

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: November 20, 2018

Consent     Regular  
 Public Hearing

Department: Legislative Affairs

Submitted For: Legislative Affairs Office

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Presentation of the proposed Palm Beach County 2019 State Legislative Agenda

**Summary:** A presentation of proposed Palm Beach County 2019 Legislative Agenda which include legislative issues, appropriations requests, and general issues that reflect county priorities to support and monitor. The State Legislative Agenda outlines issues that the County's Legislative Affairs Office, in conjunction with the County's state contract lobbyists, will be working on for the upcoming 2019 legislative session.  
Countywide (DW)

**Background and Policy Issues:** To develop the State Legislative Agenda, Legislative Affairs held meetings with members of the Board, various department heads, as well as community partners and stakeholders to create a comprehensive legislative agenda that covers the county's top priorities.

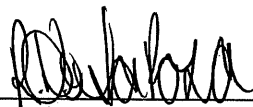
**Attachments:**

1. Proposed 2019 State Legislative Agenda

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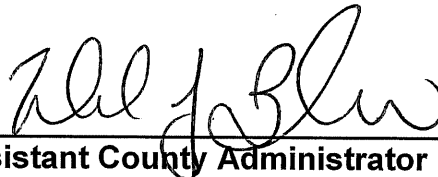
Recommended by: \_\_\_\_\_



Department Director

10/31/18  
Date

Approved By: \_\_\_\_\_



Assistant County Administrator

11/15/18  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact: N/A**

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>	<b>NA</b>
No. ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

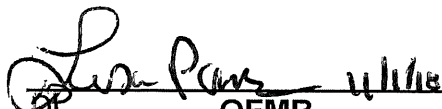
Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
 Object \_\_\_\_\_ Reporting Category \_\_\_\_\_

**B. Recommended Sources of Funds/Summary of Fiscal Impact: N/A**

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

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

  
 \_\_\_\_\_  
 OFMB  
 11/1  
 com 11/2/18

  
 \_\_\_\_\_  
 Contract Dev. and Control  
 11/5/18

**B. Legal Sufficiency:**

  
 \_\_\_\_\_  
 Assistant County Attorney  
 11/6/18

**C. Other Department Review:**

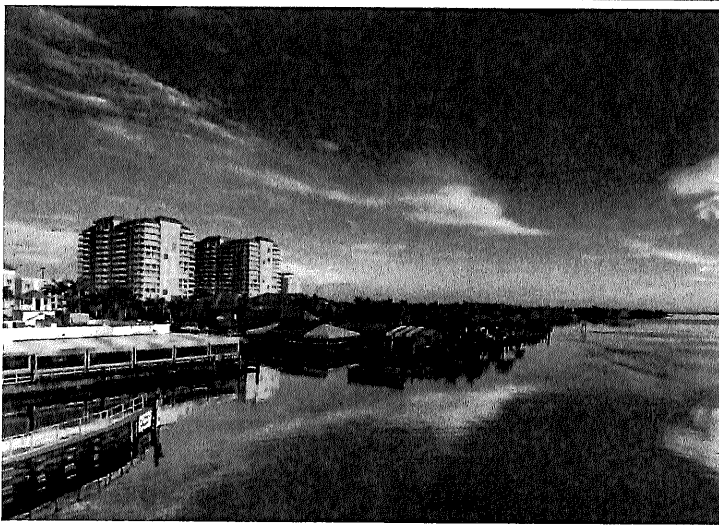
\_\_\_\_\_  
 Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

# **PALM BEACH COUNTY**

## **2019 PROPOSED STATE LEGISLATIVE AGENDA**

### ***GENERAL GOVERNMENT ISSUES***



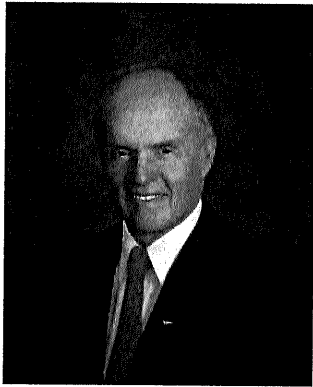
#### **Board of County Commissioners**

**Hal R. Valeche  
Dave Kerner  
Mary Lou Berger  
Melissa McKinlay  
Mack Bernard**

**Verdenia C. Baker,  
County Administrator**

**Rebecca J. DeLaRosa,  
Legislative Affairs Director**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**



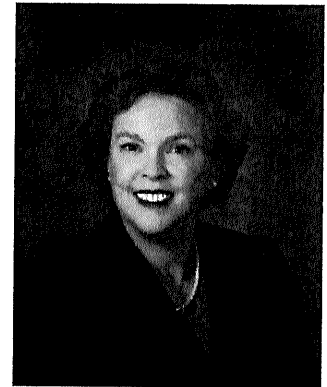
**HAL R. VALECHE  
DISTRICT 1  
561/355-2201  
[HVALECHE@pbcgov.org](mailto:HVALECHE@pbcgov.org)**

**DISTRICT 2  
561/355-2202**



**DAVE KERNER  
DISTRICT 3  
561/355-2203  
[DKERNER@pbcgov.org](mailto:DKERNER@pbcgov.org)**

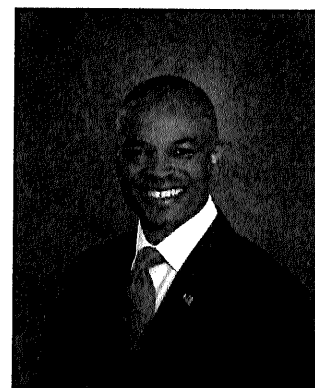
**DISTRICT 4  
561/355-2204**



**MARY LOU BERGER  
DISTRICT 5  
561/355-2205  
[MBERGER@pbcgov.org](mailto:MBERGER@pbcgov.org)**



**MELISSA MCKINLAY  
DISTRICT 6  
561/355-2206  
[MMCKINLAY@pbcgov.org](mailto:MMCKINLAY@pbcgov.org)**



**MACK BERNARD  
DISTRICT 7  
561/355-2207  
[MBERNARD@pbcgov.org](mailto:MBERNARD@pbcgov.org)**

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## **ECONOMIC DEVELOPMENT**

### **GLADES REGIONAL INITIATIVES**

In an effort to provide economic growth and stimulus to the region surrounding Lake Okeechobee, Palm Beach County has identified several legislative issues that will promote economic development and job creation in the Glades Region. Palm Beach County **SUPPORTS**:

- Legislative initiatives and funding to implement components of the Glades Region Master Plan
- The continuation and enhancement of Small County Outreach Program (SCOP) funding for road reconstruction and repaving
- Continuation of funding for the Everglades Restoration Agricultural Community Employment Training Program
- Funding for improvements to existing affordable housing units as well as the development of new affordable housing units
- Funding for storm water improvements to enhance economic and housing development as well as improve water quality and prevent flooding
- Funding to ensure that the Glades Region has appropriate shelter facilities for emergencies
- Funding for youth violence prevention programs
- Funding to help improve infrastructure surrounding agricultural communities
- Legislation to help farmers in their efforts to produce fruits and vegetables for our country and our community

### **FLORIDA'S FILM, TELEVISION, AND DIGITAL MEDIA**

Florida's entertainment industry created thousands of new jobs for Florida workers, brought in substantial new money to our local communities, and spawned financial investment and tourism throughout the state.

In order to ensure the continued success of Florida's Film, Television, and Digital Media Industry, Palm Beach County **SUPPORTS** programs to retain Florida's graduates in these industries, thereby building the confidence to move onto gainful employment.

Palm Beach County also **SUPPORTS** the Film and Television Commission's education initiative.

### **BIOMEDICAL RESEARCH FUNDING**

Palm Beach County **SUPPORTS** new and recurring funding for educational programs produced by local universities and state colleges and their partnership such as Max Planck and Scripps of Florida. Biomedical research funding is beneficial to not only the residents of Palm Beach County, but to residents nationwide.



## **ENTERPRISE FLORIDA**

Palm Beach County will continue to **MONITOR** the discussions regarding the future of Enterprise Florida. In an effort to continue the provision of resources to assist Palm Beach County's Office of Housing and Economic Sustainability, the Business Development Board and the Florida Sports Foundation, the state's economic development toolkit should be funded in a manner that supports continued economic growth and financial stability for regional businesses and those seeking to relocate to our area. Sports tourism should remain a key component of this support.

## **JOB GROWTH GRANT FUND**

Palm Beach County **SUPPORTS** continued allocation of funds for the Florida Job Growth Grant Fund (Section 288.101, F.S.) to support the development of infrastructure and workforce training related to the expansion of economic development throughout the state.

## **VISIT FLORIDA**

Palm Beach County **SUPPORTS** full funding for Visit Florida, and will also **MONITOR** discussions regarding the future of the program. Additionally, **SUPPORT** funding to help offset natural occurrences that may affect loss in tourism.

## **BLUEWAY TRAIL**

Palm Beach County **SUPPORTS** the continued development of the Blueway Trail within the chain of lakes, and will **MONITOR** any state funding proposals to enhance the ecotourism project.

## **SOUTH FLORIDA FAIRGROUNDS EXPO CENTER**

Palm Beach County **SUPPORTS** an appropriation for the Palm Beach County Special Needs Shelter and Expo Building. The Exposition Center will provide not only an additional 100,000 square feet of additional special needs shelter space, the space will provide an opportunity for new jobs and economic stimulus to the region.

## **SUBSTANCE ABUSE AND MENTAL HEALTH**

### **SUBSTANCE ABUSE AND MENTAL HEALTH FUNDING**

The human and economic costs of untreated substance abuse and mental illness in our state continue to rise. Those costs include the criminalization of people with untreated mental illnesses, family erosion, substance abuse, job loss, domestic violence, homelessness, medical problems, crime and suicide. Florida must do more to invest and fund community-based and integrated mental healthcare. Palm Beach County **SUPPORTS** increased funding for the region's managing entity, the South East Florida Behavioral Health Network, to be utilized by care systems working collaboratively to reduce opioid overdose, raise awareness, and create overall safer communities.

Palm Beach County also **SUPPORTS** funding efforts by the legislature for additional beds and treatment programs for mental health and substance abuse disorders.

### **OPIOID ABUSE**

Palm Beach County **SUPPORTS** policy changes as well as appropriations to support providing life-saving interventions, medically-assisted detoxification programs, location for expectant mothers to decrease the risk of complications and birth defects due to opioid addiction, and diversions from the criminal justice system for those suffering from opioid addiction.

Palm Beach County **SUPPORTS** creating a Statewide Opioid Task Force after various task forces across Florida successfully established policy and oversight to address gaps in services and data. A statewide task force would develop concrete recommendations that will bring long-term improvements to Florida's approach to substance abuse and how our agencies and partners in each community interact to bring positive change to our communities for all those who have lost a loved one to addiction.

Palm Beach County additionally **SUPPORTS** state efforts to reduce the financial burden on entities that must purchase Narcan for public safety.

### **DRUG TAKE BACK PROGRAM**

Four out of five new heroin users started their addictions by misusing prescription painkillers. According to a recent study in the Journal of the American Medical Association, up to 92% of patients did not use their entire opioid prescription, creating significant opportunities for misuse.

Palm Beach County **SUPPORTS** the implementation of a statewide drug take-back system as a prevention strategy to reduce prescription drug abuse and addiction, as well as reduce suicides, poisonings, and accidental overdoses.

### **STERILE NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM**

In 2016, the Florida Legislature amended Chapter 381, Florida Statutes, to provide for the "Miami-Dade Infectious Disease Elimination Act (IDEA)." IDEA provided for a sterile needle and syringe exchange pilot program in Miami-Dade County. The program was established due to the increase in newly diagnosed HIV and Hepatitis C cases in Florida, which are transmitted through sharing of dirty needles and syringes by intravenous drug users. The University of Miami is assisting in the administration of the program and the program is seeing success in limiting the spread of infectious disease.

Palm Beach County **SUPPORTS** the expansion of the sterile needle and syringe exchange pilot program to include Palm Beach County, which has been drastically impacted by the ongoing opioid epidemic and anticipates the associated increase in newly diagnosed HIV and Hepatitis C cases.

## **SOBER HOMES**

The Palm Beach County Sober Homes Task Force was created in 2016 to monitor operation of unregulated “sober homes.” In 2017, there were 642 opioid overdose deaths, according to figures released by the Palm Beach County Medical Examiner. Through efforts of the Task Force, in 2018, based on preliminary numbers from the Medical Examiner, opioid overdose deaths have declined approximately 40%.

Operation of sober homes with no oversight or regulation can lead to, among other things, homelessness and relapse for those suffering from substance abuse. Palm Beach County **SUPPORTS** the Sober Homes Task Force, and their recommended statutory changes for the 2019 session.

## **HEALTH & HUMAN SERVICES AND HEALTHCARE**

### **AFFORDABLE HOUSING**

In 2017 the legislature appropriated \$100 million to the State Housing Initiatives Partnership Program (SHIP) for affordable housing statewide. Palm Beach County was allocated \$5.9 million. In 2018, the statewide amount was reduced to \$44.45 million. Palm Beach County was allocated \$1.4 million. Palm Beach County **SUPPORTS** efforts to increase funding and ensure the Sadowski Housing Trust Funds are fully funded for affordable housing projects and not rolled into General Revenue.

Additionally, the Legislature should provide more flexibility in the use of housing dollars for administrative purposes. The current 10% administrative cap should be adjusted based on population to allow for 15% for counties with a population over 1 million.

### **HOMELESSNESS**

Palm Beach County **SUPPORTS** efforts by members of the Legislature to identify and fund programs for the homeless. The County is experiencing a growing problem with homeless students, seniors, and veterans. The County proposes the following:

1. Sober homes legislation that will provide options to prevent individuals who are forced to leave a home from becoming homeless.
2. Full-funding of the State Apartment Incentive Loan (SAIL) program from the State Housing Trust Fund.
3. Funding for Challenge Grants that provide continuum of care wrap around services for homelessness.
4. Support mental health funding.
5. Support Affordable Housing Task Force recommendations.
6. Support additional funding to prevent college and university students, youth aging out of foster care, and unaccompanied minors from becoming homeless.

7. Support creation of and funding for the Poverty Council first proposed in 2016 under SB 556, which would conduct a review of policies and programs that move people out of poverty, develop strategies to address the causes of poverty in the state, and develop recommendations to reduce the percentage of people living in poverty in the state.

### **HUNGER RELIEF PLAN**

Hunger can — and does — exist in the midst of plenty. Nationally, more than 49 million Americans have trouble regularly putting nutritious food on the table. Despite its wealth, more than 200,000 residents in Palm Beach County struggle with hunger. People can't always feed themselves and their families because they have too little money, too little access both to federal nutrition programs and to sources of affordable healthy food, and too little information about how their challenges can be overcome.

Palm Beach County **SUPPORTS** legislation and funding to help support the Palm Beach County Hunger Relief Plan.

### **TRANSPORTATION DISADVANTAGED PROGRAMS**

Transportation Disadvantaged (TD) funding is an important funding source for Palm Tran, enabling Palm Beach County to provide the most economically challenged customers with public transportation when they are located outside of the fixed route service area and to provide discounted fixed route bus passes. To maintain the existing level of services and accommodate the needs of TD residents, Palm Beach County has annually supported the TD program efforts with additional funding. This year, the County's local contribution is \$2,077,925, of which \$427,163 is required. Palm Beach County **SUPPORTS** attempts to increase the funding to the TD program and to prevent diversion of these dollars for other purposes.

### **PUBLIC RECORDS EXEMPTION FOR HOMELESS POINT IN TIME COUNT IDENTIFYING DATA**

Federal law requires local homeless Continuums of Care to conduct a point-in-time homeless count every other year. These numbers determine funding levels for many of the homeless programs. An issue arose frequently when a newspaper reporter submitted a public records request for identifying information from the required survey. This is extremely sensitive because the homeless are often concerned during these surveys with their privacy being maintained. If there was concern about this information becoming public, homeless individuals would be less likely to participate in the survey. This, in turn, affects federal funding levels from HUD. Therefore, Palm Beach County **SUPPORTS** legislation that would allow identifying information such as name and date of birth to remain exempt from public record requests. Additionally, Palm Beach County **SUPPORTS** legislation that would keep youth information exempt from public record. In 2017, SB 1024 passed the Senate 36-0 but died in messages because HB 381 did not receive a hearing.

## **CHILD WELFARE**

Palm Beach County **SUPPORTS** the following enhancements to Florida's statewide child welfare funding that together will improve the child welfare system in Palm Beach County and throughout the state.

Palm Beach County **SUPPORTS** the Florida Coalition for Children's appropriations request seeking increased funding for the agencies operating Florida's system of foster care and related services. The Florida Coalition for Children (FCC) is a statewide association of Community-Based Care lead agencies (CBC), which includes ChildNet Palm Beach and those agencies that directly serve Florida's abused, abandoned and neglected children. Since fiscal year 2013-2014, the number of children being removed from their homes throughout Florida because of verified abuse, abandonment and neglect has increased substantially. Annual increases in statewide child welfare funding have not been sufficient to meet the needs of this expanding population. The increased appropriation of funds will enable lead agencies and their subcontracted service providers, in Palm Beach and throughout the state, to deliver a comprehensive range of high quality services sufficient to consistently and effectively meet the needs of Florida's expanded foster care population.

Palm Beach County also **SUPPORTS** full funding for Guardian ad Litem (GAL).

Additionally, Palm Beach County **SUPPORTS** increasing statewide child welfare funding with recurring revenue, as opposed to one-time, non-recurring funding. The non-recurring increases to statewide child welfare funding that have been allocated in the past have only offered a temporary fix to a continued problem of underfunding. The use of recurring funding will also enable Community-Based Care lead agencies to more effectively plan, sustain and retain existing and effective programs, services and staff.

Finally, Palm Beach County **SUPPORTS** recommended changes to the CBC Equity Allocation Model currently described in Florida Statute 409.991 that will facilitate a more equitable distribution of any new core funding allocated to Community-Based Care lead agencies throughout the state.

## **SENIOR WELFARE**

Palm Beach County **SUPPORTS** the Area Agency on Aging's legislative priorities: 1) support funding for Florida's Aging & Disability Resource Centers client services workload under the Statewide Medicaid Managed Long Term Care Program to reduce the risk of nursing home placement for seniors and adults with disabilities, 2) support funding to serve at-risk seniors statewide on the Department of Elder Affairs Waiting List for The Community Care/Home Care for the Elderly and the Alzheimer's Respite Care Programs; 3) appropriate 3.5 percent of administrative costs to the Department of Elder Affairs for Florida's Alzheimer's Disease Initiative programs; and 4) establish an Adult Protective Services within the community care for elderly program to pay for the cost of emergency services provided to Adult Protective Services high-risk referrals received from the Department of Children and Families.

## **ADULTS/STUDENTS WITH DISABILITIES**

Palm Beach County **SUPPORTS** increased funding for rate increases for services provided through the Agency for Persons with Disabilities. Currently, the rate crisis is causing many agencies to go out of business and others find it extremely difficult to attract and maintain staff. An 11% increase will establish funding at the 2003 level in actual dollars.

## **RETINOBLASTOMA**

Retinoblastoma is a disease that causes the growth of malignant tumors in the retinal cell layer of the eye and affects 1 in every 12,000 children. Most cases occur in the first two years of life, which is why it is important that screening of this disease 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 ophthalmoscope to detect 100% of the tumors. The use of a photograph of the child from parents and/or physicians can aid in the determination of utilizing eye drops necessary for eye dilation. This ten 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 continues to issue an annual proclamation declaring December as "Joey Bergsma Retinoblastoma Awareness Month" 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 the receiving of certain eye examinations that screen for retinoblastoma."

Additionally, Palm Beach County **SUPPORTS** development of education handout by Agency for Health Care Administration to educate parents.

## **DENTAL ACCESS**

During the 2018 Legislative Session, HB 683 was introduced which would require the Department of Health to conduct a study on dental affordability, access, and delivery of care.

Palm Beach County **SUPPORTS** efforts to make dental care more affordable and accessible.

Palm Beach County continues to **SUPPORT** Palm Beach State College as they continue to expand their Dental Programs and help to improve access for vulnerable populations.

## **BUDGET & TAXATION POLICY**

### **UNFUNDED MANDATES**

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 that 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. Additionally, Palm Beach County **OPPOSES** any action by the state to preempt the home rule authority of local governments or to restrict local governments' ability to levy ad valorem taxes.

During the 2017 Legislative Session, HB 17 was introduced, this bill would have prohibited local governments from regulating businesses, professions, and occupations within their governments, and would have vested that power within the state. Palm Beach County continues to **OPPOSE** any such legislation.

### **ARTICLE V**

The State should allow for the expansion of the \$65 mandatory court fee to be applied to civil cases in addition to its current application to criminal cases. Expansion of the fee would provide for additional revenue to fund the state court system. Palm Beach County **SUPPORTS** the continuation and enhancement of the \$2.00 recording fee to be distributed to counties to fund court-related technology needs. Palm Beach **SUPPORTS** full funding for statewide traffic hearing officer programs.

Under existing law, counties are required to increase funding for courts by 1.5% a year. In recent years, counties successfully obtained an exemption from having to increase annual funding for court-related functions by 1.5% under section 29.008, Florida Statutes. **SUPPORT** eliminating the requirements of s. 29.008(4)(a), F.S. that require counties to fund this increase.

### **INTERNET SALES TAX**

In 2018, the Supreme Court ruled in *Wayfair v. South Dakota* that states can require online merchants to collect sales taxes for online purchases. Palm Beach County **SUPPORTS** clarifying and enforcing the existing law relating to the collection of sales tax on taxable items purchased via Internet. Currently, individuals in the State of Florida are obligated to pay taxes on goods purchased online. The burden lies on the individual

to remit to the Department of Revenue the tax incurred for online purchases unlike “brick and mortar” businesses where the business is required to collect and remit to the state. The Legislature should clarify law to require all businesses to collect and remit appropriate sales tax on goods purchased online.

### **SHORT-TERM RENTALS**

Palm Beach County **SUPPORTS** the Palm Beach County Tax Collector's request for amendment of Section 212.03 (1)(a), F.S. regarding transient rentals tax to add vessels to the taxable list of entities renting for under six months. Currently, a number of on-line companies are now advertising vessels on their websites. One website has 17 vessel rentals for rent under six months. These rentals range from \$59 to \$500 per night. This will enable counties and municipalities to collect bed taxes consistent with other transient rentals.

### **VACATION RENTALS**

In 2011, the Florida Legislature prevented municipalities and counties from regulating vacation rentals, unless such regulations were implemented prior to June 1, 2011.

In 2014, SB 356 loosened the broad preemption on regulation of vacation rentals but left in place language that prevents cities or counties from prohibiting vacation rentals or regulating their frequency or duration.

Palm Beach County **SUPPORTS** legislation to amend Section 509.032 F.S. to authorize local laws, ordinances, and regulations to regulate the duration and frequency of rental of vacation homes.

### **TOURIST DEVELOPMENT TAX**

In 2018, the use of the Tourist Development Tax was expanded to include any related land acquisition, land improvement, design, and engineering costs required to bring public facilities into service. This includes major capital improvements that have a life expectancy of five or more years.

Palm Beach County **OPPOSES** further expansion of the Tourist Development Tax.

## **TRANSPORTATION & INFRASTRUCTURE**

### **GROWTH MANAGEMENT AND INFRASTRUCTURE**

Growth management laws should take careful consideration of and protect the distinct home rule authority and land use controls of local governments. Palm Beach County **SUPPORTS** changes that 1) strengthen the intergovernmental review process, 2) ensure that the development impacts occurring outside the approving jurisdiction are adequately mitigated, 3) eliminate unnecessary duplication and expenses, and 4) support full funding of regional planning councils and **OPPOSE** legislation prohibiting or restricting the ability of a regional planning council to provide planning and technical service to its local



governments. Palm Beach County additionally **SUPPORTS** efforts to strengthen intergovernmental coordination so land use decisions of one jurisdiction do not negatively affect another.

Current law requires “proportionate share” payments only for the first project to take a road segment from under capacity to an over capacity situation. Palm Beach County **SUPPORTS** amending state law to require any project affecting an over capacity road to contribute an amount equal to their impact/use of the capacity they are absorbing.

Additionally, Palm Beach County **OPPOSES** legislation that preempts the legislative and policy making powers of counties used to regulate land use and implement local zoning controls and/or fire codes and **OPPOSES** additional conversions of independent special districts under S. 165.0615. Further, **OPPOSE** legislative efforts that mandate minimum land use densities for properties that meet specific size, use and location characteristics.

### **FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) GRANT PROGRAMS**

Palm Beach County is qualified for and has also been the recipient of various FDOT grant programs. Palm Beach County **SUPPORTS** attempts to increase funding to FDOT grant funding programs including, but not limited to the following:

- **Public Transit Service Development Program**—this program provides initial funding to public transit projects with new or innovative techniques to improve system efficiencies, ridership or revenue. Palm Tran’s Belle Glade Flex Pilot is qualified to receive funding from this grant program.
- **Transit Corridor Program**—this program is designed to relieve congestion and improve capacity within an identified transportation corridor by increasing the people carrying capacity of transportation systems using high-occupancy conveyances.
- **Intermodal Development Program**—this program provides assistance for major capital investments and is intended to facilitate the intermodal or multimodal movement of people. Palm Tran’s Fare Collection Technology Initiative could qualify for funding from this program.
- **Park and Ride Lot Program**—this program provides for the purchase and/or lease of private land for the construction of park and ride lots, the promotion of these lots, and the monitoring of their use. Palm Tran has received funding from this program and would like to seek future opportunities to receive funding.

### **PALM BEACH COUNTY DOWNTOWN INTERMODAL FACILITY FUNDING**

Palm Beach County’s Downtown Intermodal Transit Center was opened in 2010 and allows riders to connect to eleven (11) different bus routes in one convenient location. Palm Beach County **SUPPORTS** funding to continue to evaluate the operational needs, site conditions and future site development opportunities for its Intermodal Transit Center.

### **NATURAL GAS FUEL REBATE PROGRAM**

Palm Beach County **SUPPORTS** the reinstatement of the Natural Gas Fuel Rebate Program. In FY16-17, \$6 million was awarded statewide. However, the Legislature did not fund the program for FY17-18.

### **RAIL TRANSPORTATION**

Palm Beach County continues to **MONITOR** state funding and other opportunities for rail transportation available in Palm Beach County including the expansion of service on FEC and CSX rail lines as well the US-27 corridor rail study.

### **AUTONOMOUS VEHICLES**

In 2012, HB 1207 authorized the use of autonomous motor vehicles on public roads. As the technology for self-driving cars grows and develops, Palm Beach County will **MONITOR** further legislation related to autonomous vehicles.

### **DMV FACILITY SERVICE/MOUNTS BOTANICAL GARDEN**

Mounts Botanical Garden has extensive collections of native and exotic trees, shrubs, flowers, and grasses that are used for teaching, display, research and conservation. More than 2,000 species of tropical and subtropical plants are cultivated to educate and inspire the public and provide opportunities for people of all ages and backgrounds to learn the art, science, and joy of gardening. Additionally, it promotes a meaningful experience within nature, environmental stewardship, and sense of place within Palm Beach County.

In 1991, a design team was asked to prepare a master plan, which was revised in 2004, for the Botanical Garden that would enable it to expand and be used as an important teaching and research arm for the horticultural and agricultural community. Under this plan, the current site of the DMV office on Military Trail would become an integral part of the future Education Center.

Currently, the former Department of Motor Vehicles licensing building remains vacant on a parcel of land that sits on the northeast corner of The Mounts Botanical Garden of Palm Beach County. 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

DMV service at the Military Trail site ceased in June 2015. Palm Beach County **SUPPORTS** future integration of the Military Trail DMV Office into the Mounts Botanical Garden Master Plan.

## **PUBLIC SAFETY**

### **REENTRY FOR NON-VIOLENT OFFENDERS**

Florida continues to house one of America's largest prison populations. More than 34,000 people return to their communities from prison each year with more than 1,200 of those coming to Palm Beach County. Palm Beach County **SUPPORTS** efforts to restore rights to felons and to provide resources to ensure successful re-entry into the regular workforce. In addition, Palm Beach County **SUPPORTS** the criminal justice reform described below:

#### **Modify FS 1011.80**

During the 2013 Legislative Session, Florida Statute 1011.84 was modified to prohibit the use of state funding of educational programs for state prison and county jail inmates. This dramatically affects our local state college, Palm Beach State College, from educating inmates at reentry facilities, including Sago Palm. Palm Beach County **SUPPORTS** legislation aimed at increasing the successful reentry of state prisoners, including the ability of state colleges to provide coursework and training classes to inmates at reentry facilities.

During the 2018 Legislative Session, Palm Beach County's RESTORE: Re-entry program was appropriated \$250,000. Palm Beach County **SUPPORTS** continued funding of this program, which connects returning citizens from our local Palm Beach County Jail, the Florida Department of Corrections, and the Federal Bureau of Prisons to necessary services.

### **REGULATION OF DRONES NEAR CRITICAL COUNTY FACILITIES**

During the 2017 Legislative Session, HB 1027 enacted the "Unmanned Aircraft Systems Act" (F.S. 330.41) which vested authority to regulate drones in the State and prohibited local governments from enacting ordinances that regulate drones. The new law also makes it unlawful for a person to operate a drone over or near a "critical infrastructure facility". However, critical infrastructure facility was defined as electrical generation or transmission facilities, chemical storage facilities, mining facility, natural gas facility or pipeline, natural gas or propane terminal or storage facility, oil or gas pipeline, and wireless communications facilities. Many of the County's critical facilities are not covered by this definition such as jails, law enforcement facilities, courthouses and other government buildings. The County is concerned that without a prohibition of drones over or in the proximity of critical county facilities that the possibility of escapes, terrorism, and breaches in confidentiality increase significantly; all which impact public safety or potentially compromise the judicial and policy setting process.

Palm Beach County **SUPPORTS** an amendment to the definition of "critical infrastructure facility" in F.S. 330.41 to include jails, law enforcement facilities, courthouses, water and wastewater infrastructure, and buildings designated as the County Seat.

### **EMERGENCY MANAGEMENT PUBLIC RECORDS EXEMPTION**

Formerly, the American Red Cross managed the operations of emergency shelters, with Palm Beach County Emergency Management providing support. Currently, Palm Beach County Emergency Management operates and oversees emergency shelters, thus leaving identifying information open to public record. HB 7079 was introduced during the 2018 legislative session and would have exempted identifying data, but died in the final days of session.

Palm Beach County **SUPPORTS** legislation to amend s. 119.071(3), F.S.; to provide for an exemption for individual assessment data which is provided by our residents to emergency management agencies for the purpose of damage assessment.

Palm Beach County **SUPPORTS** legislation to amend s. 252.355(4), F.S.; to provide for an exemption for identifying data collected at county-run shelters.

### **PRESUMPTION OF IMPAIRMENT WHILE UNDER THE INFLUENCE OF THC**

While it is unlawful to operate a motor vehicle or boat while impaired by alcohol or a controlled substance, there is currently no provision within state law that sets a presumptive level of impairment by marijuana, like there is with alcohol. This makes it difficult for judges and juries to determine if a defendant was impaired by marijuana, whether lawfully consumed or not, when a victim is either killed or seriously injured by the actions of the defendant. In light of the passage of the constitutional amendment allowing for the use of medical marijuana, and the Florida Legislature's past actions authorizing medical marijuana, Palm Beach County **SUPPORTS** amending 316.193 and 327.35, F.S., to create a standard for determining a presumptive level of impairment when a person is operating a motor vehicle or boat while under the influence of marijuana, and a victim is either killed or seriously injured by the actions of the driver.

In Colorado, law specifies that drivers with five nanograms of active tetrahydrocannabinol (THC) in their whole blood can be prosecuted for driving under the influence (DUI). However, no matter the level of THC, law enforcement officers base arrests on observed impairment

### **DIRECT FILE REFORM**

Florida is one of only 13 states that allows its children to be prosecuted as adults for criminal offenses. Since 2009, more than 14,000 children have been prosecuted as adults in Florida. The state of Florida prosecutes more children as adults for criminal offenses than any other state. Palm Beach County's State Attorney Office has been a leader in Florida in reforming the system of "direct file". In 2017, the office announced a 45 percent reduction in direct files over the previous year due in part to reforms such as requiring two, separate experienced prosecutors to approve the filing of adult charges against a juvenile.

Palm Beach County **SUPPORTS** legislation that would create a statewide standard for prosecution of juveniles under the age of 18 who commit certain offenses and require that when appropriate, children prosecuted as adults be held in juvenile facilities only.

### **DOMESTIC VIOLENCE**

Domestic violence occurs in all races, across all economic classes and educational levels. Nearly all victims are female (94%), and 31% of the women murdered in the United States are killed by their significant others. Forty percent of homeless families in large cities are homeless because they are fleeing violence. Children whose mothers are abused are at a higher risk of also being abused. Furthermore, substance abuse is more likely to compound the risk of domestic violence. Locally, recent news reports of domestic violence victims dying at the hands of their abusers have raised the need to support further efforts to protect victims, treat abusers, and provide resources for families.

Therefore, Palm Beach County **SUPPORTS**:

1. Legislation that allows for a victim of domestic violence to receive unemployment compensation or terminate rental leases if the victim can prove that the discontinued employment or need to terminate a lease is a direct result of circumstances related to domestic violence as defined in s. 741.28. The victim must:
  - a. Provide evidence, such as an injunction, protective order, or other such reasonable documentation authorized by state law which reasonably proves that domestic violence has occurred.
  - b. Reasonably believe that a future act of domestic violence, including being a victim of stalking as provided in s. 784.048(3), (4), or (5), is likely to occur against the individual by a family or household member, as defined in s. 741.28.
  - c. Make reasonable efforts to preserve employment and lease by seeking a protective injunction prior to seeking a lease or voluntary employment termination.
2. If a victim successfully terminates a lease under the guidelines above, prior to a voluntarily termination of employment being granted, the victim must either attempt to relocate to a secure place or seek a reasonable accommodation from the employer, such as a transfer or different assignment, prior to being approved for unemployment compensation.

Palm Beach County also **SUPPORTS** the expansion of allowable uses of the Domestic Violence Trust Fund articulated in Section 938.08, Florida Statutes to include programming for domestic violence victims. Some of the programs suggested are an in-house batterer's intervention program and support services for victims to assist getting restraining orders and case management assistance, as well as, funding for prevention, housing and treatment. Currently, these funds generated by fees are only used for law enforcement training for domestic violence issues and to offset the costs of incarceration of domestic violence offenders.

## **VICTIMS' SERVICES**

According to the Department of Justice, only 310 out of every 1,000 sexual assaults are reported to police. That means about 2 out of 3 go unreported.

Palm Beach County **SUPPORTS** legislation that would support survivors of sexual assault:

- Legislation that would extend the statute of limitations of reporting sexual assaults. Currently, prosecution for sexual assault or abuse has a statute of limitations that vary depending on the age of the victim and how the crime is classified. Capital and life felonies have no statute of limitations, however first degree felonies and lower carry statutes of limitations from 3-4 years.
- Legislation that would provide for Rape Kit tracking, which would allow access for survivors to track the status of their kits.

## **BATTERERS' INTERVENTION PROGRAMS (BIPs)**

In 2012 the Florida Legislature eliminated formal certification of Batterers' Intervention Programs (BIP) statewide which were, at that time, overseen by the Florida Department of Children and Families (DCF). The amendment left the "identification" of these programs to counties. Certification under DCF entailed a treatment and administrative review of providers. Every county in Florida is now struggling with how to "identify" providers, therefore:

Palm Beach County **RECOMMENDS** that The Office of Program Policy Analysis and Government Accountability (OPPAGA) evaluate the usage and effectiveness of BIPs across the State to determine whether the current 29-week psychoeducational model is being consistently ordered as envisioned and whether the curriculum is achieving the intended result of reducing repeat incidents of domestic violence.

Palm Beach County additionally **SUPPORTS** amending and revising section 741.325, F.S. to:

1. Require BIP providers to submit program and participant data including, but not limited to, number of participants, client outcome status, fees imposed and collected, sliding fee scales, program curriculum, demographic information, and similar reporting and data metrics for the purpose of evaluating program efficiency and compliance.
2. Amend BIP requirements to include minimum provider training and education, reduced program duration, acceptable program content to include alternative program models, and data collection and reporting requirements.
3. Authorize each local jurisdiction to utilize alternative BIP models for the community in cooperation with the local participants in the justice system as well as social service agencies at the community level. These alternative programs may include programming for children of domestic violence victims or perpetrators.

### **CENTER FOR YOUTHFUL OFFENDERS**

Palm Beach County **SUPPORTS** urging the Florida Department of Corrections to open a Youthful Offender Facility in South Florida. A Youthful Offender center can be created within an existing structure here in South Florida. Such facilities house inmates up to 24 years of age whose crimes were committed before they turned 21 and whose sentences are ten years or less. A vital component to the rehabilitation of youthful offenders is being close their families. However, the closest facility to Palm Beach County is in Sumter County. In 2012, a facility in Indian River County was closed down due to budget cuts in the Department of Corrections.

### **MARCHMAN ACT REVISIONS**

The Marchman Act is a civil process established in Chapter 397, Florida Statutes that provides for the involuntary or voluntary assessment, stabilization, and treatment of a person abusing or addicted to drugs or alcohol.

The Marchman Act involves a two-step process of assessment and then treatment. The most common way Marchman cases are initiated is with the filing of a petition for involuntary assessment in the county where the substance abuser is located. The criteria for the Marchman Act petition requires a demonstration that the individual has lost the power of self-control with respect to substance use and either (a) the individual is in need of substance abuse services and is incapable of making a rational decision in regard to receiving services or (b) is likely to suffer from neglect or has inflicted or threatened or attempted to inflict physical harm on oneself or another, or is likely to do so unless admitted.

Palm Beach County **SUPPORTS** the amendment of the Marchman Act to:

- Clarify the definitions of access center, designated receiving facility, and triage center to define functionality and the ability to receive and hold involuntary patients
- Provide flexibility for courts to retain jurisdiction over an individual who fails to complete involuntary treatment or relapses within 12 months, and to order individuals to be transferred to licensed recovery residences upon completion of treatment if recommended by a service provider and if additional funding is available
- Provide for circumstances under which an individual may be held in protective custody to allow for additional petitions to be filed in state court, and to allow minors to be held in treatment facilities until a petition for involuntary treatment is heard in court

Palm Beach County additionally **SUPPORTS** increased and appropriate funding for crisis mental health and substance abuse beds statewide. Palm Beach County **SUPPORTS** increased funding for public receiving facilities and maintaining funding for public facilities if new state general revenue is provided to private

receiving facilities. Palm Beach County also **SUPPORTS** coordinated efforts to increase access to acute care behavioral health services for individuals and families.

### **LIFEGUARD CERTIFICATION AND TRAINING**

Coastal/open water lifeguards are employed by local governments around the state to provide effective injury prevention and emergency medical/rescue services. In emergency circumstances, pre-hospital medical care at Florida's public bathing places is necessary. In an effort to ensure minimum standards for rescue and pre-hospital medical care with transport providers, Palm Beach County **SUPPORTS** legislation or regulatory action that would license and/or certify coastal/open water lifeguard agencies under the United States Lifesaving Association - Agency Certification program.

### **PRE-TRIAL RELEASE**

Palm Beach County **SUPPORTS** maintaining county ability to provide non-monetary pre-trial release services that ensure the safety and welfare of local communities and oppose legislation that would limit the discretion of first appearance judges to prescribe pre-trial options for defendants.

Palm Beach County **SUPPORTS** the expansion of state resources to assist treatment-based drug court programs. Eligible drug-addicted persons may be sent to Drug Court in lieu of traditional justice system case processing. Drug Courts keep individuals in treatment long enough for it to work, while supervising them closely.

### **REGAIN LOCAL ABILITY FOR LIMITED GUN REGULATION**

During the 2011 Legislative Session, HB 45 was enacted, which created stiff financial penalties for counties and elected officials that pass local ordinances and administrative rules that regulate firearms or ammunition. These fines range from \$5,000.00 for individuals to \$100,000.00 for repayment of attorneys' fees. In addition to financial penalties, employees acting in an official capacity that knowingly violate these provisions can be subject to immediate termination. The two exceptions to the provision of law are ordinances or rules that enact waiting periods or criminal background checks.

Palm Beach County **OPPOSES** Chapter 2011-109 Laws of Florida on the grounds that it violates the County's Home Rule Authority. The County had four ordinances and two resolutions related to gun control that had to be either amended or removed from the books due to the enactment of the law. The local ordinances and resolutions related to gun possession in family daycares, sale or possession of firearms during declared emergencies, locations where weapon discharging was permissible, records and holding periods of firearms by secondhand dealers (pawn shops), and forbidding the use of firearms in natural areas. The County continues to maintain the position that it should be able to pass ordinances or local rules that it believes are in the best interest of its citizens and visitors without interference from the Legislature.



Additionally, there has been concern over members of the public open carrying firearms at Juno Beach Fishing Pier. F.S. 790.25(3)(h) allows a person to open carry when the person is “engaged in fishing, camping or lawful hunting or going to or returning from fishing, camping, or lawful hunting expedition.” **AMEND** the statute to clarify that open carrying of firearms is permitted while fishing on a boat, not on a public fishing pier.

### **EMERGENCY PREPAREDNESS ISSUES**

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 under the oversight of the Executive Office of the Governor. An annual surcharge of \$2.00 per residential property insurance policy and \$4.00 per commercial property insurance policy is currently 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 have not been modified since the trust fund’s inception.

Palm Beach County **SUPPORTS** an examination of methods to correct the deficiencies in surcharge collection and the application of 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 a fixed allocation formula in the statute and authorized each year by the Legislature. Since then, the annual appropriation levels for base grants to county emergency management programs have equaled \$7.1 million, a historical level representing approximately 44 percent of the annual trust fund proceeds. Palm Beach County:

1. **SUPPORTS** maintaining this funding level as the minimum allocation for County Base Grants.
2. **SUPPORTS** an increase in county base grants to reflect the increased demands on county emergency management programs.
3. **OPPOSES** efforts to shift state funding of emergency management from counties to cities.
4. **SUPPORTS** maintaining the EMPA program administered by Florida Division of Emergency Management consistent with the original statutory intent (i.e., F.S. 252.373).

Palm Beach County **SUPPORTS** efforts to increase the fee that the Division of Emergency Management can charge to review Comprehensive Emergency Management Plans to better balance the costs incurred by the County for staff to conduct the reviews. Currently, DEM can charge \$31.25 per hour.

### **BRITTANY'S LAW - DRIVER SAFETY FOR MINORS**

In April 2015, a 17-year-old was accused of running a stop sign and killing 18-year old Palm Beach County resident Brittany Baxter. At the time the 17-year-old had been charged with eight traffic citations in the 33 months he was authorized to drive.

**SUPPORT** legislation that would create enhanced driver safety by either increasing points assigned for repeat driving infractions incurred by drivers under the age of 18 and adjusting the state's graduated driver license program to restrict driver privileges for repeat offenders.

### **TEXTING WHILE DRIVING**

At any given daylight moment across America, approximately 660,000 drivers are using cell phones or manipulating electronic devices while driving, a number that has held steady since 2010.

In 2015, there were more than 45,700 distracted driving crashes in Florida resulting in more than 39,000 injuries and more than 200 fatalities, according to the Florida Department of Highway Safety and Motor Vehicles.

As of 2016, Florida is one of only five states that have banned texting and driving as a secondary offense. Currently, 47 states, D.C., Puerto Rico, Guam and the U.S. Virgin Islands ban text messaging for all drivers.

Palm Beach County **SUPPORTS** legislation that would make texting while driving a primary offense.

### **RENTAL CARS USED IN THEFTS**

The Criminal Justice Committee's Law Enforcement Planning Council continues to see a proliferation of rental cars being used to commit crimes. Palm Beach County **SUPPORTS** legislation that would increase penalties for individuals using rental cars in thefts and other crimes including making it illegal to tint windows on rental cars and to stiffen penalties for individuals who alter license plates on rental vehicles. Work with car industry on innovations to assist law enforcement to make it easier to locate vehicles used in committing crimes.

### **LICENSING PUBLIC RECORDS EXEMPTION**

Palm Beach County started licensing adult entertainers in 1999 to stop the exploitation of minors. However, now the identifying information of adult entertainers are open to public records requests. This could leave many open to the dangers of human traffickers who use the lists to source victims.

Palm Beach County **SUPPORTS** legislation that would exempt personal and identifying information of adult entertainers from public records requests.

## **FIRE RESCUE**

### **CARBON MONOXIDE DETECTORS**

Several times a year, the Palm Beach County Fire Rescue handles fatalities that have occurred because running car engines in garages have emitted toxic levels of carbon dioxide. If more homes were constructed with carbon monoxide detectors, these incidents could be eliminated. Palm Beach County **SUPPORTS** education to encourage the installment of detectors in garages of new construction homes.

### **MOBILE INTEGRATED HEALTH**

Mobile integrated healthcare (MIH) is an overarching term that captures the concept of a new type of Emergency Medical Services (EMS) delivery system. In most cases, MIH is a more cost-effective and more efficient method of providing appropriate care to the ever-growing population of 911 callers who have a medical issue that should be dealt with but doesn't constitute an emergency as well as callers who don't need a quick emergency response. Palm Beach County **SUPPORTS** change in statute to allow for MIH-CP to bill insurance for non-emergency transport and care.

### **FIRE CODE ENFORCEMENT**

Palm Beach County **OPPOSES** any effort by state government to infringe upon home rule authority by attempting to mandate change to Palm Beach County's established Fire Code and Enforcement practices.

## **ANIMAL CARE AND CONTROL**

### **HEALTH CERTIFICATES**

Palm Beach County **SUPPORTS** a modification to FS 828.29 to remove the health certificate exemption for non-profit animal rescue groups. Current situation allows these groups to saturate our local communities with dogs from all over the country and beyond. There is no assurance that these animals are free from disease or were medically healthy prior to beginning their journey to our local communities.

### **DANGEROUS DOGS**

Palm Beach County **SUPPORTS** a modification to FS 767.12 to provide criminal consequences for people who conceal or lie about the whereabouts of a dog following a severe attack on a human or other domestic animal. Palm Beach County has had numerous examples of dogs inflicting severe injury; however, an owner can falsely claim the dog ran away in the moments prior to our arrival. There is no remedy in law for such situations.

## **ANIMAL CARE AND CONTROL PUBLIC RECORDS EXEMPTIONS**

Currently personal information for those who adopt animals is public record, however many public shelter animals come from criminal animal cruelty cases where the offender would like to get their animal back.

Palm Beach County **SUPPORTS** protecting the new adopter's personal information by exempting it from public record.

Palm Beach County additionally **SUPPORTS** an exemption for personal information of euthanasia techs at publically run shelters. Personal attacks on shelter workers are becoming common on social media and other platforms.

## **CONSUMER SERVICES**

### **TOWING BILL**

Palm Beach County **SUPPORTS** the following changes to Florida Statute to provide additional consumer protection:

Section 715.07, Florida Statutes implies but does not require the direct and express authorization from a property owner to have a towing company remove an illegally parked vehicle. Amend statute to 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 and should include a signature, printed name, and telephone number.

Section 715.07, Florida Statutes 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. Right now, some Florida DMV and County websites state that the ownership status will not change until the buyer applies for and is issued a Certificate of Title which must be filled out by the buyer and signed by both the seller and buyer before then being submitted to the a local Tax Collector's Office. The statute should be amended to define the required documentation that towing companies must accept to prove that a person owns an impounded vehicle or vessel. If the required documentation that towing companies must accept "shall include but not be limited to" several other ownership documents (i.e. Bill of Sale property endorsed, Power of Attorney, a Trust, etc.), this would save the 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. Require towing companies to accept payment for towed vehicles/vessels beyond cash to include valid checks and credit cards.

A towing business' hours of operation currently defined in Section 715.07, Florida Statutes as between 8am and 6pm should also be defined in Section 713.78, Florida Statutes to provide consistency in Florida law and provide consumer protections from being required to pay excessive fees.

Additionally, a cap on towing mileage radius should be provided for in statute for certain regions of the state to ensure vehicles are not towed so far from the original destination so as to overly burden the car owner.

### **MOBILE HOME DISCLOSURE**

State law does not require mobile home owners to disclose to potential buyers of their homes that a developer has purchased the mobile home park, presumably for redevelopment. However, Chapter 723, Florida Statutes (Mobile Home Park Lot Tenancies) requires that a mobile home park owner must disclose certain zoning and land use information governing the park before entering into a rental agreement for a mobile home lot. It is unclear whether a buyer would receive such disclosure prior to closing on the purchase of a mobile home from a private seller. Therefore, Palm Beach County **SUPPORTS** clarifying Chapter 723, Florida Statutes to require a mobile home park owner to notify a buyer before closing on the purchase of a mobile home from a private seller, of any change in ownership of the mobile home park and/or any definite future plans for changes in the use of the park six months prior to the change of ownership in the park.

## **LOCAL GOVERNMENT/ADMINISTRATIVE**

### **VALUE ADJUSTMENT BOARD**

The Palm Beach County Value Adjustment Board received a record 19,800 petitions in 2009 from residents who pay a \$15 filing fee in comparison to the approximate \$114 in costs to the County to facilitate a petition. In 2015 while the number of petitions filed has decreased significantly, the cost ratio to conduct the hearings has remained consistent. The current filing fee has been in effect since 1988. With the changes in law coupled with the vast number of petitions filed and expected to grow, Palm Beach County **SUPPORTS** raising the filing fee to \$50 to cover the anticipated increasing costs to process them.

### **DISCRIMINATION PUBLIC RECORDS EXEMPTION**

Currently, state law allows for local government agency exemptions from inspection or copying of public records relating to complaints of discrimination regarding race, color, religion, sex, national origin, age, handicap, marital status, sale or rental of housing, the provision of brokerage services, and the financing of housing. **AMEND** s. 119.0713, F.S. to include familial status. Also, include language stating that all records created or received in the course of conciliation with any unit of local government to resolve complaints of discrimination regarding race, color, religion, sex, national origin, age, handicap, marital status, familial status, sale or rental of housing, the provision of brokerage services, and the financing of housing are

confidential and exempt from s.119.07(1) and s. 24(a), Article I of the State Constitution. Palm Beach County **SUPPORTS** a statement of finding from the legislature that this exemption is necessary to encourage the resolution of complaints of discrimination and the effectiveness and efficiency of the conciliation process.

#### **DISPARITY STUDY PUBLIC RECORDS EXEMPTION**

Because local governments are committed to assuring that public dollars drawn from tax contributions from citizens do not contribute to exclusionary practices in the solicitation and award of contracts to minority, and women-owned, and disadvantaged business enterprises, Palm Beach County **SUPPORTS** a public records exemption for disparity study anecdotal information to prevent retaliatory action.

#### **RESIDENCY OF ELECTED OFFICIALS**

Florida law allows any city that does not specifically outline residency requirements for elected officials in their charters to not have residency requirements for elected officials.

Therefore, Palm Beach County **SUPPORTS** legislation that requires city charters to have a residency requirement for elected officials.

#### **SOVEREIGN IMMUNITY**

As the State of Florida continues to experience dramatic growth in population, so does the demand for recreational facilities to serve the populace.

One recurring issue has been the reluctance of public agencies to allow or permit recreational activities on their property due to an unacceptable level of tort exposure.

Palm Beach County **SUPPORTS** an amendment to section 768.23, F.S. to provide sovereign immunity for any public property intended or permitted to be used for recreational purposes.

#### **TESTIMONIALS FOR PUBLIC OFFICIALS**

Palm Beach County **SUPPORTS** a revision to section 111.012, F.S., to clarify that the statute's provisions apply only to testimonials that are held to raise funds on behalf of any elected public officer. Presently, the statute applies to testimonials that are held to honor public officials, even if no funds are raised.

## **EDUCATION**

### **STATE LIBRARIES**

Local governments receive State support for libraries through three different programs: the State Aid program, the Regional Multi-type Library Cooperative Grant program, and the 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.

The Legislature decreased **State Aid to Public Libraries** by \$2.5 million to \$20.5 million in the 2018 Legislative Session. Palm Beach County strongly **SUPPORTS** the restoration of the State Aid to Public Libraries program to at least **the 2017 level of \$23 million**.

Approximately 51% of Floridians have a library card, visiting our libraries 75.1 million times in person and 97.3 virtual visits to library websites. **A strong fiscal foundation for our public libraries is critical to the state's economic and educational success.**

Florida's State Aid grant program has been the cornerstone of public library support in our state since 1963 and is a national model. **State Aid grant funding assists Floridians with:**

- Economic development resources to small businesses and job seekers.
- Access to government services, especially e-government – public libraries are the “go to” place when Floridians need to access the Internet and the vast array of services and products online.
- Education and reading – libraries are the safety net that insures school success for students of all ages.

For every \$1.00 invested in public libraries, the return on investment is \$10.18, Gross Regional Product increases by \$13.23, and income (wages) increases by \$28.42. For every \$2,574 spent on public libraries from public funding sources in Florida, one job (in the economy, not just in libraries) is created.

#### **Library Technology Grants**

For some citizens, Public Libraries are the only way to access a computer for things like: school work, and employment searches.

Palm Beach County **SUPPORTS** the restoration of Library Technology Grants that enable libraries to improve the technology services they can offer to citizens statewide.

#### **New Library Construction Grants**

The addition of new libraries would assist even more residents with getting access to the invaluable services provided by our library systems.

Palm Beach County **SUPPORTS** full funding of \$11 million to support all eligible applications for grant funding.

#### **Regional Multi-type Library Cooperatives**

The Palm Beach County Library System is part of the regional multi-type library consortia known as the Southeast Florida Library Information Network (SEFLIN), which connects both public and private libraries of all types to one another and allows the community to be served more effectively through the joint use of technology, continuing education and training of library staff. Each grantee is awarded up to \$400,000 but it requires a ten percent cash match of local funds. The Legislature funded the Library Cooperative Grant program for the state's five multi-type library cooperatives (MLCs) at \$2 million in 2015-16 and Palm Beach County **SUPPORTS** an appropriation of the same amount in 2018-19. These funds are critical for Florida's five multi-type library cooperatives (MLC's). These funds are used to:

- Promote resource sharing so Floridians can easily obtain resources from other libraries using statewide delivery and reciprocal borrowing services
- Continuously upgrade the skills of library employees to improve the experience of Florida library customers
- Create connections between libraries to encourage adoption of technologies and services important to Floridians.

#### **Smart Horizons Career Online School**

Palm Beach County **SUPPORTS** continued funding for this program that allows 19-and-older out of school adults to complete a private high school diploma and career certificate through 35 participating library systems. As of July 30, 2018, 423 students had graduated and an additional 254 students are actively working on their coursework. This program makes a high school diploma more accessible to Floridians and prepares them for success in the workforce.

#### **PALM BEACH COUNTY SCHOOL DISTRICT**

Palm Beach County **SUPPORTS** the legislative agenda put forward by the School District of Palm Beach County covering different focus areas:

1. Florida Education Finance Program (FEFP) Funding
2. Capital Outlay Funding
3. Charter School Accountability
4. Flexibility to provide adequate funding for creative curriculum that allows for more individualized learning.
5. Accountability Transition to allow alternative testing to better gauge learning gains and teacher effectiveness
6. Expand language in F.S. 212.055(2) to include technology implementation including hardware and software.



7. School safety and mental health

**AFRICAN AMERICAN HISTORY MUSEUM**

Palm Beach County **SUPPORTS** an appropriation for the African American History Museum at Historic Roosevelt High School. This will serve as a museum to educate the entire public as well as serve as a place for meetings and lifelong education programs. The museum will be able to create a living learning facility for students to further their African-American history studies and for adults to further understand the contributions of African-Americans locally in Palm Beach County as well as all of Florida.

**PALM BEACH STATE COLLEGE FUNDING**

Palm Beach County **SUPPORTS** the allocation of additional construction funding (Public Education Capital Outlay, PECO) for new buildings on Palm Beach State College's campuses.

Palm Beach County **SUPPORTS** efforts to increase opportunities for PBSC and the School District to collaborate on programs to ensure that students are college and work ready.

**FLORIDA ATLANTIC UNIVERSITY FUNDING**

**U.S. NEWS AND WORLD REPORT TOP 100**

Palm Beach County **SUPPORTS** Florida Atlantic University as it pursues its goal to be a Top 100 (U.S. News and World Report) Public Research University. The university is requesting \$16.3 million dollars in recurring operational funding to assist in sustaining excellence and accelerate its progress along the journey to being a Top 100 institution.

**JUPITER RESEARCH BUILDING**

The Jupiter Research Building is a component of FAU's Life Sciences Initiative, which is transforming the university's John D. MacArthur Campus into a hub of scientific inquiry, innovation, and economic development. Palm Beach County **SUPPORTS** FAU's funding request to construct a 72,000 gross square feet facility that will provide research and instructional space to support the recruitment/retention of new research faculty and the program's student enrollment growth.

**A.D. HENDERSON / FAU HIGH UNIVERSITY LAB SCHOOL**

Palm Beach County **SUPPORTS** funding for FAU's University Lab School. The University has committed to a 1:1 public/private match for this project. A.D. Henderson is a developmental research (lab) school established in 1968 to enhance instruction and research in specialized subjects to improve outcomes for all students in the country.

## **CAREER EDUCATION FUNDING**

STEM, Science, Technology, Engineering and Mathematics, curricula has been predominantly taught in colleges or post-secondary institutions in Florida. Based upon the need for qualified candidates within the STEM fields, Palm Beach County **SUPPORTS** efforts to expand, enhance and provide adequate funding of STEM programs to public career academies, K-12 educational programs, and career programs in higher education.

Palm Beach County also **SUPPORTS** funding efforts to expand and enhance vocational training programs.

## **CULTURAL ARTS AND HISTORIC GRANTS FUNDING**

The Florida Division of Cultural Affairs (DCA) at the Department of State recommends to the Legislature a ranked list of qualified grant applicants for Cultural and Museum Grants, Cultural Projects, Cultural Facilities, and the Cultural Endowment Program. Palm Beach County **SUPPORTS** full-funding of the Cultural Grant application list as approved by the DCA.

## **AGRICULTURE**

### **FARM TO SCHOOL PROGRAMS**

Integrated Farm to School programs have the ability to positively affect entire communities. One of the most valuable components of supporting Farm to School initiatives is the opportunity to increase access to fresh produce within a domestic food assistance program that services low-income families. Farm to School programs encourage a lifelong appreciation for healthy eating habits by creating an environment that exposes children to a variety of fruits and vegetables. Aside from the nutritional benefits of increasing the availability of fresh produce in school meals, the local economy benefits from an additional marketplace and could indirectly promote job creation in the agricultural community. Palm Beach County **SUPPORTS** legislation that would assist in integrating locally grown produce into school meals.

# **PALM BEACH COUNTY**

## **2019 SESSION STATE LEGISLATIVE AGENDA**

### ***ENVIRONMENTAL & NATURAL RESOURCES PRIORITIES***

#### **Board of County**

#### **Commissioners**

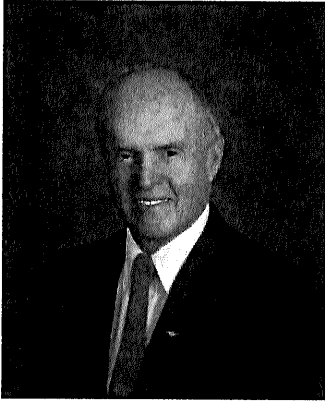
**Hal R. Valeche  
Dave Kerner  
Mary Lou Berger  
Melissa McKinlay  
Mack Bernard**

**Verdenia C. Baker,  
County Administrator**

**Rebecca DeLaRosa,  
Legislative Affairs Director**



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**



**HAL R. VALECHE**  
**DISTRICT 1**  
561/355-2201  
[HVALECHE@pbcgov.org](mailto:HVALECHE@pbcgov.org)

**DISTRICT 2**  
561/355-2202



**DAVID KERNER**  
**DISTRICT 3**  
561/355-2203  
[DKERNER@pbcgov.org](mailto:DKERNER@pbcgov.org)

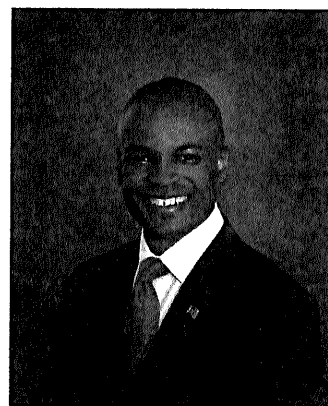
**DISTRICT 4**  
561/355-2204



**MARY LOU BERGER**  
**DISTRICT 5**  
561/355-2205  
[MBERGER@pbcgov.org](mailto:MBERGER@pbcgov.org)



**MELISSA MCKINLAY**  
**DISTRICT 6**  
561/355-2206  
[MMCKINLAY@pbcgov.org](mailto:MMCKINLAY@pbcgov.org)



**MACK BERNARD**  
**DISTRICT 7**  
561/355-2207  
[MBERNARD@pbcgov.org](mailto:MBERNARD@pbcgov.org)

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**ENVIRONMENTAL/NATURAL RESOURCES**

***LEGISLATIVE PRIORITIES***

**GLADES REGION INFRASTRUCTURE IMPROVEMENT PROGRAM: \$3,000,000**

Infrastructure in the Glades Region of Palm Beach County (including the economically distressed cities of Belle Glade, South Bay and Pahokee) suffers from a history of inadequate design, substandard construction, the utilization of improper materials and a severe lack of investment for replacement and repair. This results in the inadequate provision of water pressure and quality, chronic wastewater overflow issues due to infiltration of stormwater into the wastewater collection system, and the inability to provide adequate flows for fire protection. The continued deterioration of the infrastructure has resulted in threats to the health, safety and welfare of the citizens of the Glades Region and has also curtailed the ability of Palm Beach County and the municipalities of the Region to attract economic development and business expansion, as well as supporting residential and commercial development. As a result of the infrastructure deficiencies, and to develop a strategy for economic development for the Glades Region, the County finalized the Glades Region Master Plan, which detailed specific Infrastructure Improvement Projects (Projects) that are required in order to repair and restore the water, wastewater, stormwater, and transportation infrastructure of the Glades Region to a level that will protect the health, safety and welfare of the public and businesses of the Region and improve the economic development outlook for the citizens of the area. The Projects additionally include features designed to improve the resiliency of the infrastructure in the face of increased impacts from tropical storm events. The proposed projects are prioritized in the Glades Region Master Plan and are coordinated to provide a multi-faceted approach to foster economic development through the improvement of basic infrastructure throughout the Region.

2019 Session Funding Request		
Project Name	Estimated Project Cost	Requested State Allocation
Glades Region Infrastructure Improvement Program	\$25,000,000	\$3,000,000

**BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS: \$7,030,052**

Florida's beaches are the focus of our tourism industry and are critical in maintaining Florida's tourism brand. Their role in providing upland property protection against storm damage makes them key components of our economy. The benefits to property values, tourism, and jobs by maintaining healthy beaches far outweigh the investment needed to combat coastal erosion. State matching grants are a critical component of the funding required to maintain this essential infrastructure, but state budgetary restrictions continue to force many communities to advance the necessary funding for projects without a guarantee of future reimbursements. The backlog of eligible funding requests continues to expand

annually. The County is requesting inclusion of the following Palm Beach County shore protection projects in the State's Beach Erosion Control Program:

2019 Session Beach & Inlet Management FUNDING REQUESTS					
No.	Project Name	Description	Grant Funding Request	Local Match	Estimated Project Cost
1	Coral Cove Park Dune Restoration	Construction	\$535,000	\$535,000	\$1,070,000
2	North County Comprehensive Shore Protection Project -Segment 2	Design/Permitting	\$133,293	\$133,293	\$266,586
3	North County Comprehensive Shore Protection Project - Segment 3 (formerly Juno Beach Nourishment)	Monitoring	\$55,000	\$55,000	\$185,000*
4	Southern Palm Beach Island Comprehensive Shore Stabilization	Design/Permitting, Monitoring, Construction	\$5,300,000	\$5,300,000	\$10,600,000
5	South Lake Worth Inlet Management	Monitoring	\$234,000	\$78,000	\$312,000
6	Ocean Ridge Shore Protection	Monitoring, Design/Permitting	\$125,650	\$125,650	\$300,000*
7	Singer Island Shore Protection Project	Monitoring, Construction	\$647,109	\$972,891	\$1,620,000
	<b>TOTAL</b>		<b>\$7,030,052</b>	<b>\$7,199,834</b>	<b>\$14,353,586</b>

\*includes federal funding

### **LOXAHATCHEE RIVER PRESERVATION INITIATIVE**

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 need to be addressed.

The Loxahatchee River Preservation Initiative (LRPI) is the outgrowth of a watershed management effort started by the FDEP in 1996. LRPI has a long history of working with both the South Florida Water Management District (SFWMD) and the Florida Department of Environmental Protection to request and receive legislative appropriations to complete essential restoration. SFWMD is a local presence in the region that understands the system and the benefit each of these projects provide to the River. Projects are ranked and prioritized by the LRPI Board, including representatives of the state agencies.

Palm Beach County **SUPPORTS** legislative funding for the priority list of projects as established by the steering committee of the LRPI.

2019 Session Loxahatchee River Preservation Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Culpepper Ranch Phase II Berm Project	Martin County	\$270,000	\$270,000	\$540,000
2	Loxahatchee River Watershed Restoration	Palm Beach County	\$160,000	\$160,000	\$320,000
3	Septic System Abandonment	Loxahatchee River District	\$693,000	\$693,000	\$1,386,000
4	Pine Gardens North Infrastructure	Town of Jupiter	\$356,044	\$1,685,155	\$2,041,199
5	Seminole Avenue Stormwater Basin	Town of Jupiter	\$870,000	\$2,800,465	\$3,670,465
6	Section 7 Drainage Improvements	South Indian River Improvement District	\$290,000	\$290,000	\$580,000
7	Hydrologic Restoration Phase II	Jonathan Dickinson State Park	\$500,000	\$500,000	\$1,000,000
8	Hydrologic Restoration Phase III	Jonathan Dickinson State Park	\$25,000	\$25,000	\$50,000
9	Loxahatchee River Battlefield Park	Palm Beach County	\$200,000	\$258,000	\$458,000
	<b>TOTAL</b>		<b>\$3,364,044</b>	<b>\$6,681,620</b>	<b>\$10,045,664</b>

### **LAKE WORTH LAGOON INITIATIVE**

The Lake Worth Lagoon (LWL) estuary stretches 20 miles along the shores of 13 municipalities from North Palm Beach to Ocean Ridge and has been subjected to pollution and habitat losses for decades. The Lake Worth Lagoon Initiative is supported by Palm Beach County, South Florida Water Management District, Florida Department of Environmental Protection, Florida Inland Navigation District and the League of Cities, which have endorsed the LWL Management Plan to restore the Lagoon. This plan includes projects to restore sea grasses, mangroves and oysters, cap muck sediments and construct storm water control projects and septic to sewer conversions. Revitalizing this important water body provides long-term environmental, recreational and economic benefits to the region.

The Initiative was created to define and evaluate the status of the entire LWL watershed and propose actions that would improve and protect the natural resources within the lagoon and watershed. Each State dollar is matched at the local level on a minimum 50:50 cost-share basis. Through this program, over \$22 million in State funds and \$65 million in local funds have been dedicated to restoring the Lagoon. The projects below were prioritized by Initiative members and funding partners.



Palm Beach County **SUPPORTS** legislative funding for the priority list of projects as established by the steering committee of the Lake Worth Lagoon Initiative.

2019 Session Lake Worth Lagoon Initiative FUNDING REQUESTS					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Washington Rd. Utilities and Stormwater	City of West Palm Beach	\$500,000	\$1,255,000	\$1,755,000
2	Tarpon Cove Restoration, Phase II	Palm Beach County	\$1,000,000	\$1,000,000	\$2,000,000
3	Lake Worth Lagoon Monitoring	Palm Beach County	\$225,668	\$225,668	\$451,336
4	Singer Island Submerged Land Acquisition	Palm Beach County	\$250,000	\$250,000	\$500,000
5	17 <sup>th</sup> Avenue South Drainage Resiliency Project	City of Lake Worth	\$408,163	\$408,163	\$816,326
6	18 <sup>th</sup> Avenue North Drainage Resiliency Improvements	City of Lake Worth	\$724,9000	\$724,900	\$1,449,800
7	Hypoluxo Septic to Sewer Conversion	Town of Hypoluxo	\$333,660	\$333,660	\$667,320
	<b>TOTAL</b>		<b>\$3,442,391</b>	<b>\$4,197,391</b>	<b>\$7,639,782</b>

**LAKE OKEECHOBEE RESTORATION \$2,000,000**

Historically, the shoreline of Lake Okeechobee along Palm Beach County transitioned gradually from beaches and grassy waters into deeper water, serving as a natural barrier and filtration system. During construction of the Herbert Hoover Dike, the shoreline was significantly altered, inhibiting the natural flow of water and resulting in consequences to the ecosystem; habitat loss, increased turbidity and sedimentation. These changes impair the environmental resources upon which the adjacent communities depend on and negatively affect the economy. Palm Beach County is actively working with the US Army Corps of Engineers on a suite of projects to improve the nearshore habitat of the lake.

2019 Session Lake Okeechobee FUNDING REQUESTS				
	Project Name	Grant Funding Request	Local Match	Estimated Project Cost
1	Lake Okeechobee Feasibility Study with USACE – Nearshore Habitat Planning & Development	\$400,000	\$400,000	\$800,000
2	Lake Okeechobee Nearshore Habitat Construction	\$1,600,000	\$1,600,000	\$3,200,000
		<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$4,000,000</b>

**PHASE II OF THE J.W. CORBETT LEVEE SYSTEM IMPROVEMENT PROJECT**

In August 2012, Tropical Storm Isaac brought nearly 15 inches of rain over a 72-hour period in areas of central Palm Beach County, including communities served by the Indian Trail Improvement District. The South Florida Water Management District (SFWMD) took immediate action to respond to flooding in support of local relief efforts, including taking around-the-clock measures to strengthen the Indian Trail Improvement District berm that borders the J.W. Corbett Wildlife Management Area. In September 2012, Governor Rick Scott directed the SFWMD to convene a multiagency working group to determine a timely plan to further strengthen the integrity of the berm.

The planning efforts resulted in the J.W. Corbett Levee System Improvement Project that will enhance flood protection and safety for the residents of the Indian Trail Improvement District from waters impounded within the J.W. Corbett Wildlife Management Area, which includes adding a levee north of the existing berm. During the 2013 legislative session, \$4 million was appropriated to improve the J.W. Corbett Levee System and help improve water drainage and flow in the region. Approximately \$6 million in additional funding is required to complete the second phase of levee construction and provision of flood protection for the surrounding residents and commercial businesses. Palm Beach County was able to secure \$500,000 towards the second phase of the Project during the 2016 Legislative Session.

**SUPPORT** the Florida Department of Environmental Protection and South Florida Water Management District in securing the remaining funding to complete Phase II of the Project.

**MOSQUITO BORNE DISEASE FUNDING**

Heightened concerns regarding mosquito-borne diseases such as Dengue, Chikungunya and the Zika Virus have been especially challenging for local government mosquito control programs. The mosquito that transmits the three diseases is a daytime active container breeding mosquito species requiring daytime inspection of properties, elimination of artificial breeding sites, hand fogging residences, immediate response to suspect cases and public education. Current staffing levels and the need for additional

equipment and chemicals limits the ability of local governments to operate an integrated program as required under Chapter 388 F.S. in protecting the public's health. Although additional state funding has recently been provided to address short-term needs, an expanded dedicated funding commitment from the state would allow for long-term program planning and ensure the availability of well-trained staff.

Palm Beach County **SUPPORTS** increased state funding for mosquito control and the eradication of mosquito borne diseases.

### **DEPARTMENT OF ENVIRONMENTAL PROTECTION – BEACH FUNDING & PERMITTING**

A Beach Management Working Group, formed pursuant to proviso language contained in the General Appropriations Act for FY 2008-9, was directed to review the state's beach management program and make recommendations for improvements. While several of the recommendations were subsequently implemented and recent rule clarifications represent a significant step in improving the Department's efficiency, additional changes are necessary to streamline a program that is vital to both the state and local economies.

Palm Beach County **SUPPORTS** legislation that provides for additional state beach program streamlining and dedicated funding for dune restoration as part of the beach management funding program.

- Dune restoration is a vital aspect of providing protection to our coastal shorelines that goes beyond sand placement. Funding criteria as articulated in Chapter 161, Florida Statutes and implementing regulations should be updated to enhance funding opportunities for dune restoration projects.
- Eliminating redundancy in state and federal permit application review to reduce project costs, accelerate the permitting process and eliminate agency conflicts.
- Regionalization as defined in the Strategic Beach Management Plan is intended to coordinate multiple beach nourishment and inlet management efforts to result in cost savings through reduced mobilization and elimination of duplicative administrative tasks. Many times a single local sponsor (County) will coordinate these consolidated activities through funding agreements with local partners (Municipalities). Project Ranking Procedures should be updated to enhance funding opportunities for regionalized projects by eliminating the requirement for multiple local sponsors.
- Project Ranking Procedures should be revised to recognize efficiencies associated with smaller-scale projects that dramatically reduce mobilization costs, minimize environmental impacts and reduce administrative costs.

### **LAND MANAGEMENT**

Palm Beach County and its municipalities manage approximately 48,570 acres of conservation and preserve lands within its Natural Areas and Park properties. Statewide, local governments manage about 10% of the government owned lands. Funding management activities on these lands is an on-going

financial commitment, particularly in South Florida where the subtropical climate allows exotic plant and animal species to thrive and necessitate continual treatment to maintain natural areas in their natural condition.

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for the management or restoration of natural lands of local government natural lands and adoption of an allocation method based on per acre shares of the available funding.

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for beach restoration, Everglades Restoration, efforts to benefit Lake Okeechobee, Lake Worth Lagoon, the Loxahatchee River, alternative water supply and regional multi-faceted projects that benefit the environment and inhabitants of Palm Beach County, as well as the inclusion of the Loxahatchee River and Lake Worth Lagoon in legislation establishing dedicated funding for Everglades Restoration, including those local projects under consideration and development as locally preferred projects.

Palm Beach County **SUPPORTS** legislation to provide greater flexibility in the ability of local governments to accomplish vital land management activities, including, but not limited to the expansion of the approved uses of funding under the Florida Communities Trust (Chapter 380, F.S.) to allow for funding of land management activities.

#### **PROGRAMS AND PROJECTS TO IMPROVE WATER QUALITY**

In June 2016 and throughout the wet season of 2018, significant algal blooms on Lake Okeechobee were transported to coastal waters and were exacerbated due to high water levels, regulatory discharges, and local basin runoff and nutrient impacts. Coastal ecosystems suffered deleterious water quality impacts, resulting in impacts to public health and economic viability of local businesses. Both events resulted in the issuance of Emergency Orders by the Governor and the identification of vital projects to alleviate the harmful impacts. One of the major sources of nutrient pollution that results in the worsening of algal blooms is the leaching of wastewater from septic tanks and their associated drainfields to adjacent waters.

Palm Beach County **SUPPORTS** legislation to provide for effective programs to further address water quality impacts, as well as appropriations to provide for vital water quality projects to address nutrient pollution and the impacts of harmful algal blooms, including the conversion of properties currently on septic systems to central wastewater in those areas impacted by harmful algal blooms and nutrient pollution, projects to reduce damaging freshwater discharges to the Lake Worth Lagoon, and mandated state water quality improvement projects.

#### **PETROLEUM STORAGE TANK COMPLIANCE LOCAL PROGRAM FUNDING**

Since 1988, PBC has contracted with the Florida Dept. of Environmental Protection (FDEP) to administer the Petroleum Storage Tank Compliance Verification Program. During 2012, FDEP moved towards a regional approach with the program and this resulted in PBC expanding its program duties into Martin

and St. Lucie Counties. The current budget for FDEP’s compliance program is \$5,900,000, a 41% budget reduction since FY 2010-11. The budget reductions have resulted in a dramatic decrease in the number of facilities being inspected annually. The rationale behind this reduction was that all petroleum storage tank systems are now double walled and less likely to leak, therefore requiring less frequent inspections. The reality is:

- Double-walled petroleum storage tank systems statewide are nearly 20 years old.
- Historical inspection records show that as tank systems age, equipment failures and maintenance issues occur more frequently. These issues are only discovered by regular site inspections.
- Reduced inspection frequencies has decreased compliance rates and increased the chances for petroleum discharges as equipment failures and maintenance issues persist for longer periods before being discovered by inspectors.

**SUPPORT** funding the Petroleum Storage Tank Compliance Verification Program at the local program level and maintain the current \$5,900,000 budget level resulting in approximately 43% of the facilities being inspected annually. Preferably, restore funding to the FY 2010-11 level of \$10,000,000 so all of the facilities can be inspected annually. The Storage Tank Compliance Program provides the first line of defense for protecting the State’s drinking water supplies and early detection of leaks prevents costly clean-up efforts by the property owner.

COUNTY	# OF REGULATED FACILITIES TO MANAGE	# OF TANKS TO INSPECT
PALM BEACH	1389	2943
ST. LUCIE	336	786
MARTIN	234	491
<b>TOTAL</b>	<b>1959</b>	<b>4220</b>

**MAINTAIN FUNDING FOR THE STATE PETROLEUM CLEANUP PROGRAM**

Palm Beach County’s local petroleum cleanup program provides supervision of state contractors conducting assessment and remediation of petroleum contamination within the County. The Program also provides enforcement and oversight for non-eligible contamination cleanups. An experienced local program staff oversees contamination cleanups with the ability to maintain on-site observation and supervision of the many phases of the cleanup process essential to conducting contamination cleanups in a timely and cost-effective manner. The cleanup process encourages development of impacted properties and protects local drinking water supplies. Palm Beach County’s Department of Environmental Resources Management implements the Program throughout the County.

**SUPPORT** the Division of Waste Management Long Range Program Plan that implemented changes to the Petroleum Restoration Program (PRP), resulting in improved efficiency and cost effectiveness. The Palm Beach County Local Cleanup Program is committed to assisting the PRP strategic direction to have all remaining discharges assessed in five (5) years or less.

Petroleum Cleanup Sites Administered by Palm Beach County per FDEP Task Assignment Year									
Sites	186	174	171	150	129	178	203	180	180
Fiscal Year	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19

**RESILIENCE/SOUTH FLORIDA CLIMATE CHANGE COMPACT**

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 State Legislative Program each year since 2011. The Compact has adopted as part of the Program State Energy and Climate Legislative Principles to articulate the overarching goals for the Program, as well as State Energy and Climate Legislative Priorities to identify those legislative issues that Compact members will support in the upcoming legislative session.

**Palm Beach County is committed to supporting the Principles and Priorities established by the Compact and has identified its top priorities from the Compact Program as:**

**SUPPORT** development of a statewide climate action plan that includes greenhouse gas emissions reduction, adaptation, and resilience measures.

**SUPPORT** additional funding for the Department of Environmental Protection Resilient Coastline Initiative and its local government technical assistance programs, as well as funding for resilient infrastructure projects identified by local governments.

**SUPPORT** Land Acquisition Trust Fund funding for regional priorities, including living shorelines, beaches, coastal and coral reef protection, preservation of native habitat areas, and maintenance of existing conservation lands.

Additional Southeast Florida Regional Climate Change Compact Counties 2019 State Legislative Priorities are:

**OPPOSE** preemption of local environmental regulations, including those pertaining to extreme well stimulation techniques and oil/gas exploration and extraction.

**OPPOSE** any changes that would weaken existing net metering policies, which allow customers to receive retail-rate credits for any excess energy produced by their on-site renewable energy devices and returned to the grid.

**SUPPORT** legislation to authorize third-party sales of electricity in Florida.

**SUPPORT** incentives for electric vehicle charging infrastructure and electric vehicle purchases by businesses and individuals.

**SUPPORT** for solar-plus-storage installations, especially at emergency shelters and other critical facilities.

**SUPPORT** programs to develop renewable sources of diesel-grade fuel.

**SUPPORT** meaningful energy-efficiency requirements for electric utilities in the upcoming Florida Energy Efficiency and Conservation Act rulemaking undertaken by the Florida Public Service Commission.

**SUPPORT** legislation and funding for a matching fund program for local government flood risk reduction projects resulting from Adaptation Action Area designations or the risk reduction policies and actions included in the coastal elements of comprehensive plans pursuant to Chapter 2015-69, and legislation to add flood mitigation to the list of eligible uses of Florida Communities Trust funding.

**SUPPORT** coral reef health, protection, and restoration.

**SUPPORT** legislation altering the funding criteria for beach renourishment projects to include shoreline protection measures beyond placement of sand, including dune projects.

**SUPPORT** legislation and policies requiring state agencies, water management districts, local governments, and regulated industries to consider projected sea-level rise, coastal flooding, and potential storm surge in all infrastructure and facility-siting decisions.

### **MODIFICATION OF THE STATEWIDE RECYCLING GOAL**

The Energy, Climate Change and Economic Security Act of 2008 established a statewide weight-based recycling goal of 75% by 2020. DEP has since acknowledged in a 2018 report that the goal is “aspirational” and that the recycling rate will likely fall short of the 2020 goal. Changes to collection methods, shifts in recycling markets including regulatory changes in international demand markets, and the use of lighter weight packaging have significantly impaired the ability of counties to meet the statutory goal. The Hinkley Center’s research has demonstrated that the integration of Sustainable Materials Management (SMM) decision making alone will not get the state to the 75% goal.

Palm Beach County **SUPPORTS** modification of the 75% recycling goal to acknowledge the current waste stream and recycling market challenges being encountered by local governments, and encourage efforts to keep as much material out of the landfill as possible.

### **FLEXIBILITY IN MITIGATION CREDIT GENERATION**

Palm Beach County **SUPPORTS** efforts to create flexibility in the ability of businesses to obtain mitigation credits for the impacts of proposed projects when those projects are economic drivers for a local economy and will result in a certain level of job creation within the area.

### **EXPANSION OF RECLAIMED WATER**

As Florida continues to experience population growth and increasing demands on the water resources of the state, the efficient and effective utilization of reclaimed water is vital to expanding the water pie and providing for the increased impacts of our growth. Over the past few years, the Florida Department of Environmental Protection, the Water Management Districts, industry groups including the Florida Water and Environment Association Utility Council (FWEAUC), and multiple stakeholder groups have engaged in several efforts to improve legislative and regulatory requirements regarding the oversight and funding for alternative water supply projects. Currently, these stakeholders are engaged in the Potable Reuse Commission, which is looking to propose legislative and regulatory language to incorporate more detailed requirements regarding potable reuse into the existing frameworks regarding the traditional utilization of reclaimed water. Additional policy concepts include the clarification of the applicability of impact offset and substitution credits to alternative water supply projects, incentivization of approaches that promote efficiency in the utilization of reclaimed water, and other measures that will allow for the utilization of reclaimed water in the best time, place and manner as suits a given geographic area and local government.

Palm Beach County **SUPPORTS** the legislative concepts proposed by the FWEAUC and concepts offered by the Florida Department of Environmental Protection and other stakeholders that will promote the continued effective and efficient implementation of reclaimed water throughout Palm Beach County.

### **ALTERNATIVE WATER SUPPLY, WATER RESOURCE DEVELOPMENT AND INFRASTRUCTURE FUNDING**

In 2005, the State Legislature enacted the Water Protection & 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 funds were to be used to assist in funding alternative water supply construction costs selected by each District's Governing Board for priority implementation. In 2008, funding from the Water Protection & Sustainability Program Trust Fund was reduced to \$7.7 Million statewide. Funding was further reduced in 2009 to only \$2.2 Million. Since 2009, the funding level has been zero.

As water and wastewater infrastructure ages, it becomes necessary to repair or replace aged components of the water infrastructure framework, as well as to integrate innovative technologies and approaches to provide high quality water and wastewater service. In its most recent Drinking Water Infrastructure Needs Survey and Assessment, the United States Environmental Protection Agency identified significant



infrastructure Repairs and Replacements (R+R) that will be required in the decades ahead. The assessment identified nearly \$17 billion worth of upgrades needed in Florida. Provision of high quality water and wastewater service provides basic building blocks for economic sustainability and advancement. Municipal and County Governments will require assistance from State and Federal sources to tackle these growing challenges.

The Department of Environmental Protection is currently administrating a Reclaimed Water Work Group that is developing recommendations on a number of policy and funding issues relating to reclaimed water and associated projects, including funding mechanisms to restore funding for alternative water supply and reuse projects.

Palm Beach County **SUPPORTS** restoring previous alternative water supply, water resource development and reclaimed water/reuse funding through existing mechanisms and the creation new statewide funding programs to provide substantial and perennial funding to:

- Enhance regional and local water resource and supply capacity development
- Provide adequate and reliable long-term funding for water and wastewater infrastructure
- Provide funding for alternative water supply development
- Provide funding for water quality protection and treatment of impaired waters
- Establish a system for prioritizing water resource projects to ensure that funding is utilized in the most efficient manner available

#### **UTILITY WORKER SAFETY AND EMERGENCY RESPONDER STATUS**

Currently, Florida Statutes provide for the reclassification of the misdemeanor or felony degree of specified assault and battery offenses when those offenses are knowingly committed against law enforcement officers, firefighters, and other specified persons and emergency responders engaged in the lawful performance of their duties. The effect of this reclassification is that the maximum penalty increases. Proposed legislation, as originally filed in previous sessions, would add utility workers (a term defined in the bill) to the list of specified persons and recognize them as first responders in emergency scenarios. Therefore, the felony or misdemeanor degree of certain assault and battery offenses would be reclassified if committed against a utility worker engaged in the lawful performance of his or her duties in the same manner as if those offenses were committed against a law enforcement officer or firefighter engaged in the lawful performance of his or her duties. The Water Utilities Department has experienced an increase in incidents involving angry and disgruntled customers threatening employees. Since June 2012 there have been several cases of aggravated assault, threats against utility workers and illegal tampering with criminal intent. Each of the cases was investigated as active case files by the Palm Beach County Sheriff's Office.

Palm Beach County **SUPPORTS** legislation that would reclassify certain assault and battery offenses committed against a utility worker engaged in the lawful performance of their duties in the same manner

as if those offenses were committed against a law enforcement officer engaged in the lawful performance of their duties.

Palm Beach County additionally **SUPPORTS** the recognition of utility workers as first responders in state law given their roles prior to, during and immediately after emergency events to keep vital services running.

### **AUTHORITY TO ADDRESS AT RISK VESSELS BLOCKING INGRESS/EGRESS TO COUNTY RECREATIONAL AREAS**

Under current statutory requirements, the County is required to defer to the Florida Fish and Wildlife Commission regarding at risk and derelict vessels. County staff has experienced numerous instances of at risk and derelict vessels being abandoned or neglected in areas that restrict navigation and impede public access to recreation areas. The provisions required in Chapter 327, Florida Statutes, have proven to be inflexible given the funding and resource challenges faced by the FWC in addressing the number of at risk and derelict vessels in the area.

Palm Beach County **SUPPORTS** legislation providing for additional flexibility in allowing local governments and law enforcement agencies to address at risk or derelict vessels blocking the use of public shorelines, berthing facilities, docks, ramps and staging areas.

### **FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM**

The Florida Department of Environmental Protection administers the Florida Recreation Development Assistance Program (FRDAP). This program is a competitive grant program that provides financial assistance through grants to local governments for the acquisition and development of land for public outdoor recreation purposes. This grant program has two funding thresholds, the Large Project Fund provides grants of up to \$200,000, and the Small Project Fund provides grants of up to \$50,000. In recent legislative sessions, appropriations have been focused on the Small Project Fund, as well as special projects targeted at access for disabled persons and other specialized issues, with few projects off the Large Project List being funded. Palm Beach County Parks and Recreation submitted two FRDAP applications last year for large development projects and while both projects scored well they were not funded.

Palm Beach County **SUPPORTS** appropriations that provide for the funding of the FRDAP Small Project Development list, including two County projects that have been submitted:

Caloosa Park – Renovation of the existing exercise trail, paved bike pathway, installation of a new playground, improvements to comply with the Americans with Disabilities Act at the restrooms and parking facilities, and new picnic facilities and landscaping

Canyon District Park – Construction of three (3) new multipurpose fields, construction of new restrooms, upgrades to the exercise trail, landscaping and related infrastructure.