

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: February 7, 2017 () Consent (X) Regular
 () Workshop () Public Hearing

Department

Submitted By: Legislative Affairs

Submitted For: Legislative Affairs

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: the proposed 2017 Federal Legislative Agenda, which includes priority appropriation and legislative issues.

Summary: The proposed 2017 Federal Legislative Agenda includes priority appropriation and legislative issues, general appropriations, and general issues to monitor. The Federal Legislative Agenda outlines issues the County's Legislative Affairs Office, in conjunction with the County's federal lobbyists, will be working on for the upcoming Congressional session. Staff will also provide a brief recap and review of the 2016 Federal Legislative Agenda. Countywide (DW)

Background and Justification: Each year the Board of County Commissioners adopts a program of legislative and appropriation priorities for the Session of Congress.

Attachments:

- 1. Proposed 2017 Federal Legislative Agenda

Recommended by:	<i>Rachana</i>	1/25/17
	Department Director	Date
Approved by:	<i>Zahid J. Blum</i>	2/1/17
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT *	0	_____	_____	_____	_____
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:

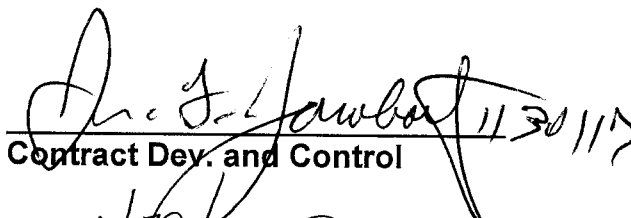
*No fiscal impact

III. REVIEW COMMENTS

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




 OFMB 1/30



 Contract Dev. and Control 1/30/17

B. Legal Sufficiency:



 Assistant County Attorney 1/31/17

C. Other Department Review:

 Department Director

Palm Beach County 2017 Proposed Federal Agenda



Board of County Commissioners



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TRANSPORTATION



AIRPORT CUSTOMS

The Department of Airports has had discussions with US Customs and Border Patrol (CBP) officials in an effort to provide Customs service at our main terminal after 4:00pm. Several airlines and general aviation tenants have requested additional international service at PBIA but are unable to provide the service since Customs officers only work at the main terminal until 4:00pm.

The Department of Airports has submitted plans to CBP for expansion of our Federal Inspection Station in anticipation of additional international service. Our marketing efforts include meetings in Europe with international airlines for service to PBIA in addition to visits to all US domestic airlines that serve international destinations. However, if CBP cannot or will not provide service at PBIA's main terminal after 4:00pm, it becomes difficult if not impossible to have expanded international service at PBIA.

PBIA will continue to work with CBP towards a solution. One solution may involve PBIA entering into a reimbursable fee agreement, which allows 5 airports per year to seek additional services from CBP on a reimbursement basis. PBIA will consider applying for one of these slots and will continue to work with CBP to provide flexibility in securing additional officers for international travel entering PBIA after 4:00pm.

ROAD CONSTRUCTION, RAIL AND TRAFFIC ENGINEERING

PASSENGER RAIL ON FEC CORRIDOR

All Aboard Florida is developing a privately owned, operated and maintained intercity passenger rail service. Stations are currently planned and under construction for the downtowns of Miami, Fort Lauderdale, West Palm Beach and the future Intermodal Station at the Orlando International Airport. Continue to monitor rail development progress on the FEC corridor to seek opportunities for Tri-Rail service area expansion, mitigate adverse noise impacts through investment in safety equipment to establish quiet zones, and encourage minimizing traffic impacts where possible.

STATE ROAD 7 EXTENSION

State Road 7 has been on the County's Thoroughfare Plan and Long Range Transportation Plan since 1972. It is shown on the County's Comprehensive Plan extending from Okeechobee Boulevard to Northlake Boulevard. The County has already constructed a portion of this roadway from Okeechobee Boulevard north to 60th Street. This roadway extension is considered a necessary connection for adequate traffic flow in the central/western area. Support efforts to continue the extension of State Road 7.

GLADES AREA ROAD CONSTRUCTION/STREET REPAIR – PHASE TWO - \$2,500,000

More than any other issue facing Belle Glade, South Bay and Pahokee today, the repair and rebuilding of streets are the cities number one concern. The three cities have outlined road resurfacing and reconstruction projects on Collector/Residential Roadways. State legislators were successful in securing \$1 million in FY 13, over \$4 million in FY 14, and \$1 million in FY 15 for phase one of the projects. Support the tri-cities request to continue repair and maintenance on these roads essential for future economic recovery in the region.

TRUCK SIZE AND WEIGHT

There is concern that Congress is considering changes to federal standards that would increase the allowed truck size and weight on roads. Longer and heavier trucks accelerate the deterioration of roads and bridges, putting additional pressure on financially strained local governments to fund infrastructure. Since most truck trips begin and end on the local road system, local government agencies would face increased responsibility for impacts and repairs. Taxpayers subsidize heavy truck operations by nearly \$2 billion each year on federally funded roadways, and an equal amount annually on state and local funded roadways, since truck fees do not cover the damage that trucks do to roads and bridges. Additionally, road safety would be strongly affected. Longer trucks are harder to steer and have poorer stability, a longer stopping distance, and a larger crash footprint. These characteristics contribute to them having a higher fatal accident involvement rate than smaller trucks.

Oppose any legislation that seeks to increase truck size or weight limits beyond those in current federal law because of the tremendous highway safety, infrastructure damage, and transportation funding implications of changes in truck size or weight.

PALM TRAN

Transit Technology Enhancement Projects

Palm Beach County is requesting \$7 million for the procurement, installation and integration of various technology programs to enhance the effectiveness and efficiency of transportation services. The highest priority included in this request is for modernization of our fare collection equipment (new fare boxes and related technology) to allow the public the opportunity to pay with Debit and Credit cards. This will include development of an interoperable fare system, whereby customers can transfer seamlessly to and from any of the transit providers in the region. Significant upgrades are required in the system, including development of new fare media and fare-distribution systems and retraining of all personnel and the public.

Facility and Equipment Renewal & Replacement

Palm Beach County is requesting \$2.3 million for the renewal & replacement of existing maintenance facility and equipment components located in our Delray Beach bus depot. In order to keep the facility and equipment in safe working order and to meet the requirements of MAP 21 (State of Good Repair), Palm Tran will make the following improvements to the existing maintenance facility: replace maintenance bay roof, replace wash facility roof, refurbish supervisor offices and breakroom, replace motor wash lift, replace bus wash, replace fuel island dispensers, enclose transmission area, expand tool storage area, replace ceiling exhaust fans, extend fuel island canopy, and replace existing lighting with energy efficient lighting system.

Bus Shelter Expansion

Palm Beach County is requesting \$11.8 million to completely overhaul our bus shelter inventory. This includes replacing 334 existing shelters that are between 10 and 15 years old (useful life is 10 years), and 250 additional shelters for a new total of 584. Currently, only 19% of our 3,200 stops have shelters. The existing shelters are deteriorating and need replacement as well as upgrades to shelter pads to maintain ADA compliance. Additional shelters are necessary to protect riders from the weather, especially during the summer months and rainy season.

ENVIRONMENTAL & NATURAL RESOURCES

GLADES CITIES WATER INFRASTRUCTURE PROJECT

The Cities of Belle Glade, Pahokee and South Bay are located in a socio-economically disadvantaged area of Western Palm Beach County. Prior to 2008, their source of water was Lake Okeechobee, an unreliable and poor quality source. The County constructed a \$58-million-dollar regional water plant using a reliable brackish water source and reverse osmosis technology to improve water quality in the area. Unfortunately, the water

infrastructure (pipelines) in all three cities is aged, was poorly constructed and has succumbed to the corrosive characteristics of the local soil. As much as 40% of the water being produced by the plant is leaking into the ground, compromising overall water quality. Furthermore, the deteriorating and undersized pipes of the system have problems providing adequate pressure during maximum daily flow conditions, particularly during fire flow events. There is considerable piping in each community that needs to be replaced to stem the leakage and improve operating pressures. These improvements are desperately needed in order to preserve the high quality of the water from the new plant and to maintain adequate fire flow pressures in the system protecting the public health and safety of the citizens of the three cities. The Glades Cities Water Infrastructure Project to construct these improvements to the water system was originally \$25 million and has significantly exceeded those costs due to the existing conditions of the infrastructure. To assist in the restoration of the infrastructure, the county requests federal matching assistance of \$1 million per year. The State of Florida has contributed \$2.5 million in state grants since 2014.

ENVIRONMENTAL PROJECTS

BEACH RESTORATION

Continue to work with the federal government to provide storm protection, recreation and habitat on eroded beaches.

WATER RESOURCES DEVELOPMENT PROJECTS

Support the County proposed Continuing Authorities Projects for habitat restoration in Lake Okeechobee and Lake Worth Lagoon through funding for the required Appraisal Reports and the initiation of the required feasibility studies.

NATIONAL ENVIRONMENTAL POLICY ACT

Administration of the **National Environmental Policy Act (NEPA)** plays a part in nearly all of our habitat restoration activities, unfortunately in a detrimental way. Changes to NEPA would be the only way to address these reoccurring issues.

1. Support efforts to hold Agencies accountable for their review timelines. Revise 50 CFR 402.14 with the following suggested language: **“Failure to provide a biological opinion within the prescribed time frames shall result in termination of the services’ participation in the review of the application.”**
2. Support a revision to 40 CFR 1508.7 allowing flexibility in the interpretation of NEPA language to allow counties to utilize non-traditional alternatives to beach maintenance. The following language is suggested: **“Where cumulative impact uncertainties remain or multiple resource objectives exist, adaptive**

management provisions for flexible project implementation, such as pilot project configuration, may be incorporated into the selected alternative.”

ARMY CORPS OF ENGINEERS REGULATORY CHANGES

Corps regulations contain timeframes for issuing or denying permits. However, federal commenting agencies often exceed regulatory timeframes when reviewing permit applications. When the Corps’ process (including waiting on required comments from other agencies) exceeds the regulatory timeframes, there is currently no consequence or avenue for relief.

The County supports an amendment to 33 CFR Part 325 (d) (10) such that a complete application (public notice) starts not only the Corps’ internal timeframes for review but also the NEPA Section 7 Consultation timeframes of commenting agencies as well.

SAND TRANSFER PLANT

The Sand Transfer Plant plays an integral role in maintaining the Lake Worth Inlet federal channel, but presently at the sole cost of the local sponsor. As the Army Corps does provide for annual channel dredging in its O&M budget, the addition of approximately \$300,000/year is far less than the alternative of having to fund an additional dredging event. We seek directive language such as: **ANNUAL OPERATIONS AND MAINTENANCE BUDGET. The Secretary shall include operation and maintenance costs associated with sand transfer plants in the annual operations and maintenance budget of the Corps of Engineers.**

CLIMATE COMPACT

SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT

Background

Southeast Florida is one of the most vulnerable areas in the country to climate change and sea level rise. Recognizing their shared challenges, Palm Beach, Broward, Miami-Dade and Monroe counties (“Compact counties”) adopted the Southeast Florida Regional Climate Change Compact (“Compact”) in 2010. The Compact includes a commitment to develop and advocate for joint state and federal legislative policies. Accordingly, the Compact counties have adopted a *Federal Energy and Climate Legislative Program* each year since 2011. The Compact has adopted as part of the Program *Federal Energy and Climate Legislative Principles* to articulate the overarching goals for the Program, as well as *Federal Energy and Climate Legislative Priorities* to identify those legislative issues that Compact members will support in the upcoming legislative session.

The County is committed to supporting the Principles and Priorities established by the Compact in the Southeast Florida Regional Climate Change Compact Counties 2017 State Energy and Climate Legislative Priorities and Principles with the top priorities as:

SUPPORT coordinated implementation of the Federal Flood Risk Management Standard by federal agencies and specific guidance and flexibility for local communities affected by the federal rules.

SUPPORT federal legislation or administrative action that removes federal restrictions on Property Assessed Clean Energy programs and expands the list of eligible improvements to include weatherization measures.

SUPPORT continued focus on Everglades restoration as an essential component of protecting regional water resources and building regional climate resilience.

SUPPORT funding for authorized Everglades restoration projects and legislation authorizing the Central Everglades Planning Project (CEPP) and expediting other projects related to the Comprehensive Everglades Restoration Plan.

COMPREHENSIVE EVERGLADES RESTORATION PROJECT/HERBERT HOOVER DIKE

The federal share of the Comprehensive Everglades Restoration Plan (CERP) should be sufficient to fully implement all plan components at the agreed upon cost share in accordance with adopted project schedules.

The failure of the Herbert Hoover Dike surrounding Lake Okeechobee could have severe effects on the surrounding region, including Palm Beach County. The Dike is currently undergoing rehabilitation with an estimated date of completion of 2030. The Board supports any and all actions by the federal government to expedite full rehabilitation of the Herbert Hoover Dike.

The President's FY 2017 Budget Request includes \$106,000,000 for the South Florida Ecosystem Restoration and \$49,500,000 for the Herbert Hoover Dike (Seepage Control).

In FY 2018, continue to support the President's Budget Requests for the Hoover Dike rehabilitation and Everglades Restoration.

WATERS OF THE US (WOTUS)

Despite multiple constructive conversations regarding the applicability and implementation of the proposed Waters of the US (WOTUS) rule in South Florida, the County remains concerned by the expansive language of the final rule that was adopted by the Environmental

Protection Agency and US Army Corps of Engineers and the definitions proposed therein. The County is additionally concerned by the lack of clarity in the final rule, particularly regarding the exemptions for stormwater and reclaimed water systems, as well as the lack of guidance or policy explanations from the federal agencies regarding its potential impacts to Palm Beach County and other local governments within South Florida. The County maintains the final WOTUS rule arbitrarily expands the definition of “Waters of the United States” to water bodies outside of current practices and permitting regimes and creates significant regulatory uncertainties regarding previously approved and highly effective state regulatory programs. The County supports the stay of the final rule that was put into place by the 6th Circuit Court of Appeals and encourages the federal agencies to consider pulling back the final rule for additional conversation and input from local governments and other interested stakeholders.

Palm Beach County understands the meaning and purpose of the Clean Water Act and the agencies’ goal of protecting our nation’s water resources while providing clarity and certainty for the regulated community. Any approach to protecting water quality in America must be accomplished through the Clean Water Act’s vision of cooperative federalism, including partnerships at the local, regional and state levels. As currently promulgated, the rule will increase litigation, increase the burden on local governments with limited budgets and resources and will increase the administrative burden on federal agency staff. Palm Beach County continues to welcome the opportunity to work with the EPA, the Corps and our local, regional and state governments in promulgating a reasonable and rational rule that will achieve the protection of our nation’s water resources while recognizing the practical realities of specific regions.

PUBLIC SAFETY & DISASTER RELIEF

SOBER HOMES

The Department of Housing and Urban Development (HUD) is charged with the interpretation of the Fair Housing Amendments Act. There is an urgent need for clarification from HUD regarding the language within the Fair Housing Amendments Act (“the Act”) and its application to sober homes. The courts have applied the Act inconsistently over the years and this has caused a great burden to be placed upon the states and local governments, some of which are currently facing over-concentration of sober homes in their single-family residential communities.

With a lack of regulation and/or oversight of such homes or their operators, there has been increasing abuse and exploitation of the patients/residents in the sober homes by the operators. Therefore, there is a real need for clarification from HUD regarding what actions related to sober homes, if any, may be taken by states and local governments in order to protect the health, safety, and welfare of both the residents of the homes and the surrounding

areas where homes are located.

The County SUPPORTS the following clarifications to the Fair Housing Amendments Act:

- provide a better definition of “currently using drugs or alcohol”
- provide that local governments retain the ability to limit sober homes within single family zoning districts due to the more frequent turnover of a sober house dwelling unit
- provide that local governments can establish limitations of sober houses within single family zoning districts by providing an allotted percentage of sober houses to non-sober houses within each single family zoning district or by limiting them by location (no closer than 500 feet from one another) in order to avoid overconcentration of sober houses in single family zoning districts
- provide clarification that sober houses must comply with the local zoning regulations pertaining to the number of unrelated persons allowed per dwelling unit.

PORT SECURITY FUNDING

Monitor grant opportunities for port security funding. The FY 2017 Omnibus will likely include up to \$1.5 billion for State and Local Programs, which includes funding for several stand-alone DHS/FEMA grant programs, including: state homeland security grants, UASI, and Port Security. The programs are administered primarily through formula allocations to the states, but also entail competitive grants to states and regions for specific policy areas, including critical infrastructure, counterterrorism, and transportation.

FEMA FUNDING FOR PARKS & RECREATION/PRE-DISASTER MITIGATION PROGRAMS

Monitor any legislation concerning reauthorization of the Disaster Relief and Emergency Assistance Act particularly language that would have a significant negative impact on parks and recreation areas. Specifically, language should be opposed that denies 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.

Also, SUPPORT the National Parks and Recreation Association’s legislative platform.

LAW ENFORCEMENT FUNDING (BYRNE GRANTS, GANG VIOLENCE & REENTRY PROGRAMS)

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. Monitor the Byrne Law Enforcement Funds and the Local Law Enforcement Block Grant to keep these allocations separate.

The Administration requested the following amounts for law enforcement initiatives in FY 17:

- \$383.5 million for Byrne-JAG grants.
- \$286 million for the COPS program, which is \$6 million less than the 2014 enacted level.
- \$489 million for Violence Against Women Prevention and Prosecution Programs.
- \$125 million for the ongoing DNA Initiative program which funds the testing of sexual assault kits, the same the FY 2014 level and \$25 million above the request. In addition, \$41 million is included for the new Community Sexual Assault Kit Backlog Reduction program.

SUPPORT FY 18 budget requests for similar law enforcement programs.

SUPPORT a community-based violence prevention initiative intended to reduce gun and other violence among youth gangs that should be pursued for local programs in Palm Beach County.

For prisoner reentry and diversion programs, the FY17 Justice Department proposed budget includes an additional \$32 million for a total of \$100 million for Second Chance Act programs and grants supporting drug courts, mental health services and other diversion programs. In addition, **SUPPORT** the Labor Department request for reintegration of ex-offender training programs, and the Education Department's workplace and community training grants for incarcerated individuals. **SUPPORT** additional funding that promotes re-entry programs.

MENTAL HEALTH SERVICES FUNDING

The County supports the continued appropriation of funds for mental health services. It is estimated that untreated and mistreated mental illness costs American business, government and taxpayers \$113 billion annually. The County **SUPPORTS** efforts to develop evidence based community care that is accessible to all as well as treatment models that provide for a coordinated continuum of care for patients. Funding efforts should not be solely focused on treating those with the most disabling forms of mental illness, but rather a range of prevention, wellness, and crisis treatment, as well as, educational outreach to reduce the stigmatism surrounding mental health.

FEDERAL CATASTROPHIC INSURANCE

For years members of Congress from Florida and other coastal states have proposed creating a regional or national catastrophe fund to pool the risk for states and reduce the burden on taxpayers from natural disasters.

Previous House proposals called for a portion of homeowner's insurance premiums in participating states to be used to create a national fund. They provided reinsurance for state disaster funds, and would create federal financial backing of the fund if necessary.

Federal Catastrophic Insurance could be modeled similar to the Federal Flood Insurance Fund and could cover hurricanes, floods, tornados, earthquakes, and other natural disasters.

The County **SUPPORTS** amending the National Flood Insurance Program (NFIP) to allow multi-peril coverage from a national catastrophic insurance fund could help create solvency for the flood program.

INSURANCE AND MAPPING FOR FLOOD AREAS

In March of 2014, the Homeowner Flood Insurance Affordability Act (H.R. 3370) was signed into law. The bill reformed the National Flood Insurance Program (NFIP) by easing several flood insurance premium increases associated with the 2012 enactment of the Biggert-Waters Act.

The legislation restored NFIP subsidized premium rates for "grandfathered" policies, meaning that properties insured by the program would permanently pay rates based on the flood zone designation when the property was built, even if floodplain mapping later re-designates the property in a higher-risk category.

While H.R. 3370 addressed insurance issues, additional problems remain with mapping for flood areas.

National Flood Insurance Program (NFIP) Reform

Support legislative efforts, policies, and programs that ensure all property owners can receive affordable flood insurance within a program framework that helps the NFIP become financially stable.

ACOE Herbert Hoover Dike issue

In December 2014, Palm Beach County drafted a letter to the Army Corps of Engineers (ACOE) asking them to certify the work done on the South Eastern portion of the

Herbert Hoover Dike so FEMA could use that data when drafting an updated flood map for the County. Under the current flood map draft, most of the Glades region of the County is designated a flood area and thus would be subject to increased insurance premiums. Without updated data, FEMA cannot make the necessary changes to the flood map calculations. Demand the ACOE certify completed work on the Dike so it can be used to calculate newly proposed FEMA flood map. Continue to request seclusion from the flood maps for the area abutting the dike under federal rule guidelines until such time as repair work on the Dike is certified by the ACOE.

VETERANS/PENSION POACHER

Individuals known as “pension poachers” are those who charge to ostensibly assist seniors with applying for benefits, but often times are trying to do little more than prey on America’s elderly and disabled veterans. It is illegal for anyone who is not an approved agent or attorney to charge veterans a fee for assisting them in filing a claim or appeal with the VA; however, there is currently no penalty for violations. Due to this, veterans are being defrauded, by often up to thousands of dollars, by financial predators who charge fees and provide little to no help.

Congressman Tom Rooney introduced two bills in the 114th Congress focused on protecting veterans from fraud and other types of crime. The first, HR 2863—The Secure Legal Services for Veterans Act—would prohibit an individual who is not an agent or attorney from soliciting, contracting for, charging, or receiving any fee or compensation for services rendered in the preparation, presentation, or prosecution of an appeal before the Department of Veterans Affairs or the Board of Veterans’ Appeals. Penalties for violators include a fine, imprisonment not to exceed one year, or both.

The second bill, HR 2862—the Veterans Protection Enhancement Act—would increase the federal penalty for any crime in which the defendant deliberately selected the victim because of their veteran status by two levels under federal sentencing guidelines.

SUPPORT legislation that would make it easier to identify and penalize individuals participating in these types of scams that have compromised a veteran’s ability to receive their pension benefits.

FUNDING FOR ENHANCED LIGHTING IN HIGH CRIME AREAS

In an effort to continue promoting safety in high crime areas, grant opportunities should be created to enhance lighting in these areas. According to a systematic review published by the Campbell Collaboration, improved street lighting is thought to affect crime in two ways: by increasing surveillance, thus deterring potential offenders, and by signifying community investment and pride in an area.

In Palm Beach County, Countywide Community Revitalization Team (CCRT) areas are residential neighborhoods generally characterized by infrastructure deficiencies (such as lack of water, unpaved roads or roads in substandard conditions, etc.); a need for neighborhood parks; a high number of code enforcement violations; and a high level of law enforcement need. These 85 designated areas may also be characterized by a concentration of very low to moderate-income populations and lower property values with an increased neighborhood crime rate.

Palm Beach County has adopted and currently applies Crime Prevention Through Environmental Design (CPTED) principles in order to use lighting, amongst others, as a crime deterrent and enhance public safety in numerous areas of the County.

THE GRASSLEY/WHITEHOUSE JUVENILE JUSTICE & DELINQUENCY PREVENTION REAUTHORIZATION OF 2015

For the past 40 years, the Juvenile Justice and Delinquency Prevention Act (JJDP A) has set federal standards for the custody and care of youth in the juvenile justice system and provided critical federal funding to assist states in meeting these standards. Efforts to remove youth from adult jails and halt the detention of status offenders were initiated under the JJDP A, and have been very successful.

Sen. Chuck Grassley of Iowa and Sen. Sheldon Whitehouse of Rhode Island have filed the reauthorization of the JJDP A which is needed to overhaul the law to meet the most current issues in juvenile justice, such as reducing racial and ethnic disparities, keeping kids out of adult court and giving states incentives to stop using incarceration and implement effective alternatives to incarceration.

The Reauthorization Act would address many of the key issues in juvenile justice today, including:

- Phasing out any exceptions that would allow the detention of status offenders, i.e. youth who have not been charged with a crime
- Substantially reducing the placement of youth in adult jails
- Dramatically decreasing racial and ethnic disparities
- Giving states incentives to rely less on incarceration
- Promoting the use of alternatives to incarceration and
- Improving conditions and educational services for incarcerated youth.

The bill has cleared the U.S. Senate Judiciary Committee. Support the passage of the legislation by Congress.

REIMBURSEMENT FOR COSTS ASSOCIATED WITH PRESIDENTIAL VISITS

The election of part-time Palm Beach County resident, President Donald J. Trump means the nation's President will be spending considerable time in our community. It is expected that when the President is in town, local law enforcement and other security related functions will be required of the County and other local governments. In a brief pre-inauguration Thanksgiving stay in Palm Beach, over \$250,000 in security expenses related to the then President-elect's visit was incurred by the County. Work with the federal government to ensure that local costs associated with Presidential visits to his home in Palm Beach County are reimbursed by the federal government to area governments.

Additionally, work with the Secret Service to minimize the economic impact to the County and area businesses from closures to the Lantana Airport related to those visits.

ECONOMIC DEVELOPMENT & FINANCE

TAX EXEMPT STATUS OF MUNICIPAL BONDS

As Congress and the new Administration work to reduce the federal deficit, one of the issues likely to be discussed would threaten the tax-exempt status of municipal bonds. This is a major concern to counties across the nation as these bonds are used to fund infrastructure projects at the state and local levels.

Since the federal income tax was imposed in 1913, the interest earned on municipal bonds has been exempt from federal taxation. This is not a tax loophole. The tax law was specifically designed this way to encourage investment in public infrastructure.

The projects funded through municipal financing are engines of job creation and economic growth. According to national statistics, state and local governments shoulder more than 75% of the costs of financing the nation's public infrastructure. Eliminating or limiting the tax-exempt status on municipal bonds will increase the costs borne by taxpayers. Between 2003-2012, Florida's state and local governments issued \$103.1 billion in tax-exempt municipal bonds. Repeal of the tax status during that time would have cost taxpayers and additional \$30.9 billion. Under the Obama Administration's proposed 28% cap, \$10.8 billion in additional revenue would have been required.

SOUTH FLORIDA INLAND PORT

The development of an inland intermodal logistics complex in Western Palm Beach County, including completion of rail connections serving ports of South Florida and Tampa Bay,

would create a significant economic boost to an area that is fiscally depressed. At the same time, it will provide a critical link in Florida's ability to efficiently handle rapidly growing levels of international commerce. Land in Western Palm Beach County is identified for the project.

This inland facility, which has gained significant regional support, would be a hub for goods assembly, warehousing and manufacturing, as well as, furnishing logistics providers with a central intermodal location between ports that lack sufficient waterfront acreages to accommodate trade volumes projected to double by 2020. This would create additional options for freight movement and distribution from Post-Panama ships heading to South Florida. **SUPPORT** workforce and funding opportunities to further develop the inland port facility.

COMMUNITY DEVELOPMENT BLOCK GRANT

Section 108 is the loan guarantee provision of the Community Development Block Grant (CDBG) program. Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. A public entity may apply for up to five times the public entity's latest approved CDBG entitlement amount, minus any outstanding Section 108 commitments and/or principal balances of Section 108 loans. **SUPPORT** future federal allocations for section 108 funding and work with the federal and state government to increase funding eligibility from five times the budget to a higher ratio. This would allow for additional economic development through housing investments.

NEW MARKET TAX CREDIT GRANT

In 2014, Palm Beach County submitted a \$40 million New Market Tax Credit application (Control Number: 13NMA005881). The County's Department of Economic Sustainability (DES) Loan Programs Experience and Success Rate over the past three years, including programs from HUD, EPA, USDA, DOE, has created over 1600 jobs to date. Of the \$35 Million in local loan pool, \$23 million in loans have been made, creating over \$82 million of private investment in Palm Beach County. The loan program has had a 100% success rate – meaning there have been no defaults since first loan in 2009. **SUPPORT** County efforts to secure future NMTC grants.

MARKETPLACE FAIRNESS ACT

Support Marketplace Fairness Act (MFA) legislation that grants states the authority to compel online and catalog retailers ("remote sellers"), no matter where they are located, to collect sales tax at the time of a transaction - exactly like local retailers are already required to do.

In August 2016, House Judiciary Committee Chairman Bob Goodlatte (R-VA) released a discussion draft of a remote sales tax bill, called the Online Sales Simplification Act (OSSA). The draft bill is the latest iteration of the Marketplace Fairness Act (MFA) that would address a loophole in the current tax code by effectively allowing state and local governments to collect sales tax on online and remote sales, which they are already owed under current law. The Chairman's bill seeks to reach a compromise between business community and state/local governments, encouraging states to join a clearinghouse for collecting sales tax. However, the bill would move away from previous versions of the MFA by requiring states to adopt a single rate, with the seller's home state collecting sales taxes on a particular purchase, and sending those funds to the aforementioned clearinghouse. The rate would reflect the statewide rate of the buyer's home state, with base-states determined by a seller's.

Goodlatte's draft bill would prod states to take part in a clearinghouse for conveying online sales tax revenue. Under the plan, the seller's home state would collect sales taxes on an online purchase, based on the single statewide rate of the buyer's home state. The seller's home state (and the sourcing for the transaction) would be determined by where the seller is headquartered (physical presence) and has the largest number of employees. Funds would then be sent to the state clearinghouse for distribution.

CADILLAC TAX UNDER THE AFFORDABLE CARE ACT

The "Cadillac tax" is a component of the Affordable Care Act that will trigger a 40 percent excise tax on health benefits that exceed a certain threshold. The tax was developed as an alternative to placing a cap on the existing tax exclusion for health benefits. Changes in federal law during 2015 extended the effective date of the tax from 2018 to 2020, but employers are already taking action to plan for and/or avoid the tax.

Affected employers will pay an average \$1 million that year and an average \$2.1 million, or \$2,700 per employee.

Continue to monitor additional developments related to the Cadillac Tax.

FREE TRADE

Existing trade agreements such as NAFTA have had beneficial and deleterious effects on Florida's farmers and consumers. Proposed agreements such as the Trans-Pacific Partnership (TPP) could further complicate these effects. Such agreements have opened new export markets for farmers, and the competition has resulted in increased varieties and lower prices of certain fruits and vegetables for consumers. However, local farmers have faced difficulties in competing due to other countries having, for example, lower labor costs and less stringent environmental oversight laws. According to the Florida Farm Bureau Federation, a future trade agreement with Cuba would be particularly difficult for Florida farmers since its climate is so similar to ours, and Cuban farmers receive strong government

assistance. These variables would distort the market and allow Cuban farmers a competitive advantage.

MONITOR the implementation of federal trade agreements so that jobs related to Palm Beach County's agricultural industry are not adversely impacted. **SUPPORT** language in trade agreements that include strict measures to control the spread of animal, insect, and animal pests to protect Florida's crops.

MY BROTHER'S KEEPER

SUPPORT the following legislative recommendations on the federal My Brother's Keeper program:

- "Ban the box" on employment applications
- Programs or grants to increase wages, youth employment and entrepreneurship
- Programs or grants targeting disconnected youth to bring them into education and employment opportunities
- Increase in diversion opportunities and lessening of criminal penalties on certain drug and non-violent crimes, especially offenses that disproportionately impact boys and young men of color
- Programs or grants providing resources to successfully transition youth back into their community after detention
- Resources allocated towards improving health outcomes and training for parents
- Waivers for agencies who are receiving federal dollars, specifically as it relates to collective impact efforts and performance partnership pilot grants to allow for better coordination of services
- Training opportunities for teachers at the preschool, elementary, secondary and post-secondary levels