issues include; proper use of consumer fireworks, regulation of sales and temporary sale facilities for fireworks and regulation of hours and funding options for fire official training and education. The Task Force recommendations were submitted to the President of the Senate and Speaker of the House in January 2008. Palm Beach County's local ordinance currently allows the ability to impose restricted use of fireworks in drought conditions and requires us to inspect the fireworks stores four times a year. Oppose any legislation that would limit local authorities to impose more stringent regulations on the sale and use of consumer fireworks.

ANIMAL CARE & CONTROL

Section 828.073(2), Florida Statutes currently states that the County's animal care and control officers may remove a neglected animal from its present conditions: "and shall forthwith petition the county court judge of the county wherein the animal is found for a hearing, to be set within 30 days after the date of seizure of the animal or issuance of the order to provide care and held not more than 15 days after the setting of such date, to determine whether the owner, if known, is able to provide adequately for the animal and is fit to have custody of the animal. The hearing shall be concluded and the court order entered thereon within 60 days after the date the hearing is commenced. No fee shall be charged for the filing of the petition. Nothing herein is intended to require court action for the taking into custody and making proper disposition of stray or abandoned animals as lawfully performed by animal control agents."

Section 828.073(3) also requires that "[t]he officer or agent of any county ... taking charge of any animal pursuant to the provisions of this section shall have written notice served, at least 5 days prior to the hearing set forth in subsection (2)."

The ambiguous language of the above cited custody statute places an undue burden on the County when seeking to obtain custody of an abused animal, since it is immensely difficult to seize an animal, schedule a hearing, and serve the animal's owner within the timeframes set forth in the statute. For instance, should the language be interpreted to mean that the hearing must be scheduled within thirty days to be held within fifteen days? If so, then the County is left with insufficient time in which to serve the owner prior to the hearing. In the alternative, is the statute meant to be interpreted to mean that the hearing must be scheduled to begin within thirty days of the date of seizure and must conclude within fifteen days? These are questions the Legislature should clarify by revising the language.

In addition, since the language of the statute mandates that the counties follow timeframes that the courts are not currently equipped to follow; the Legislature should mandate that the courts establish appropriate procedures to schedule these custody cases on an expedited basis. As it now stands, the County has the burden to timely schedule hearings and risks having a custody case dismissed for failure to comply with the jurisdictional time limits; however, the courts rarely have time on their calendars for such hearings.

EDUCATION LEGISLATIVE SUPPORT ISSUES - 2010

STATE LIBRARY FUNDING

Local governments receive state support for libraries through three different programs: the State Aid program, the Regional Multi-type Library Cooperative Grant program, and Public Library Construction Grant program. Continuation of these funding sources will ensure that the State will play an appropriate role in enhancing public library service by matching local library expenditures, enhancing consortia services to area libraries, and providing needed dollars for the construction of new public libraries.

STATE AID

During the current economic environment, libraries play an increasingly important role to the residents of the counties not only to check out books and videos, but also to use the libraries' computers for job searches, resume writing and even as a replacement for home internet access. In addition, attendance at free library programs for both youths and adults has also increased and some people have related that rather than send their children to summer camps they utilize the library instead. In order to avoid further deterioration in library funding, amend Florida Statutes to restore funds for State Aid to Public Library Grants from the current \$21 million to the 2001 level of \$33.4 million.

F.S. 257.195 would be amended to read:

In the event of revenue shortfalls which necessitate budget reductions during any fiscal year, the total appropriation for library grants from state sources shall have the same ratable reduction as that applied to the operating funds of the Division of Library and Information Services or such reduction shall be at the discretion of the Secretary of State. As a benchmark, minimum funding levels for State Aid to Public Libraries shall not be less than FY2009 funding of \$21.5 million, and the Legislature and Secretary of State are encouraged to restore funds to the FY2001 State Aid level of \$33.4 million.

REGIONAL MULTI-TYPE LIBRARY COOPERATIVES

The Palm Beach County Library System is part of the regional multi-type library consortia known as Southeast Florida Library Information Network (SEFLIN) which connects both public and private libraries of all types to one another and allows us to serve the community more effectively through the joint use of technology, continuing education and training of library staff. State funding should be restored to historical levels of \$2.4 million to support resource sharing activities of Florida's six multi-type library cooperatives. In FY 09-10, total funding was at \$1,200,000, a \$300,000 reduction from previous the years funding.

PUBLIC LIBRARY CONSTRUCTION GRANT PROGRAM

Funding should be allocated to support funding of all Department of State approved Library Construction Grant applications (XX projects) of up to the statutory limit of \$500,000 for a total of \$12.4 million. The Acreage Branch is Palm Beach County's only project on the list and would require the state to fund at least \$9 million in statewide allocations to be funded. This is the only governmental funding source other than local funds as federal construction has been discontinued.

HEALTH CARE LEGISLATIVE SUPPORT ISSUES - 2010

RETINOBLASTOMA

Retinoblastoma is a disease that causes the growth of malignant tumors in the retinal cell layer the eye and effects 1 in every 12,000 children. Most cases occur in the first two years of life which is why it is important for screening of this disease to take place between birth and 5 years of age. Worldwide over 7,000 children die each year due to lack of early detection. Only the State of California has passed legislation that requires eye pathology screening of newborns and infants. In infancy, eye dilation is needed in order for an omthalmoscope to detect 100% of the tumors. The use of a photograph of the child from parents and/or physicians can aide in the determination of utilizing eye drops necessary for eye dilation. This 10 second exam will also detect other ocular diseases that affect newborns, infants and toddlers such as congenital cataracts.

The Palm Beach County Board of County Commissioners issued a proclamation declaring December as "Joey Bergsma Retinoblastoma Awareness Month" in Palm Beach County to raise the awareness of this disease. In addition, the Board passed a resolution urging the legislature to require exams for early detection of Retinoblastoma in newborns and infants.

Legislation should amend Florida Statutes to "require certain eye examinations for all infants born in hospitals in the state and providing that coverage for children under health insurance policies and health maintenance organizations must include certain eye examinations for infants and children."

ALZHEIMER'S MEDICAID WAIVER PROGRAM

Alzheimer's Community Care is one of three providers in the State contracted with the Department of Elder Affairs for an Alzheimer's Medicaid Waiver Program (The other two are in Pinellas County and Miami Dade County). This provides home and community-based services for up to 80 patients diagnosed with Alzheimer's disease and their caregivers residing in Palm Beach County. Support the line item allocation in the Department of Elder Affair's budget to continue this waiver program.

LOCAL BILL

FAMILY DAY CARE HOMES

The Palm Beach County Board of County Commissioners, Child Care Advisory Council and the Palm Beach County Health Department are recommending a number of changes to chapters 59-1698 and 77-620, Special Acts, Laws of Florida applicable to the permitting of child care facilities. The proposed changes will:

Increase the maximum number of children allowed in Family Day Care homes from 5 to 6 provided that no more than 2 of the children are birth to 24 months of age;

1. Designate one of the private enterprise seats on the Child Care Advisory Council for a family day care provider; and
2. Create a new permitting category for Large Family Child Care Facilities with a maximum capacity of 12 children and caregiver to child ratios of 1:4, 1:6, or 1:8 depending on the ages of children in care.
3. The proposed changes will provide greater consistency with State regulations and are endorsed by the Palm Beach County Family Child Care Association.