



**II. FISCAL IMPACT ANALYSIS**

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

<b>Fiscal Years</b>					
<b>Capital Expenditures</b>					
<b>Operating Costs</b>					
<b>External Revenues</b>					
<b>Program Income(County)</b>					
<b>In-Kind Match(County)</b>					
<b>NET FISCAL IMPACT</b>					
<b>#ADDITIONAL FTE POSITIONS (CUMULATIVE)</b>					

Is Item Included in Current Budget?                      Yes      No  
 Does this item include the use of federal funds?      Yes      No

**Budget Account No:**

Fund            Agency            Organization            Object

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

**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS:**

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

*Lisa M... 12/21/2022*  
 OFMB *JA 12/21*

*J. J. Jaworski 12/28/22*  
 Contract Dev. & Control

**B. Legal Sufficiency**

*MB 12/21*

*12/23/22 fmk*

*Chloe Delgent 12-29-22*  
 Assistant County Attorney  
 at time of signature attachments were still processing.

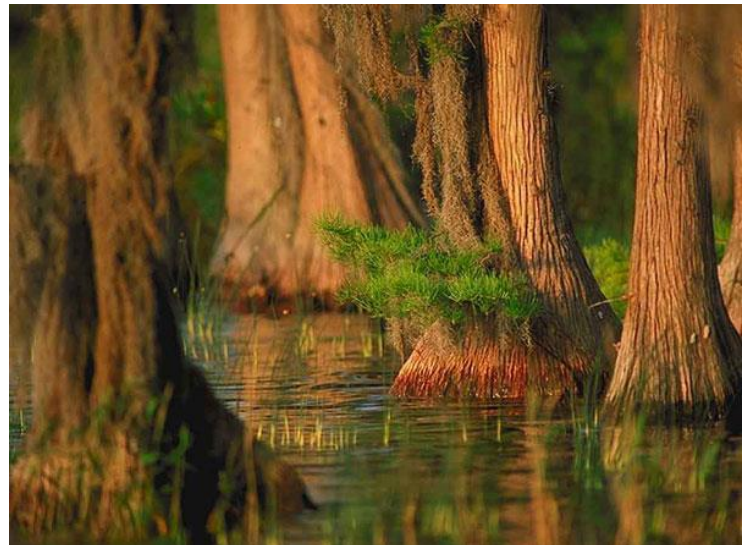
**C. Other Department Review**

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

# **PALM BEACH COUNTY**

## **2023 STATE LEGISLATIVE AGENDA**

### **GENERAL GOVERNMENT ISSUES**



#### Board of County Commissioners

**Gregg K. Weiss, Mayor**  
**Maria Sachs, Vice Mayor**  
**Maria G. Marino**  
**Dave Kerner**  
**Marci Woodward**  
**Sara Baxter**  
**Mack Bernard**

**Verdenia C. Baker,**  
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# PALM BEACH COUNTY

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### **FLORIDA ASSOCIATION OF COUNTIES**

As a member of the Florida Association of Counties (FAC), Palm Beach County **SUPPORTS** the FAC Legislative Program and Guiding Principles unless issues specifically conflict with Palm Beach County's position.

### **COUNTY COALITION FOR RESPONSIBLE MANAGEMENT OF LAKE OKEECHOBEE**

As a member, Palm Beach County **SUPPORTS** the 2023 State Legislative Priorities of the 16 County Coalition, unless issues specifically conflict with Palm Beach County's position.

### **SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT**

As a member, Palm Beach County **SUPPORTS** the Southeast Florida Regional Climate Change Compact 2023 State Climate, Energy and Resilience Legislative Principles unless issues specifically conflict with Palm Beach County's position.

## **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, which include:
  - Improvements to existing affordable housing units, as well as the development of new affordable housing units
  - Stormwater improvements to enhance economic and housing development, as well as improve water quality and prevent flooding
  - Mitigation of muck soils that result in construction cost premiums for buildings, infrastructure and roads
- 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 (ERACETP)
- Eligibility changes to ERACETP to encourage greater participation from Glades area students and businesses
- 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

### RURAL INFRASTRUCTURE FUND

This fund was created to facilitate the planning, preparing and financing of infrastructure in rural counties, which encourages job creation, capital investment, and the strengthening of rural economies. Palm Beach County **SUPPORTS** the following changes:

- Remove the requirement to have a project prospect to receive funding
- Raise the total state contribution available for a grant from 50 percent to 75 percent
- Remove the requirement for an employment project prospect to be in place to receive funding for infrastructure feasibility studies, design and engineering activities, or other infrastructure planning and preparation activities and remove the cap on the amount of funding available for this assistance
- Remove the local match requirement for grants for surveys, feasibility studies, and other activities related to the identification and preclearance review of land which is suitable for preclearance review
- Include infrastructure improvements to affordable/workforce housing and economic development projects

### RURAL JOBS TAX CREDIT

This existing rural jobs tax credit is provided to new or expanding employers in Rural Area of Opportunity (RAO) counties (including Belle Glade, Pahokee and South Bay). It is valued up to \$1,000 per new job and is good for a two-year period, plus a five-year carry-forward period. Depending on the number of current employees, an existing business has to have created at least 20 percent more jobs or 10 new employees one year prior to the date of application. No pre-approval is needed prior to the company's decision to locate in the RAO county. This credit may only be taken against the Florida Corporate Income Tax or Sales and Use Tax owed by the company to the State.

A revised Rural Jobs Tax Credit should provide the following:

- Does not require a minimum number of jobs be created at a new eligible business
- Up to a \$2,500 tax credit for a new eligible business
- At an existing business with less than 50 employees, for a 10 percent increase in the number of employees, allow up to a \$2,000 tax credit per job created
- At an existing business with 50 or more employees, allow a \$1,500 tax credit per job created if the business adds at least 5 new employees

Palm Beach County **SUPPORTS** the enhancement of the rural jobs tax credit.

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

Florida's entertainment industry generates thousands of jobs for Florida workers, brings substantial new money to our local communities, spawns financial investment and tourism throughout the state, and can be an integral part of Florida's economic recovery. Working alongside the Palm Beach County Tourism Development Council:

Palm Beach County **SUPPORTS** the performance-based Targeted Rebate Program. Only projects that provide the highest return on investment and economic benefits in Florida would qualify requiring a \$1.5 million

minimum spend, 70 percent of film days to be in the state, 60 percent FL cast and crew with bonuses to encourage family-friendly projects, filming in underutilized areas, hiring Florida graduates and military veterans.

Palm Beach County **SUPPORTS** programs to retain Florida's professionals and new graduates in these industries, thereby building the confidence to stay in Florida and move onto gainful high-skill, high-wage employment.

Palm Beach County also **SUPPORTS** the Film and Television Commission's education initiative, The Palm Beaches Student Showcase of Films, Florida's largest student film competition and award show.

Palm Beach County **SUPPORTS** film incentives for opioid awareness education funded through opioid settlement agreements.

#### BIOMEDICAL RESEARCH FUNDING

Palm Beach County **SUPPORTS** new and recurring funding for educational programs produced by local universities and state colleges in partnership with institutions 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 Development, 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 funding for the Florida Job Growth Grant Fund (Section 288.101, F.S.) or other incentive programs to support the development of infrastructure and workforce training related to the expansion of economic development throughout the state.

#### QUALIFIED TARGET INDUSTRIES TAX REFUND PROGRAM REAUTHORIZATION

The Qualified Targeted Industries Tax Refund program, previously authorized in 288.106 was allowed to expire in June of 2020. The program provided an important economic development tool for retaining and expanding existing businesses in the state. The program provided state tax refunds to qualified target industry businesses that originate or expand in the state or that relocate to the state. The program was used to encourage the creation of new businesses in the state, attract new businesses from outside the state, and generally providing conditions favorable for the growth of target industries creates high-quality, high-wage

employment opportunities for residents of the state and strengthens the state's economic foundation. The program provided an incentive program that was narrowly focused in application and scope, allowing for targeted incentives to qualified industries that were consistent with the state's economic development goals. The QTI program encouraged the policy of the state to encourage a focus higher-wage jobs and a diverse economic base. Palm Beach County **SUPPORTS** reauthorization of the QTI Tax Refund Program.

#### VISIT FLORIDA

Palm Beach County **SUPPORTS** full funding for Visit Florida and removal of agency's sunset provision.

#### EQUESTRIAN TOURISM

From Wellington to Ocala to Pensacola, the equine industry makes a dramatic impact on the local economies hosting various multi-week events. The Florida Dept. of Agriculture and Consumer Services estimates that the Florida horse industry generates an annual \$6.8 billion impact on the gross domestic product of Florida, providing more than 244,000 jobs in the State. Palm Beach County **SUPPORTS** promoting our equestrian industries as well as the investment of State tourism dollars for promotion of "Equine-Tourism" throughout the state.

#### PEANUT ISLAND

Peanut Island is a 79-acre island at the mouth of the Lake Worth inlet that was created by dredging related projects in 1918, which also created the inlet and the Port of Palm Beach. A \$13 million renovation on the island in 2005 resulted in Peanut Island Park including campsites, a pier, and a man-made reef and picnic sites.

On the island is the historic U.S. Coast Guard Lake Worth Inlet Station, significant for its role in coastal defense and rescue activities during the early months of World War II and for its involvement in the events of the Cuban Missile Crisis in 1961 and 1962. An abandoned fallout shelter is located on a contiguous parcel of property. The fallout shelter, known as the Kennedy Bunker and built in secrecy by the Navy Seabees, was to serve as a command center for President John F. Kennedy, should there have been a nuclear attack while he was visiting his family's nearby Palm Beach home. The shelter has been owned by the Port of Palm Beach District since May 1971. It was open for tours for several years, but was closed in October 2017.

The facility has fallen into disrepair and the Port has leased the property to Palm Beach County in an effort to restore this rich part of American history and revitalize the area's legacy of ecotourism by renovating and restoring these historic facilities. The restoration of the facilities will cost approximately \$8 million. Palm Beach County **SUPPORTS** an appropriation of \$1.5 million to assist in the restoration efforts of Peanut Island's public use facilities.

## **SUBSTANCE USE AND MENTAL HEALTH**

### **SUBSTANCE USE AND MENTAL HEALTH FUNDING**

The human and economic costs of untreated substance use and mental illness in our state continue to rise. These costs include the criminalization of people with untreated mental illnesses, family erosion, substance use, job loss, domestic violence, homelessness, medical problems, crime and suicide. Often these issues arise as a result of unaddressed trauma. Florida must do more to invest and fund community-based and integrated mental healthcare and trauma informed care. Palm Beach County **SUPPORTS** increased funding for the region’s managing entity, the Southeast Florida Behavioral Health Network, to be utilized by care systems working collaboratively to reduce opioid use and addiction disorder, reduce suicides especially in young people, raise awareness, and create overall safer communities.

If the State of Florida receives lawsuit settlement dollars related to opioid and substance use cases, Palm Beach County encourages the state to set aside a portion of the settlement proceeds for a research and development grant program related to opioid use and addiction in general.

Palm Beach County also **SUPPORTS** funding efforts by the legislature for additional beds and treatment programs for mental health and substance use disorders with an emphasis on youth services and expectant mothers.

Palm Beach County also **SUPPORTS** funding efforts by the legislature for trauma informed care education and treatment, mental health awareness programs to reduce stigmatization and youth suicide prevention programs.

Palm Beach County also **SUPPORTS** funding efforts by the legislature for evidence-based public therapeutic recreation programs in the treatment and prevention of chronic health conditions including substance use and behavioral disorders.

### **OPIOID AND SUBSTANCE USE**

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

### **SOBER HOMES/STATE ATTORNEY ADDICTION RECOVERY TASK FORCE**

The Palm Beach County State Attorney Addiction Recovery Task Force was created in 2016 to monitor operation of unregulated “sober homes,” prosecute fraudulent treatment and marketing practices, and recommend changes to laws and regulations for the protection of vulnerable people in recovery. 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 numbers from the Medical Examiner, opioid overdose deaths declined approximately 40%. However, overdose deaths increased by 10% in 2019, from 401 to 446, and are currently on pace to increase another 20% in 2020, according to the Palm Beach County Medical Examiner's Office. These increases are reflected both statewide and nationally and appear to be fueled by both the increased use of Fentanyl, as well as the Coronavirus pandemic.

The Task Force was instrumental in the passage of landmark legislation addressing the treatment industry in 2017, and 2019-2022. These measures have certainly helped in our efforts to minimize the destructive effects of opioid use disorder as well as the fraud and abuse that had been commonplace in the industry.

Safe and supportive housing is critical in the recovery process. Operation of sober homes with no oversight or regulation can lead to, among other things, homelessness and relapse for those suffering from substance use. Fraudulent marketing and treatment practices can also have devastating effects on the lives of individuals who come to Palm Beach County for treatment. Palm Beach County **SUPPORTS** the State Attorney Addiction Recovery Task Force, and their recommended statutory changes for the 2023 session, including:

- A prohibition on the premises of a recovery residence against alcohol, marijuana, illegal drugs, and the use of prescribed medications by an individual other than the individual for whom the medications are prescribed.
- A bill requiring the Department of Children and Families to establish a mechanism for the imposition and collection of fines no later than January 1, 2024. There have been no fines assessed or collected by the department since fines were enacted in 2017.
- A bill stating that a person who is discharged from a certified recovery residence by the owner or authorized employee, pursuant to a valid discharge policy, and refuses to leave the residence commits trespass in a recovery residence, a second-degree misdemeanor.

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

### **AFFORDABLE HOUSING**

The current affordable housing crisis was further elevated by the mass migration of residents relocating to Florida due to the pandemic in 2020. In 2022, Senate Bill 2512 diverted dollars from the Sadowski Housing Trust Fund from affordable housing to other uses. Prior to the new law going into effect, 24.17% of doc stamp collections were distributed to Florida Housing Programs. The new law reduces that amount to about half at 9.7%.

Palm Beach County **SUPPORTS** efforts to increase funding and ensure the Sadowski Local Government Housing Trust Funds are fully funded and appropriated only for affordable housing projects.



### AFFORDABLE PROGRAM INCOME LIMITS

The State of Florida utilizes The U.S. Department of Housing and Urban Development (HUD) Area Median Income as the basis for establishing State program income limits and affordable housing maximum rents. To calculate Area Median Income, HUD uses U.S. Census Bureau data on median family income. Median family income figures are consistently higher than median household income figures, and their use results in higher income limits and higher maximum rents. Median *household* income is lower than median *family* income because family households usually earn more than non-family households. The U.S. Census Bureau states that nationwide in 2021, median family income was \$91,162, while the median household income was \$70,784 (22% lower). Palm Beach County **SUPPORTS** encouraging the State to review its method of calculation of Area Median Income and consider revising the methodology to use median household income so that resulting income limits better reflect the entire population, and maximum rents better serve those targeted for assistance through their affordable housing programs.

### 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:

- Sober homes legislation that will provide options to prevent individuals who are forced to leave a home from becoming homeless
- Full-funding of the State Apartment Incentive Loan (SAIL) program from the State Housing Trust Fund
- Funding for DCF Homeless Unified Challenge Grants that provide continuum of care wrap-around services for homelessness
- Support mental health funding
- Support Affordable Housing Task Force recommendations
- Support additional funding to prevent college and university students, youth aging out of foster care, and unaccompanied minors from becoming homeless
- Provide free or subsidized housing and food, as well as case management wrap around services
- Support creation of and funding for the Economic Mobility 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

### LANDLORD REQUIREMENTS

In Palm Beach County, multiple instances of unscrupulous landlords have recently come to light. It is clear that these cases only scratch the surface of the total number of slumlord properties throughout Florida. These rental properties often fail to meet the most basic of housing standards and pose a risk to the health and safety of tenants.

Palm Beach County **SUPPORTS** legislation that would:

- Discourage the conduct of landlords who fail to provide and maintain the basic minimum housing standards, and intentionally ignore code violations that threaten their tenants' health and safety
- Empower local governments to levy fines against landlords to recoup the costs of relocating residents from condemned properties
- Hasten the process allowing local governments, when in the interest of public safety, to foreclose on and take title to property owned by landlords who ignore code violations mobility and fines

#### 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 \$2,631,182 of which \$355,232 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.

Additionally, Palm Beach County **SUPPORTS** an appropriation for \$2 million to help offset the increase in local contribution made for the TD program.

#### 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 were 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.

#### 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 (FCC) request for increased funding with recurring revenue for the agencies operating Florida’s system of foster care and related services. The FCC is a statewide association of community-based care (CBC) lead agencies, 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 removed from their homes throughout Florida because of verified abuse, abandonment and neglect 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 **SUPPORTS** full funding for Guardian ad Litem (GAL) Program.

Palm Beach County **SUPPORTS** recommended changes to the CBC equity allocation model currently described in Section 409.991, F.S., to 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, which include:

- 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
- 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
- Appropriating 3.5 percent of administrative costs to the Department of Elder Affairs for Florida’s Alzheimer’s Disease Initiative programs
- Establishing 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

#### GUARDIANSHIP OVERSIGHT

A 2022 report published by a task force convened by the Florida Court Clerks and Comptrollers Association found that Florida had little statewide formalized guardianship case data collection or sharing processes in place. As a result, last year HB 1349, Guardianship Data Transparency was passed and signed into law.

The bill required the Clerks of Court Operations Corporation (CCOC) to create a guardianship database for judicial guardianship proceedings. The database will include the guardian’s discipline history, registration status, compliance with statutory qualifications, and status of statutorily required reporting. The CCOC must establish a searchable, publicly accessible webpage for specific, limited, professional guardian information, and publish monthly reports on the state’s guardianship system. The bill also required the Department of

Elder Affairs, which regulates public and professional guardians, to publish professional guardian registration profiles online by July 1, 2023.

\$2.4 million in state funding was appropriated to the Florida CCOC for this effort and \$340,000 to the Department of Elder Affairs to implement.

To ensure the protection of those unable to care for themselves, Palm Beach County **SUPPORTS** legislation that will increase transparency regarding existing guardianships in Florida and protect wards from fraud and abuse.

#### ADULTS/STUDENTS WITH DISABILITIES

Palm Beach County **SUPPORTS** additional 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. In 2022, a \$41.9 million appropriation took approximately 789 individuals with intellectual and developmental disabilities off the Agency for Persons with Disabilities (APD) waiver waitlist. Unfortunately, there are 22,759 individuals still on the waitlist.

#### DENTAL ACCESS

In response to a need for improved dental access and affordability, multiple states have introduced legislation including Florida. In 2020, various pieces of legislation were introduced to put patients first because the state scope of practice laws govern the activities that healthcare practitioners may engage in when caring for patients.

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.

#### STUDENT HEALTH SERVICES

Palm Beach County will **MONITOR** any legislation requiring school districts to ensure feminine hygiene products are available in public school bathrooms.

#### PUBLIC RECORDS EXEMPTION FOR MEDICAL EXAMINER

Pursuant to Section 119.07(1), F.S., Medical Examiner Offices in Florida are mandated to release all documents reflecting their work product as public records, to include investigative reports, autopsy reports, toxicology reports and ancillary studies, as long as the cases do not meet criteria for exemption.

The vast majority of cases in which Medical Examiner Jurisdiction is assumed fall under the non-exempted category, to include deaths secondary to natural disease, and of accidental or suicidal manners.

Autopsy reports include private information regarding an individual's life and medical history. Diagnoses that may have been made during the time the person was alive, as well as explicit personal identifiers such as tattoos, surgical and non-surgical scars, and descriptions of injuries, among other valuable personal information is included in an autopsy report. Medical records remain protected for 50 years following the death of the individual via HIPAA but that privacy status is lost when an autopsy is performed, as it becomes a public record.

Palm Beach County **SUPPORTS** legislation to amend Section 199.07(1), F.S., to provide for an exemption to withhold autopsy reports from public records to protect individual HIPAA rights and the privacy of loved ones.

## **EQUAL OPPORTUNITY & EQUAL BUSINESS OPPORTUNITY**

### **PREEMPTION OF LOCAL GOVERNMENT WAGE MANDATES**

Palm Beach County first enacted a Living Wage Ordinance in 2003. The intent of the ordinance was to serve a public purpose by advancing the economic security of its citizens and promoting the creation of good jobs that allow working citizens to support themselves and their families with dignity above the poverty level. This ordinance recognizes the economic interests of its working citizens by assuring individuals working on county construction projects and in county transportation disadvantaged driving positions a living wage and the ability to better provide for the high cost of living in Palm Beach County. Palm Beach County **OPPOSES** any legislation preempting local wage mandates.

### **PUBLIC RECORDS EXEMPTION – COMPLAINTS OF DISCRIMINATION**

Current law lists specific protected classes and specific types of discrimination that may change over time. By simplifying this language, all complaints of discrimination would be exempt, unless they fall under the remainder of the statute. Palm Beach County **SUPPORTS** simplifying the public records exemption for local governments in matters of complaints of discrimination to simply "employment or places of public accommodation."

In an effort to decrease the number of lengthy and expensive investigation, encourage the resolution of complaints of discrimination and improve the efficiency of the conciliation process, Palm Beach County **SUPPORTS** exempting records of conciliation in local government's efforts to resolve complaints relating to employment, housing or places of public accommodation. Palm Beach County also **SUPPORTS** a public records exemption in matters of human resources investigations involving local government, until that investigation is completed.

## **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.

If the state requires a local government to provide a service or a higher service with no additional funding, the state must do a better job of 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.

Again in 2020, mandate bills were filed that 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 recording fee to be distributed to counties to fund court-related technology needs. Palm Beach County also **SUPPORTS** full funding for statewide traffic hearing officer programs.

Under existing law, counties are required to increase funding for courts by 1.5 percent a year. In recent years, counties successfully obtained an exemption from having to increase annual funding for court-related functions by 1.5 percent under Section 29.008, F.S. Palm Beach County **SUPPORTS** eliminating the requirements of Section 29.008(4)(a), F.S., that require counties to fund this increase.

### **VACATION RENTALS**

In 2011, the Florida Legislature passed HB 883, which blocked local governments from "regulating, restricting, or prohibiting" vacation rental properties. Recognizing that the 2011 legislation went too far, the Legislature passed HB 356 in 2014, restoring partial Home Rule authority to local governments. In effect, the law allowed counties to enact certain regulations (parking, occupancy standards, and local registration), but



precluded them from passing regulations that prohibited vacation rentals or limited the duration and frequency of stays.

However, in 2018, HB 773 overturned the 2014 legislation and effectively took counties back to what was enacted in 2011. The effect is that local governments have few measures to regulate these uses in a way that would maintain the character of a residential neighborhood. Over the past few years, local government have fielded numerous complaints about the operation of vacation rentals.

**SUPPORT** legislation that would provide local governments with reasonable authority to help govern the operation of vacation rentals in residential neighborhoods.

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 online companies are now advertising vessels on their websites. One website has seventeen vessel rentals for rent under six months. These rentals range from \$59 to \$500 per night. This change will enable counties and municipalities to collect bed taxes consistent with other transient rentals.

Palm Beach County also **SUPPORTS** legislation that would require rental owners or operators to provide local government with contact information of a responsible party for each rental, or provide a public records exemption that would enable local governments to identify the location of each rental.

#### TOURIST DEVELOPMENT TAX

In 2018, the use of the Tourist Development Tax (TDT) 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. In 2021, legislation proposing adding resilience projects to the list of permissible TDT tax uses was proposed and in 2022, legislation allowing for certain reimbursements by fiscally constrained counties was proposed, but neither were passed.

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

#### ARCADES

In 2013, the Florida Legislature passed a law clearly prohibiting adult arcades from operating slot machines or other games of chance and paying winners in cash and expensive prizes. State law also states "Arcade Amusement Centers" can only pay out non-cash prizes worth a minimum amount and are prohibited from operating games of chance, and makes it a misdemeanor to violate the statute (Sections 849.08 and 849.16, F.S.). Further, F.S. 849.16 defines illegal slot machines as machine-based games that contain "any element of chance or any other outcome unpredictable by the user."

As arcades were closed by the Governor pursuant to COVID-19 Executive Orders, it became apparent that there was a proliferation of adult arcades that have set up shop to operate in Palm Beach County.

Arcade operators have long argued that the machines are legal under the state's "Chuck E. Cheese" law, which allows people to play games with an "application of skill" to get credits redeemable for non-cash prizes. However, local governments throughout Florida with no authority to regulate these businesses, have shut down arcades arguing that gambling equipment is a public nuisance and have put the public safety at risk since robberies and fatal shootings have occurred at these businesses throughout the state.

**SUPPORT** legislation that increases the penalties for individuals that operate illegal adult arcade gaming operations.

## **INFRASTRUCTURE AND MOBILITY**

### IMPACT FEES

Palm Beach County **OPPOSES** any legislation that would adversely affect the county's voter-approved ability to collect impact fees.

### 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. Palm Beach County **OPPOSES** 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 policymaking 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 Section 165.0615, F.S. Further, the County **OPPOSES** 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 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 Go Glades on-demand service was created from funding through this 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.
- 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.
- Airport Development Grant Program – The County **SUPPORTS** state funding for airport development that is no less than which is proposed by FDOT in the tentative work plan for 2022-2023.

#### AIRPORT CONTRACTS

Pursuant to changes to Chapter 332, F.S, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda.

Palm Beach County **SUPPORTS** legislation granting the ability to approve airport contracts on a consent agenda which includes a reasonable opportunity for public comment, as well as increasing purchasing threshold amounts which have not been adjusted in 12 years.

#### NATURAL GAS FUEL REBATE PROGRAM

Palm Beach County **SUPPORTS** the reinstatement of the Natural Gas Fuel Rebate Program. In 2016, \$6 million was awarded statewide. However, the Legislature has not funded the program since its expiration in 2020.

#### INDEXING LOCAL OPTION FUEL TAXES

In aligning the state and counties with the same indexing system, indexing local option fuel taxes would allow counties to strategically fund projects from revenue generated within their county, thus allowing for a more targeted control of maintenance, development and investment. It will provide a much needed revenue source to fund transportation capital projects especially since the local gas tax is not indexed and it has lost most of its purchasing power due to inflation and increasing costs of construction.

Palm Beach County **SUPPORTS** indexing local option fuel taxes to annual adjustments of the Consumer Price Index.

RAIL TRANSPORTATION

The Palm Beach County Board of County Commissioners remains dedicated to the goal of an integrated regional transportation system and new, dedicated funding for the South Florida Regional Transportation Authority (SFRTA) will enable Palm Beach County to use existing funds to expand and enhance its transit needs.

SFRTA is committed, if successful in obtaining a dedicated funding source, to funding millions for projects identified by Palm Beach County’s Transportation Planning Agency in its five-year plan for the Capital Improvements Projects within Palm Beach County and other identified plans in the region.

Palm Beach County **SUPPORTS** a dedicated funding source of annual revenue that provides support to transit operations and capital costs going to the SFRTA.

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, CSX rail lines, and US 27 corridor rail lines.

AUTONOMOUS VEHICLES/TECHNOLOGY ADVANCEMENTS

As the technology for self-driving cars grows and develops, Palm Beach County will **MONITOR** legislation related to autonomous vehicles.

INVESTMENTS IN HYBRID AND ELECTRICAL BUSES

Palm Tran continues to implement policies and strategies aimed at creating a more sustainable transit system. Palm Beach County **SUPPORTS** initiatives and cost-share programs that aid transit agencies seeking to expand their electric fleet and charging infrastructure.

Palm Tran **SUPPORTS** any legislation that increases funds deposited into the State Transportation Trust Fund (STTF), and Transportation Disadvantaged Trust Fund (TDTF) such as, but not limited to:

- Efforts to return money to the STTF that has been previously diverted
- Opposition to any future measures that divert funding from the STTF for non-transportation purposes
- Funding of the Innovative Service Development Grant through the TDTF

Palm Tran **SUPPORTS** efforts to extend the Natural Gas Fuel Fleet Vehicle Rebate Program.

#### TRANSPORTATION NETWORK COMPANIES

Transportation Network Companies (TNCs) have continued to expand their service throughout the state and have introduced new consumers to the concept of ride sharing. The Florida Legislature passed laws in 2017 to help facilitate the expansion of their services in the state. In 2019, legislation expanded TNC service to non-emergency medical transportation (HB 411). Palm Beach County seeks to ensure that TNCs continue to complement public transit and **SUPPORTS** legislation that expands first mile-last mile transportation options for our residents. Palm Beach County will also **MONITOR** legislative efforts to reclassify TNC drivers from independent contractors to employees.

Palm Beach County **OPPOSES** any effort to cap the fee charged by an airport to a transportation network company for picking up at the airport.

#### 5G INSTALLATION PREEMPTION

In an effort to protect property values, community standards and safety, Palm Beach County **OPPOSES** any additional preemption that would prohibit local governments discretion in permitting the design, color, aesthetics or installation standards of small cell node equipment in the implementation of 5G antennae installation.

#### BROADBAND ACCESS

Once a rural access issue, the COVID pandemic has brought to light a statewide need for reliable and affordable high-speed internet access, which is essential for residents to be prosperous in business, successful in education and have access to telemedicine to improve health outcomes.

Palm Beach County **SUPPORTS** the Department of Economic Opportunity's Office of Broadband in the effort to achieve access to reliable and affordable high-speed internet access to every household and business throughout the state.

Palm Beach County **SUPPORTS** changes to 350.81, F.S. that would ease the requirements to allow local governments to offer broadband service in underserved areas.

### **PUBLIC SAFETY**

#### CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Palm Beach County has a responsibility to promote the health, safety and welfare of its residents and visitors by providing for the regulation of life support services, promoting the development and maintenance of safe, healthy, efficient and service-oriented life support transport services. Palm Beach County's Emergency Medical Services (EMS) Ordinance establishes standards for issuing Certificates of Public Convenience and Necessity (COPCN) for basic and advanced life support services, which applies to the unincorporated and incorporated area of Palm Beach County.

Palm Beach County **OPPOSES** any legislative effort to preempt the County’s ability to grant COPCNs to EMS providers within the county under Section 401.25, F.S.

REENTRY FOR RETURNING CITIZENS/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:

During the 2022 Legislative Session, Palm Beach County’s RESTORE Re-entry program was appropriated \$375,000. Palm Beach County **SUPPORTS** continued funding of this program with a \$500,000 appropriation request, 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” (Section 330.41, F.S.) that 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, the possibility of escapes, terrorism, and breaches in confidentiality increase significantly; all of which affect public safety and could potentially compromise the judicial and policy setting process.

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

EMERGENCY MANAGEMENT PUBLIC RECORDS EXEMPTIONS

1. After-Action Reports

Emergency management agencies throughout Florida compile after-action reports and quality assurance activities to evaluate disaster response and to further improve or modify response plans based on assessment results. To conduct these quality assurance activities effectively, emergency management agencies rely on honest after-action reports from stakeholders. Exempting this information will ensure that response partners and stakeholders will openly and candidly report without fear of retribution. Pursuant to



Sections 395.0193, 395.1055, and 395.4025, F.S., healthcare and trauma agencies quality assurance records are exempt following the same logic.

Palm Beach County **SUPPORTS** legislation to amend Sections 119.071(3) and 252.905, F.S. to provide for an exemption for emergency management after-action reports and quality assurance activities to evaluate disaster response and to further improve or modify the quality of disaster response.

## 2. Emergency Management Data

Emergency management agencies throughout Florida are using emerging technologies that enable a multi-agency, multi-jurisdictional coordinated response to disasters and to implement emergency response plans across multiple agencies in real-time. Technologies include the ability in real-time to prioritize critical needs, assign tasks and personnel, and allocate resources as required to implement emergency plans. Exempting this information minimizes the risk of security system plans becoming subject to disclosure and could compromise security systems and security plans during emergencies when limited resources are available.

Palm Beach County **SUPPORTS** legislation to amend Section 119.071(3), F.S., to provide for an exemption for emergency management database platforms, applications, programs, software and all data and records contained therein, utilized to coordinate, plan, report, respond and recover from local and statewide emergencies and disasters.

### MARSY'S LAW AMENDMENT

To conduct active shooter and mass fatality incident response activities effectively, emergency management agencies rely on personal identifying information, as well as minimal healthcare data from first responders and healthcare providers. Currently, Sections 401.30 and 960.0011, F.S. (Marsy's Law), prohibit the disclosure of this information to emergency management agencies. Allowing disclosure of personal identifying information, as well as [minimal] healthcare data from first responders and healthcare providers to emergency management agencies in times of disaster will facilitate more effective family reunification and operation of family assistance centers.

Palm Beach County **SUPPORTS** legislation to amend Sections 401.30, and s. 960.0011, F.S. (Marsy's Law) to permit disclosure of personal identifying information and healthcare data from first responders and healthcare providers to emergency management agencies in times of disaster.

### EMERGENCY PREPAREDNESS ISSUES

The Emergency Management Preparedness and Assistance Trust Fund (EMPA) was created within Ch. 252, F.S.. Since the 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 Florida Legislative Committee on Intergovernmental Relations 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% of the annual trust fund proceeds.

Palm Beach County:

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

Palm Beach County also **SUPPORTS** efforts to increase the fee that the Florida 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.

#### 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:

- Per Section 960.28, F.S., payment for a victim’s initial forensic physical examinations is available to a medical provider who performs an initial forensic physical examination. The provider may not bill a victim or the victim’s parent or guardian if the victim is a minor, directly or indirectly for that examination. The Crime Victims’ Services Office of the Department of Legal Affairs shall pay for medical expenses connected with an initial forensic physical examination of a victim of sexual battery as defined in Chapter 794 or a lewd or lascivious offense as defined in Chapter 800.

The County also **SUPPORTS** efforts of the Office of the Attorney General to enforce the statewide collection of court fines and fees in order to stabilize the Crimes Compensation Trust Fund so that the initial forensic examination is fully compensated pursuant to Section 960.28, F.S.

#### HEALTH CERTIFICATES

Palm Beach County **SUPPORTS** a modification to Section 828.29, F.S., 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 Section 767.12, F.S., 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 County staff arrival. There is no remedy in law for such situations.

#### ANIMAL CARE AND CONTROL PUBLIC RECORDS EXEMPTION

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

#### EXPANDING ACCESS TO VETERINARY TELEMEDICINE

In 2020, the Florida Dept. of Business and Professional Regulation issued an emergency order that suspended any laws and regulations that might interfere with veterinarians using telemedicine. Pet owners, seeing the benefits of rescinding this excessive regulation, supported the expansion of legal options for veterinarians to provide telemedicine during times of crisis and beyond. Making veterinary telemedicine illegal does a disservice to the animals, adds additional constraints on the poor and medically compromised owners that cannot get their pets to a clinic. Palm Beach County **SUPPORTS** legislation authorizing licensed veterinarians to utilize audiovisual telemedicine to treat new and existing patients.

#### 911 CALL PERSONNEL

MONITOR any legislation that would change the definition of first responders to include 911 call personnel.

#### 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.

## **CRIMINAL JUSTICE**

### **DOMESTIC VIOLENCE**

Domestic violence occurs in all races and ethnic groups, 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**:

- Legislation that allows for a victim of domestic violence to 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 Section 741.28, F.S. 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 Sections 784.048(3), (4), or (5), F.S. is likely to occur against the individual by a family or household member, as defined in Section 741.28, F.S.
  - c. Make reasonable efforts to preserve lease by seeking a protective injunction prior to seeking a lease.
- If a victim successfully terminates a lease under the guidelines above, the victim must attempt to relocate.

Palm Beach County also **SUPPORTS** the expansion of allowable uses of the Domestic Violence Trust Fund articulated in Section 938.08, F.S., 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 help with obtaining 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.

### **BATTERERS' INTERVENTION PROGRAMS**

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:

- 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.
- **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.
- 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 to 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 by the Department of Corrections due to budget cuts.

#### JUVENILE DETENTION CENTER

The Palm Beach County Juvenile Assessment Center (JAC) and Detention Center opened in November 1998 with the goal of providing a 24/7 one-stop intake and assessment center for youthful offenders’ initial entry into the juvenile justice system for the purposes of comprehensive case planning. By statute, JACs are a local option spearheaded by the Department of Juvenile Justice in partnership with law enforcement and other community criminal justice entities. In Palm Beach County, this includes the State Attorney, School District Police, Palm Beach Sheriff’s Office and other local service providers. The facility has fallen into disrepair over the years and is in dire need of refurbishment and major repair.

Palm Beach County **SUPPORTS** funding for the Palm Beach County Juvenile Justice Assessment and Detention Center for maintenance and repair, as well as funding for additional diversion programs.

#### DEPENDENCY CHILDREN AGING OUT OF FOSTER CARE

Judges have seen that if a child is a crossover youth and goes into Dept. of Juvenile Justice (DJJ) commitment or is in DJJ commitment when they turn 18, they no longer are eligible for aging out benefits as DCF views them a DJJ responsibility even though they have no parents taking care of them. As such, they would not qualify for benefits of Extended Foster Care such as housing assistance, upon their release from the DJJ program.

Palm Beach County **SUPPORTS** adding language to Section 39.6251, F.S. to provide that commitment in a DJJ program on their 18th birthday would satisfy requirements as a “qualifying activity” and as residing in a “supervised living environment” when determining eligibility for Extended Foster Care.

#### DEPARTMENT OF CHILDREN AND FAMILIES GLADES REGION FACILITY

The Department of Children and Families Glades building was constructed over twenty years ago. Because this facility receives a lot of foot traffic, it is important to keep up the maintenance of the building. Recently, the General Services Director determined that the building is in need of structural improvements, attention to handicap bathrooms, rodents, etc.

Palm Beach County **SUPPORTS** funding to help with maintenance and repair of the Glades Region Department of Children and Families facility.

#### MARCHMAN ACT REVISIONS

The Marchman Act is a civil process established in Chapter 397, F.S. 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.

#### 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 for individuals to \$100,000 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. Section 790.25(3)(h), F.S., 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.

#### 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.

Palm Beach County **SUPPORTS** 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/or adjusting the state’s graduated driver license program to restrict driver privileges for repeat offenders.

#### DRIVING UNDER THE INFLUENCE AND OFFICER TRAINING

Palm Beach County **SUPPORTS** amending Section 316.193, adding and defining the term, “impairing substance” as a substance when taken into the human body, can impair, or diminish in some material respect, a person’s normal faculties. That section will define alcoholic beverages, any chemical substance under F.S. 893 and now the phrase “any other impairing substance, or any combination thereof” as a description of someone driving under the influence. Sponsoring this legislation for the 2022 session were Sen. Lori Berman (SB 436) and Rep. Joe Casello (HB 271).

In addition, Palm Beach County **SUPPORTS** marijuana impaired driving detection training for law enforcement. The course will provide the line officer with specialized training on recognizing modern forms of cannabis, as well as detecting the unique impairment clues that are presented by cannabis users. At the conclusion of training, line officers will be better prepared to detect drivers that are impaired by cannabis usage and how to investigate, document, and prepare effective cases for prosecution.

## **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 needs attention but does not constitute an emergency as well as callers who do not need



a quick emergency response. Palm Beach County **SUPPORTS** change in statute to allow for MIH-Community Paramedicine 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.

### **CONSUMER SERVICES**

#### TOWING BILL

Palm Beach County **OPPOSES** any changes to Florida Statute to that would preempt any current additional consumer protections provided by Palm Beach County.

### **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.

#### PUBLIC RECORDS EXEMPTION FOR SOLICITATION OF GOVERNMENT EMPLOYEES

In recent years, there have been a growing number of public records requests of county government from individuals and companies looking for employee contact information for the purpose of solicitation of goods and services. Palm Beach County **SUPPORTS** a request to exempt government employee contact information in situations where it is being requested for the blanket solicitation of goods and services.

#### PUBLIC RECORDS EXEMPTION FOR COUNTY ATTORNEYS AND COUNTY ADMINISTRATORS

In 2020, HB 63 was filed to create a public records exemption from public records requirements for personal identifying and location information of current and former county attorneys and assistant county attorneys. Because county attorneys and county administrators both review a full range of procedures, documents and services, Palm Beach County **SUPPORTS** a public records exemption for county attorneys, assistant county attorneys and county administrators.

#### PUBLIC RECORDS REQUESTS ABUSE

The public records laws in Florida have granted the people rights without responsibility. People can, and do, misuse these laws, seemingly immune from consequences. Palm Beach County **SUPPORTS** state public

records laws that maintain a meaningful public right of access while reducing the potential for mischief and misuse that are relevant to the realities of modern communication.

#### SOVEREIGN IMMUNITY – THRESHHOLD INCREASES

Palm Beach County **OPPOSES** bills which drastically increase Sovereign Immunity thresholds for local governments. In the 2022 session, this would have included a bill that would have increased the cap across the board to \$1 million per incident, from the current amount of \$200,000.

#### SOVEREIGN IMMUNITY - RECREATION

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 768.28, F.S. to provide sovereign immunity for any public property intended or permitted to be used for recreational purposes.

#### BUILDING CODES

Following the devastating event that took place on June 24, 2021 at Champlain Towers located in Surfside, Florida, Palm Beach County has undertaken a series of meetings with local building officials and stakeholders regarding developing and implementing a program to evaluate the safety of certain multi-family building types in Palm Beach County. Palm Beach County believes the issue of building safety transcends beyond the boundaries of the county and the legislature should seek to provide comprehensive and uniform requirements requiring periodic inspections for such facilities. Palm Beach County will **MONITOR** any legislation requiring additional inspection requirements for multi-family condominium facilities in Florida or efforts to delay implementation of inspections or sprinkler requirements. The County will also **MONITOR** any legislation addressing the required financial responsibilities of condominium and community associations.

#### PROPERTY INSURANCE

In a December Special Session called with the purpose of addressing the property insurance crisis in Florida, legislators codified several changes to Florida's property insurance laws. Some of these changes included:

- The creation of the Florida Optional Reinsurance Assistance program (FORA), which allows insurance companies to purchase reinsurance at "reasonable" rates
- Reducing the amount of time that policyholders have to file a new or reopened claim from two years to one year and from three years to eighteen months for a supplemental claim
- Allowing the Office of Insurance Regulation (OIR) to issue fines, suspend or revoke an insurer's certificate of authority if the insurance company engages in unfair trade practices with regard to appraisals
- Shortening the time insurance companies have to pay or deny claims from 90 to 60 days

- Tightening the timeline that insurers must review and acknowledge claim communication and begin investigations
- Eliminating one-way attorney's fees
- Prohibiting the assignment of benefits of any post-loss insurance benefit under any residential or commercial property insurance policy issued beginning January 1, 2023
- Increasing the eligibility requirements for those renewing coverage through Citizens Property Insurance Corporation to encourage Citizens customers to purchase from a private insurer

Palm Beach County will continue to **MONITOR** legislative proposals that address the increased costs of property insurance for homeowners statewide.

#### PROPERTY ASSESSED CLEAN ENERGY

The Property Assessed Clean Energy Program (PACE), is a financing program where residents pay for energy improvements to their homes through their property tax bill. The types of projects that can be financed are wind mitigation, new roofs or air conditioners and energy efficiency or renewable energy projects like solar panel installation.

To pay for the improvement, an assessment is attached to the property over a term and the homeowner pays for it, including interest, on their annual property tax bill over a period of years. According to a Tax Collector study, the average duration for an assessment on a new air conditioner is 15 years, a period of time that may likely exceed the typical lifespan of such equipment. The nature of this assessment can also make it difficult to sell or refinance the home and if a homeowner is unable to pay, it could mean the property is put in foreclosure.

Palm Beach County **SUPPORTS** further clarifying the terms and conditions of PACE agreements, ensuring that participants taking advantage of the program are fully informed of the financial responsibilities.

## 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 funded State Aid to Public Libraries at \$19.3 million, which included \$2 million in non-recurring funds. Funding for Library Construction Grants was zeroed out and Library Cooperatives totaled \$2 million. Palm Beach County strongly **SUPPORTS** the State aid to Public Libraries program be sustained at \$17.5 million in recurring funds, in conjunction with \$6 million in non-recurring funding (F.S. 257.17).

Approximately 51 percent of Floridians have a library card, visiting our libraries 75.1 million times in person and virtually visiting library websites 97.3 times. 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 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 Public 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 \$9 million to support all eligible applications for grant funding. Palm Beach County's Canyon Branch library project is currently ranked #2 on the Library Construction Grant Application List.

#### *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. In FY22 funding for the Cooperatives was \$2.0 million. Each grantee is awarded up to \$400,000 but it requires a ten percent cash match of local funds. The Palm Beach County **SUPPORTS** an appropriation of the same amount. 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** 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 at \$750,000. No money was appropriated by the Legislature this past year. This program makes a high school diploma more accessible to Floridians and prepares them for success in the workforce.

#### EARLY LEARNING COALITION

Palm Beach County **SUPPORTS** efforts to increase hours for children entering the Voluntary Prekindergarten (VPK) program, based on assessment, would benefit from increased instructional hours to strengthen kindergarten readiness. Palm Beach County **SUPPORTS** maintaining School Readiness (SR) providers' ability to receive payment differential based on the results of observational assessment and implementation of approved child assessment.

#### PHYSICAL HEALTH

Palm Beach County realizes that the physical health of students is as vital to learning and growth as mental health, and **SUPPORTS** efforts to emphasize physical health and fitness programming in our schools.

#### 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:

School Safety and Security: Fully fund student security requirements without the need for the local community funding. Increase the Safe Schools categorical allocation to reduce the cost gap associated with funding one Safe School officer for school.

Students: Increase the investment in mental health services by allocating funding for training for personnel providing mental health services in schools.

Teachers/Staff: Reduce the time-frame for re-employment of Florida Retirement System (FRS) retirees.

Finance: Provide an increase in Base Student Allocation (BSA) commensurate with unprecedented inflation and cost of living increases to meet the rising costs of operations. Address compression issues impacting teacher salaries for mid-career teachers in light of restrictions found in F.S 1012.22 and expand flexibility within the State budget teacher salary allocation.

Accountability and Assessment: Ensure alternative options continue to be made available for the new progress monitoring assessments using portfolios, concordant scores, etc. to assist students to succeed. In addition, delay the implementation of the concordant score changes needed for graduation.

Pre-kindergarten/After Care: Fund full-day, high quality Voluntary Pre-K program.

#### PALM BEACH STATE COLLEGE FUNDING

Palm Beach County **SUPPORTS** increased funding for the Florida College System, which will assist the College with responding quickly to workforce training and industry needs in the County.

Palm Beach County **SUPPORTS** the allocation of additional Public Education Capital Outlay (PECO) funding for deferred maintenance to continue the renovation and preservation of current 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 career ready.

Palm Beach County **SUPPORTS** efforts to increase funding for mental health services at the College.

#### FLORIDA ATLANTIC UNIVERSITY

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 seeking resources to assist in sustaining excellence and accelerate its progress along the journey to being a Top 100 institution.

Palm Beach County **SUPPORTS** the FAU Health initiative, which brings premier academic medicine to southeast Florida, driving our community forward and improving the lives of our citizens. FAU Health facilitates collaboration and innovation among a variety of healthcare specialties and partner organizations, which in turn allow the university to enhance and expand its health care related education programs and address the critical workforce shortages in medicine, nursing, social work, dentistry and other affiliated health professions.

Palm Beach County **SUPPORTS** FAU's request for operational and PECO (capital) funding for its proposed College of Dentistry. Florida Atlantic's proposed College of Dentistry would be the second publicly funded dental college in Florida. The community-based College will be housed in a new state-of-the-art facility on FAU's campus and will train 90 dentists per year as it seeks to address the critical shortage of dental professionals that exists throughout Florida.

#### CAREER EDUCATION FUNDING

Science, Technology, Engineering and Mathematics (STEM) 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.

### GLADES CAREER READINESS ROUNDTABLE

**SUPPORT** the continuation of the adult Commercial Vehicle Driving program that was established with \$250K from the Governor’s Contingency Fund. The program was placed on hiatus for retooling in September. The GCRR and West Technical Education Center are seeking funding to reconstitute the program.

## **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.

### 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. For over a decade, Palm Beach County partners increased the availability of fresh produce that would otherwise go to waste through gleaning events. Gleaning occurs from November through July, weather permitting. Support continued efforts to allow for gleaning activities.

According to Feeding America, 20 billion pounds of fruits and vegetables are discarded on farms or plowed under. The USDA has estimated that 35 million pounds of food are needed annually to feed the hungry in Palm Beach County. Palm Beach County **SUPPORTS** legislation and funding to help support the Palm Beach County Hunger Relief Plan, local non-profits and local farmers.

## **APPROPRIATION REQUESTS**

### **PALM BEACH COUNTY**

Everglades Workforce Training Program		\$ 1,700,000
Peanut Island Restoration		\$ 1,500,000
Central Palm Beach County Infrastructure		\$ 1,000,000
Transportation Disadvantaged Bus Passes		\$ 2,000,000
RESTORE Reentry		\$ 500,000
Palm Beach County Glades Region Infrastructure		\$ 3,000,000
Palm Beach County Lake Okeechobee Shoreline Restoration		\$ 1,600,000
West Delray Regional Park		\$1,000,000
Green Cay Phase 2		\$ 3,000,000

### **LAKE WORTH LAGOON INITIATIVE**

Lake Worth Lagoon System Assessment	PBC ERM	\$261,804
Bonefish Cove Restoration	PBC ERM	\$1,000,000
Providencia Cay Restoration	PBC ERM	\$500,000
Marine Debris Removal Pilot Project	PBC ERM	\$100,000
Lake Worth Lagoon Seagrass Restoration Project	Sea & Shoreline LLC	\$500,000

### **LOXAHATCHEE RIVER PRESERVATION INITIATIVE**

Dover Ditch Living Shoreline	Village of Tequesta	\$157,500
Bush Road Stormwater Improvements	Town of Jupiter	\$ 100,255
Environmental Education and Passive Outdoor Recreation Facilities on the NW Fork of the Loxahatchee River	Jupiter Inlet District	\$100,000
Cypress Creek Hydrologic Restoration Project	SFWMD	\$750,000
Sims Creek Preserve Hydrologic and Environmental Restoration	Town of Jupiter	\$100,000
Cypress Creek Floodplain Restoration Project	Martin County	\$750,000
Loxahatchee Slough Habitat Restoration Project	PBC ERM	\$150,000
Loxahatchee River Mile 6 Gap Closure and Oxbow Restoration Maintenance	Jupiter Inlet District	\$377,500

### **SUPPORT**

Busch Wildlife Center		TBD
Corbett Levee Phase 2		\$9,300,000



# **PALM BEACH COUNTY**

## **2023 STATE LEGISLATIVE AGENDA**

### **ENVIRONMENTAL AND NATURAL RESOURCES ISSUES**

#### Board of County Commissioners

Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor  
Maria G. Marino  
Dave Kerner  
Marci Woodward  
Sara Baxter  
Mack Bernard

Verdenia C. Baker,  
County Administrator



# Palm Beach County Board of County Commissioners

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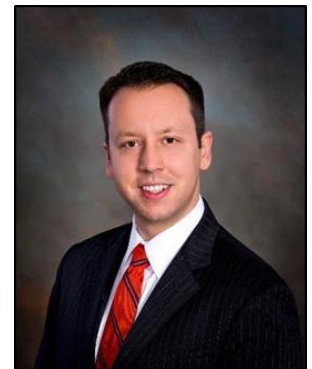
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## **LAKE OKEECHOBEE OPERATIONS**

Lake Okeechobee is a critical component in achieving environmental restoration, water supply, agriculture, tourism, and recreation objectives in South Florida. The Lake is essential and interconnected to communities, businesses, public water supplies, and ecosystems. Palm Beach County residents, taxpayers and visitors depend on healthy, reliable and predictable lake levels to sustain a robust and diverse economy. As such, Lake Okeechobee operations are a high priority for the Palm Beach County Board of County Commissioners.

Palm Beach County advocated for an open, transparent and inclusive public process to re-evaluate Lake Okeechobee operations. The U.S. Army Corps of Engineers (USACE) provided more time and information during their development of an Environmental Impact Statement for the Lake Okeechobee System Operating Manual (LOSOM), which will replace the existing emergency schedule [Lake Okeechobee Regulation Schedule 2008 (LORS08)] that was required during the repairs of Herbert Hoover Dike (HHD).

Palm Beach County **SUPPORTS** efforts by the Florida Department of Environmental Protection (FDEP), the Florida Department of Agricultural and Consumer Services (FDACS) and the South Florida Water Management District (SFWMD) to ensure future Lake Okeechobee operations are appropriately evaluated, maximize the protection of water supplies, minimize the potential for water use restrictions, avoid widespread damage to the economy and ecosystems such as Lake Okeechobee, the Lake Worth Lagoon estuary and the Loxahatchee River, and comply with state law.

Palm Beach County has both short-term and long-term water supply concerns and concerns with the Lake Okeechobee Discharges to the Lake Worth Lagoon (LWL) Estuary. The following bullets summarize the current concerns.

- The long-term water supply concern is the USACE's lack of commitment to restore the Congressionally Authorized (savings clause) water supply that was available before the lowering of Lake Okeechobee Regulation Schedule for repair of the Herbert Hoover Dike.
- The short-term water supply concern is whether the unconstrained operational flexibility will diminish partially or completely the water supply improvement demonstrated in the modeling and evaluated by the Environmental Impact Statement.
- The concern for the LWL Estuary is that LOSOM allows release at a rate of up to 300 cfs to the LWL Estuary in Zone D while it prohibits releases to the Saint Lucie Estuary in Zone D. In Zone D, release to the LWL Estuary should only be made when the LWL Estuary is too saline and the water quality in Lake Okeechobee is acceptable.

Also of concern is that hesitance to discharge to the St. Lucie Estuary at all and to the Caloosahatchee Estuary at high rates will result in longer duration of high lake stages (>16 feet NGVD) which reduces the L-8 Canal drainage rate into the Lake [which Indian Trail Improvement District (ITID) and Cypress Grove Community Development District (CGCDD) rely on for drainage] and impacts the health of the Lake's Littoral Zone.

## **COMPREHENSIVE EVERGLADES RESTORATION PLAN PROJECTS IN PALM BEACH COUNTY**

Palm Beach County has supported and continues to support state and federal efforts to implement the Comprehensive Everglades Restoration Plan (CERP). In fact, eight of the 68 CERP components authorized by Congress in 2000 were to be constructed within Palm Beach County. The following bullets briefly describe the substantive CERP projects that were required to provide the environmental restoration envisioned by the CERP while maintaining the drainage and water supply.

- Component K6 - L-8/Northern Palm Beach County Project (page A4-10) Uses Component GGG (48,000 acre-feet) with 50 mgd of ASR
- Component M6 - Site 1 Impoundment with Aquifer Storage and Recovery (page A4-13) 2,460 acre Six feet deep Reservoir with thirty 5 MGD ASR Wells.
- Component X6 - C-17 Back Pumping (page A4-22) 200 cfs pump station, 550 acre stormwater treatment area, and conveyance improvements to move water to capture, treat and convey water to CWPB GWP.
- Component Y6 - C-51 Back Pumping to West Palm Beach Water Catchment Area (page A4-23). 450 cfs pump station, 600-acre stormwater treatment area, and conveyance improvements to capture, treat and convey water

to CWPB GWP.

- Component KK4 - Loxahatchee National Wildlife Refuge Internal Canal Structures (page A4-30). 1,500 cfs step down structure in the L-7 and L-40 borrow canals to Improve timing and location of water depths in the Refuge.
- Component LL6 - C-51 Regional Groundwater Aquifer Storage and Recovery (page A4-31). Thirty four (34) well clusters located along the West Palm Beach Canal (C-51 Canal), each being composed of two (2) surficial aquifer wells and one Upper Floridan aquifer ASR well
- Component VV6 - Palm Beach County Agricultural Reserve Reservoir (page A4-36) 1,660 acre reservoir with a maximum depth of 12 feet (19,920 acre-feet), 500 cfs pump station, thirty (30) five mgd ASR wells (150 mgd)
- Component GGG6 - C-51 and Southern L-8 Reservoir (page A4-47). 1200 acres of usable area with a 100-foot deep, 2-foot thick slurry wall for seepage around its perimeter. The reservoir will have a total storage depth of 40 feet with 10 feet being above ground (48,000 acre-feet).

Unfortunately, more than 20 years after Congressional authorization of CERP, no CERP projects have been completed within Palm Beach County. Not surprisingly, many local stakeholders are frustrated with the pace of CERP project implementation within the County, as the promised protections have not been maintained and the anticipated benefits have not been realized and the project timelines remain unclear. In addition, the 2020 Working Draft Integrated Delivery Schedule (IDS), the roadmap for CERP and the South Florida Ecosystem Restoration Program through Fiscal Year 2032, only includes one of the seven CERP components, which is the Loxahatchee River Watershed Restoration Project. The implementation timeline for the remaining six components are not included on the IDS.

The lack of the regional storage capacity of 48,000 acre-feet that was to be provided by Component GGG6 is substantive, as this storage volume provides detention of water for later water supply use and provided needed drainage for the L-8 Basin. Both the slow implementation and reduction in ASR capacity is a concern. Specifically, the conclusions of 2015 CERP ASR Regional Study Final Report recommend reducing the ASR located around Lake Okeechobee from two hundred 5-mgd wells to eighty 5-MGD wells (60% reductions) without any plan for relocation or compensating reservoirs for the remaining one hundred and twenty 5-MGD.

Palm Beach County **SUPPORTS** efforts by the State of Florida, SFWMD, USACE, and FDEP to advance both interim and long-term projects within Palm Beach County that provide benefits to the Lake Worth Lagoon estuary, reduce potential flood damages, and increase the availability of water supplies, similar to the benefits that were originally envisioned to be accomplished by the CERP projects planned for Palm Beach County that were approved by Congress in 2000.

## **LAKE OKEECHOBEE WATERSHED RESTORATION**

No estuary or community should have to endure short-term toxic algae bloom conditions or long-term water quality degradation that have resulted due to the cumulative impacts of decades of excess stormwater flows with high nutrient content. Palm Beach County **SUPPORTS** making adjustments in the timing of releases to reduce the likelihood of Harmful Algal Blooms (HABs) as long as these adjustment do not increase the risk of failure of the Herbert Hoover Dike (HHD) or are result in more water being released than what was modeled and evaluated in the National Environmental Policy Act (NEPA) process. When water levels are at or forecast to rise to an elevation that compromises the HHD the USACE should make near maximum releases to lower the Lake quickly and shorten the during of time when the estuaries are subjected to freshwater flows. It should be remembered that the good intended goal of reducing the impact on salinities in the Saint Lucie and Caloosahatchee Estuaries by changing to much lower release rates in combination with a higher algae level in Lake Okeechobee resulted in the severe growth and accumulation of algae.

Palm Beach County **SUPPORTS** a renewed focus on the implementation of regional-scale and local-scale water storage and water quality treatment projects in Lake Okeechobee tributary basins north of Lake Okeechobee consistent with and/or compatible with CERP prior to Congressional authorization and appropriation of the Lake Okeechobee Watershed Restoration Project.



## **LOXAHATCHEE RIVER WATERSHED RESTORATION**

In 1985, the U.S. Department of the Interior designated the Northwest Fork of the Loxahatchee River a National Wild and Scenic River. In 2000, the Comprehensive Everglades Restoration Plan (CERP) was authorized by Congress and included several projects to restore the river. The goal of the Loxahatchee River Watershed Restoration Project is to improve flows to the Northwest Fork of the Loxahatchee River (NWFLR) and restore wetlands that form the historic headwaters of the river.

Joint state and federal planning efforts related to the Loxahatchee River Watershed Restoration Project (LRWRP) began in 2003 (then referred to as North Palm Beach County - Part 1), were put on hold in 2011 and re-started in 2015, with a much reduced project scope. County staff have been engaged in every iteration of Loxahatchee River Watershed Restoration project including when it was identified as the North Palm Beach County Project. Palm Beach County has acquired and restored almost 28,000 acres of natural areas and wetlands within the Loxahatchee River watershed for the benefit of the ecosystem.

Unfortunately, the LRWRP does not include the 48,000 acre-feet of storage (Component GGG6) that was envisioned in CERP, approved by Congress in 2000. This storage component reduced damaging discharges of excess freshwater to the Lake Worth Lagoon estuary and provide a source of freshwater to enable beneficial dry season deliveries to improve salinity conditions in the Lake Worth Lagoon estuary and NWFLR.

During the 2021 Legislative session, Palm Beach County was successful in securing \$48 million to assist in the construction of Phase 2 of the C-51 project and should seek additional appropriations to continue those efforts to benefit the L-8 Basin, Loxahatchee River Watershed and Lake Worth Lagoon estuary.

Palm Beach County **SUPPORTS** efforts by the Florida Department of Environmental Protection and the South Florida Water Management District to collaborate with the U.S. Army Corps of Engineers, the County and other key local stakeholders to implement elements of the Loxahatchee River Watershed Restoration Project in advance of Congressional appropriations that are supported by County and local stakeholders in an effort to achieve early restoration benefits and to reduce additional ecological impacts to the Loxahatchee River Watershed.

## **GLADES REGION INFRASTRUCTURE IMPROVEMENT PROGRAM: \$3 MILLION**

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 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.

<b>2023 Glades Region Infrastructure Improvement Program FUNDING REQUEST</b>		
Project Name	Estimated Project Cost	Requested State Allocation
Glades Region Infrastructure Improvement Program	\$30,000,000	\$3,000,000

## **BEACH AND INLET MANAGEMENT PROJECT APPROPRIATIONS: \$4,129,295**

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. 70% of beaches in Palm Beach County are designated as critically eroded by the Florida Department of Environmental Protection. State matching grants are a vital component of the funding required to maintain this essential infrastructure. The County is requesting inclusion of the following Palm Beach County shore protection projects in the State’s Beach Management Funding Assistance Program:

<b>2023 Session Beach &amp; Inlet Management FUNDING REQUESTS</b>					
No.	Project Name	Description	Grant Funding Request	Local Match	Estimated Project Cost
1	Jupiter Inlet Management	Design, Construction, Monitoring	\$1,151,624.70	\$1,151,624.70	\$2,303,249.40
2	North County Comprehensive Shore Protection Project – Segment 1	Design, Monitoring	\$200,000	\$200,000	\$400,000
3	North County Comprehensive Shore Protection Project – Segment 2	Design	\$190,097	\$190,097	\$380,194
4	North County Comprehensive Shore Protection Project – Segment 3	Design	\$175,000	\$175,000	\$350,000
5	Lake Worth Inlet Management	Construction, Monitoring	\$698,500	\$698,500	\$1,397,000
6	Mid-Town Beach Nourishment	Design	\$694,695	\$755,305	\$1,450,000
7	Phipps Ocean Park Beach Nourishment	Design	\$559,120	\$890,880	\$1,450,000
8	South Lake Worth Inlet Management	Design, Monitoring	\$188,147	\$188,147	\$376,294
9	Delray Beach Nourishment	Monitoring	\$59,300	\$59,300	\$118,600
10	North Boca Raton Shore Protection Project	Design	\$63,675	\$63,675	\$300,000*
11	Central Boca Raton Shore Protection Project	Monitoring	\$32,036.24	\$43,663.76	\$75,700
12	Boca Raton Inlet Management	Design, Construction, Monitoring	\$117,100	\$117,100	\$234,200
	<b>TOTAL</b>		<b>\$4,129,295</b>	<b>\$4,533,292</b>	<b>\$8,835,237*</b>

\*includes Federal funds

## **LOXAHATCHEE RIVER PRESERVATION INITIATIVE: \$2,485,255**

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 2023 priority list of ranked projects as established by the steering committee of the LRPI.

<b>2023 Loxahatchee River Preservation Initiative FUNDING REQUESTS</b>					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Dover Ditch Living Shoreline	Village of Tequesta	\$157,500	\$157,500	\$315,000
2	Bush Road Stormwater Improvements	Town of Jupiter	\$ 100,255	\$185,127	\$285,382
3	Environmental Education and Passive Outdoor Recreation Facilities on the NW Fork of the Loxahatchee River	Jupiter Inlet District	\$100,000	\$125,000	\$225,000
4	Cypress Creek Hydrologic Restoration Project	SFWMD	\$750,000	\$1,450,000	\$2,200,000
5	Sims Creek Preserve Hydrologic and Environmental Restoration	Town of Jupiter	\$100,000	\$296,558	\$396,558
6	Cypress Creek Floodplain Restoration Project	Martin County	\$750,000	\$750,000	\$1,500,000
7	<b>Loxahatchee Slough Habitat Restoration Project</b>	<b>Palm Beach County Environmental Resources Management</b>	<b>\$150,000</b>	<b>\$150,000</b>	<b>\$300,000</b>
8	Loxahatchee River Mile 6 Gap Closure and Oxbow Restoration Maintenance	Jupiter Inlet District	\$377,500	\$377,500	\$755,000
	<b>TOTAL</b>		<b>\$2,485,255</b>	<b>\$3,491,685</b>	<b>\$5,976,940</b>



## **LAKE WORTH LAGOON INITIATIVE: \$2,361,804**

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 subject 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, Florida Fish and Wildlife Conservation Commission and the League of Cities, which have collectively 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 stormwater control projects and septic to sewer conversions. Revitalizing this important waterbody provides long-term environmental, recreational and economic benefits to the region.

<b>2023 Lake Worth Lagoon Initiative FUNDING REQUESTS</b>					
No.	Project Name	Entity	Grant Funding Request	Local Match	Estimated Project Cost
1	Lake Worth Lagoon System Assessment	Palm Beach County Environmental Resources Management	\$261,804	\$261,804	\$523,608
2	Bonefish Cove Restoration	Palm Beach County Environmental Resources Management	\$1,000,000	\$1,000,000	\$2,000,000
3	Providencia Cay Restoration	Palm Beach County Environmental Resources Management	\$500,000	\$500,000	\$1,000,000
4	Marine Debris Removal Pilot Project	Palm Beach County Environmental Resources Management	\$100,000	\$100,000	\$200,000
5	Lake Worth Lagoon Seagrass Restoration Project	Sea & Shoreline LLC	\$500,000	\$0	\$500,000
	<b>TOTAL</b>		<b>\$2,361,804</b>	<b>\$1,861,804</b>	<b>\$4,223,608</b>

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. Through this program, over \$22 million in State funds and \$65 million in local funds have been dedicated to restoring the Lagoon. The projects above were prioritized by Initiative members and funding partners.

Palm Beach County **SUPPORTS** legislative funding for the 2023 priority list of ranked projects as established by the steering committee of the Lake Worth Lagoon Initiative and to implement key components of the adopted Lake Worth Lagoon Management Plan.

## **LAKE OKEECHOBEE RESTORATION: \$1.6 MILLION**

Lake Okeechobee's sloping shoreline and wetland habitat were permanently altered with the construction of the Herbert Hoover Dike (HHD) and subsequent lake level fluctuations. These system alterations have resulted in habitat losses, water quality degradation, increased turbidity and sedimentation. These changes have impacted the lake's environmental resources and the economies of the adjacent communities. The U.S. Army Corps of Engineers (USACE) has approved an Integrated Feasibility Report & Environmental Assessment for Pahokee Restoration through the USACE's Continuing Authorities Program, Section 1135. The report recommends a large-scale project to restore nearshore habitat within the lake by creating islands and wetland habitat. Palm Beach County is the Local Sponsor and requires a local match of 25% or \$3.2 million to match the upcoming 75% federal appropriation of <\$10 million.

## 2022 Session Lake Okeechobee FUNDING REQUEST

Project Name	Grant Funding Request	Local Match	Estimated Project Cost
Lake Okeechobee Pahokee Restoration/Habitat Construction, USACE Continuing Authority Program, Section 1135	\$1,600,000	\$1,600,000	\$3,200,000

### **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 (ITID). 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 ITID berm that borders the Florida Fish and Wildlife Conservation Commission’s 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 ITID 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 \$9.3 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. In September 2020, ITID applied to the Florida Department of Economic Opportunity’s Rebuild Florida Mitigation General Infrastructure Program for approximately \$6.8 million in funding.

Palm Beach County **SUPPORTS** the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission and SFWMD in securing the remaining funding of \$9.3 million to complete Phase II of the Project.

### **MOSQUITO BORNE DISEASE FUNDING**

Unprecedented numbers of imported Dengue Virus cases visited Florida in 2022, giving new urgency to the preventative efforts of mosquito control programs across the state. This reminds us that even during calm periods between our endemic outbreaks of diseases such as West Nile Virus (WNV) and St. Louis Encephalitis (SLE), that the task of protecting residents from mosquito borne disease never stops. Every incidence of imported disease is an opportunity for that disease to gain a foothold in Palm Beach County, and the Mosquito Control Division strives to prevent that from happening through aggressive case site investigations and control efforts. Moreover, while nuisance mosquito control efforts lack the direct intention to control mosquito borne disease, the result is to diminish the potential for local mosquitoes to host those diseases. Continuing to embrace new technologies and tools to carry out this important function for the residents of Palm Beach County is crucial to this task.

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 in recent years has allowed mosquito control agencies 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. Additionally, the Florida Department of Agriculture and Consumer Service (FDACS), along with the Florida Department of Health (FDOH), provides invaluable support and coordination between the many mosquito control programs in the State.

Efforts to build FDACS and Institute of Food and Agricultural Sciences (IFAS) funded research capacity for operational mosquito control in the State have slowly made progress at the Florida Medical Entomology Laboratory (FMEL) in Vero

Beach. Since the 2011 closure of the John Mulrennan Sr. Public Health Research and Education Center (PHEREC) in Panama City, the research capacity to investigate chemical and spray equipment innovations remains inadequate to the task of supporting Florida mosquito control programs.

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

### **DEPARTMENT OF ENVIRONMENTAL PROTECTION - LAND MANAGEMENT**

Palm Beach County and its municipalities manage approximately 49,215 acres of environmentally sensitive and other conservation lands within their Natural Area and Park properties. Statewide, local governments manage about 10% of all government-owned lands. The management of these lands requires a significant, on-going financial commitment from local governments. This is especially true in South Florida where the subtropical climate allows exotic plant and animal species to thrive and necessitates continual treatment to maintain Natural Areas and Parks in their natural or restored condition.

Palm Beach County **SUPPORTS** legislation that would help local governments fund vital land management activities within their Natural Area and Park properties. Such legislation may include, but is not limited to, adding land management to the types of activities funded by the Florida Communities Trust (Chapter 380, F.S.).

Palm Beach County **SUPPORTS** appropriations from the Land Acquisition Trust Fund for environmental restoration and land acquisition projects that benefit both the environment and residents of Palm Beach County. Such projects include, but are not limited to, those that: 1) restore, preserve and protect the Everglades and other South Florida ecosystems (Section 373.470, F.S.); 2) restore, preserve and protect the Lake Okeechobee watershed (Section 373.4595, F.S.), including the "downstream" Lake Worth Lagoon; 3) improve or protect water quality; 4) enhance flood protection; and/or 5) enhance water supplies.

Palm Beach County **SUPPORTS** inclusion of the Loxahatchee River Watershed Restoration Plan (part of the Comprehensive Everglades Restoration Plan, as amended) and Lake Worth Lagoon (a regionally significant estuary) in legislation establishing dedicated funding sources for the Land Acquisition Trust Fund. Applicable legislation may include, but is not limited to, Section 373.470, F. S. (Everglades Restoration); Section 373.4595, F.S. (Northern Everglades and Estuaries Protection Program); and Subsections 373.4592(2)(j), F.S., and 373.4592(3), F.S. (Long-Term Plan).

Palm Beach County will **MONITOR** the State's efforts to purchase Pal-Mar lands under the Florida Forever program, and will seek opportunities to move the project higher on the program's Partnerships & Regional Incentives priority list.

Palm Beach County **SUPPORTS** the full funding of the Florida Forever Plan positively impacting Florida's environmental sustainability and future generations of Floridians.

### **WATER QUALITY IMPROVEMENT PROGRAMS AND PROJECTS**

Water quality is vital to the ecological and economic health of Palm Beach County. The Florida Department of Environmental Protection is charged with identifying water quality problems and developing and implementing strategies to address those problems. Cyanobacteria, or "blue green algae," on Lake Okeechobee and connected waterways has recently emerged as a significant issue, resulting in serious impacts to water quality, public health, and economic viability of local businesses. As a result, there is a renewed focus by the State of Florida on reducing excess nutrient inputs to impacted water bodies and priority projects to reduce nutrients are expected to be identified and funded in partnership with local, state, and federal entities.

Palm Beach County **SUPPORTS** appropriations to provide for vital water quality improvement programs and projects to address nutrient pollution and harmful algal blooms, that impact the County's lakes, canals, and estuaries. Septic to sewer conversions, improving storm water management systems, and innovative technologies to mitigate or cleanup harmful algal blooms are examples of projects that can reduce damaging freshwater discharges and improve the water quality of discharges to the Lake Worth Lagoon, and mandated state water quality improvement projects. Additionally,

Palm Beach County **SUPPORTS** legislation to provide for effective programs and projects to further address water quality impacts.

### **SEPTIC TO SEWER CONVERSION**

Palm Beach County **SUPPORTS** state funding assistance and grants to local governments, wastewater utilities and property owners to assist in implementing and expediting septic to sewer conversion projects to mitigate the impacts of excess nutrients on water bodies.

### **PROGRAMS AND PROJECTS TO SUPPORT CORAL REEF PROTECTION**

In 2014, a coral disease outbreak of unknown origin was found offshore of Miami-Dade County and has continued to spread through the entire Florida Reef Tract. With high rates of disease transmission and rapid mortality impacts, the disease has affected nearly 50 percent of Florida's reef-building coral species including five listed under the Endangered Species Act. This disease is an increasing threat to fragile ecosystems that support Florida's fisheries and protect our coasts.

Palm Beach County **SUPPORTS** continued efforts and dedicated funding for the Florida Department of Environmental Protection to protect and restore Florida's Coral Reef.

Palm Beach County **SUPPORTS** funding for scientific studies to determine the biological tolerances of coral species to turbidity as part of an effort to refine the Water Quality Standards to protect sensitive corals and hardbottom communities.

Palm Beach County **OPPOSES** any changes of the statewide turbidity criterion that could compromise critical shore protection efforts along the coastline without a comprehensive scientific understanding of the biological tolerances for coral species of concern.

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

Since 1988, Palm Beach County has contracted with the Florida Department of Environmental Protection (FDEP) to administer the Petroleum Storage Tank Compliance Verification Program for Palm Beach, Martin, and St. Lucie Counties. During 2012, FDEP reduced the program budget by approximately 35%, which resulted in the facility inspection frequency being reduced to once every 24-30 months instead of 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:

- Many of these double-walled petroleum storage tanks systems have exceeded their warranty life, which makes them more susceptible to failures.
- 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 and more comprehensively addressed due to the revised regulations of October, 2018. These revised regulations provided timeframes for testing of equipment and recordkeeping. However, these October 2018 requirements are not satisfied until the inspector arrives at the site, creating a situation where the facility is out of compliance.
- Reduced inspection frequencies greatly increases the chances for petroleum discharges as equipment failures and maintenance issues to persist for longer periods before being discovered by inspectors, as there are facilities that wait until the inspector arrives before conducting maintenance or testing.

Palm Beach County **SUPPORTS** funding for the Division of Waste Management Long Range Plan from the Inland Protection Trust Fund and other potential sources to maintain the current \$6,490,000 budget level to continue local Petroleum Storage Tank Compliance Verification Programs. A funding level that supports annual facility inspections is necessary. 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 cleanup efforts by the property owner.

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

Palm Beach County's local petroleum cleanup program provides technical oversight and management of state contractors conducting assessment and remediation of petroleum contamination within the County to support development of impacted properties and protect local drinking water supplies. The program also provides enforcement and oversight for non-eligible contamination cleanups. The County has a dedicated experienced team of professionals, which include Professional Geologists, Hydrogeologists and Professional Engineers to oversee the many phases of the cleanup process in a timely and cost-effective manner. Palm Beach County's Department of Environmental Resources Management implements the program throughout the County.

Palm Beach County **SUPPORTS** funding for the Division of Waste Management Long Range Program Plan from the Inland Protection Trust Fund and other potential sources to maintain the current budget level to continue the restoration of contaminated sites by local Petroleum Restoration Programs (PRP). The Palm Beach County Local Cleanup Program is committed to assisting the PRP strategic direction to continue to assess all remaining discharges.

## **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 Counties and other organizations adopting this document recognize that the local impacts of global climate change are among the greatest challenges facing southeast Florida in the present and future. Consequently, adapting to climate impacts, mitigating additional damage by reducing greenhouse gas emissions, and building community and economic resilience are among the highest priorities for action at all levels of government.

Palm Beach County is committed to **SUPPORTING** the Compact's *2022 State Legislative Priorities* and *2022 State Climate, Energy, and Resilience Legislative Principles* in their entirety. Current Priorities from the Compact Program are:

**SUPPORT** refinements to Section 380.093, Florida Statutes (Statewide Flooding and Sea Level Rise Resilience Plan) and related laws to clarify provisions, make provisions more flexible, and improve implementation.

**SUPPORT** legislation requiring state agencies to incorporate climate resilience in all aspects of capital planning and operations.

**SUPPORT** legislation to allow regional resilience entities like the Compact to conduct public meetings and workshops by means of communications media technology.

**SUPPORT** legislation requiring utilities to provide whole-building consumption and billing data to building owners.

**SUPPORT** policies expanding renewable energy and energy conservation opportunities in Florida, and **OPPOSE** any changes that would eliminate or weaken existing policies.

**SUPPORT** higher energy, water, and resilience standards for new and existing buildings (including but not limited to energy conservation, renewable energy, drainage, flood elevation, wetproofing, and seawall requirements) to prepare for and lessen the impacts of future climate conditions through legislation, Florida Building Code amendments, and enhanced powers for local governments to enact local building code amendments.

**SUPPORT** repeal of Section 215.179, Florida Statutes, to restore local governments' ability to benefit financially from the federal Section 179D tax deduction for installation of certain energy efficiency features in government-owned buildings.

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

The Florida Legislature, through the Energy, Climate Change and Economic Security Act of 2008, established a statewide weight-based recycling goal of 75% by 2020. Although the legislation does not directly address a recycling goal beyond 2020, the Florida Department of Environmental Protection (FDEP) has communicated its expectation that counties continue to work toward a 75% recycling goal within the same parameters established in the legislation.

The FDEP's 2020 recycling report shows the state's recycling effort was calculated at 50% (despite the efforts of counties like Palm Beach County that was able to achieve a state-calculated effort of 74%). 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 weight-based goal.

Prior to the FDEP's direction beyond 2020, the counties worked together for consensus on a proposed 5-part recommendation. This recommendation includes diversion, county and business recycling, and benchmark measurements against their own efforts.

Palm Beach County **SUPPORTS** the development of a new recycling goal that incorporates this input from the counties, as it is the counties that have a statutory obligation to implement and finance such a goal.

## **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, incentivizing 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 2022, \$125 million from the Water Protection and Sustainability TF was provided for the Wastewater Grant Program.

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.

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.

### **DERELICT VESSEL / FLOATING STRUCTURE REMOVAL**

Palm Beach **SUPPORTS** continued recurring appropriations to assist local governments in removing derelict vessels that degrade the marine environment and block the use of public shorelines, berthing facilities, docks, ramps and staging areas. Palm Beach County also **SUPPORTS** statutory language defining and regulating nuisance floating structures as those without a vessel registration number, rudder or steering device and no means of propulsion on its own that can become unmoored during storms causing damage to private property, waterfront businesses, navigational aids and bridge infrastructure.

### **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 one FRDAP application last year for a large development project.

Palm Beach County **SUPPORTS** appropriations that provide for the funding of the FRDAP Large Project Development list.

### **CENTRAL COUNTY INFRASTRUCTURE FUNDING**

Historically, the twelve cities that comprise Historical Central Palm Beach County grew as residential suburbs of West Palm Beach. These municipalities, all incorporated between 1921 and 1959, were created not as planned communities, but subdivisions of agrarian land converting to residential development and limited commercial strip development.

Generally, these areas developed without planned drainage systems and were affected by surrounding infrastructure projects such as the Florida Turnpike, the Beeline Highway and the commercial and business interests of U.S. Highway One to the east and Military Trail to the west, which mark the traditional boundary of this area. As they continue to redevelop and create new economic development opportunities, the need to enhance their infrastructure has become a top priority.

Palm Beach County **SUPPORTS** collaborative efforts between the State Legislature, local municipalities, special districts, and state agencies to identify and fund projects to repair and update needed water, drainage and sewer improvements in the Historical Central Palm Beach County area. Palm Beach County also **SUPPORTS** funding for water trailways within Central Palm Beach County.