

**MIAMI-DADE COUNTY
OFFICE OF INTERGOVERNMENTAL
AFFAIRS**

2016 FEDERAL END-OF-YEAR REPORT



OVERVIEW

The Office of Intergovernmental Affairs (OIA) worked throughout 2015 and 2016 to execute the County's federal legislative agenda for the 114th Congress in concert with the four federal contract lobbyists (Akerman, Alcalde & Fay, Greenberg Traurig, and Squire Patton Boggs). The lobbyists work in lockstep with OIA, participating regularly on calls and in meetings with County officials and departments to discuss issues of interest.

OIA, in addition to the lobbyists, are in constant contact with the Miami-Dade County Congressional delegation, other Congressional offices and committees as necessary on various issues of importance as well as federal departments and agencies executing the Board of County Commissioners approved Federal Legislative Priorities and Agenda.

Throughout the year, the lobbyists provided numerous reports to the County on issues of interest keeping OIA regularly informed about relevant developments, activities, and the potential impact to the County. The lobbyists also provide monthly and year-end reports. For a more detailed review of the activities of the County lobbyists please refer to the end of this document for their respective year-end reports on federal activities pursued on our behalf.

In the below sections, specific issues relevant to the County are highlighted. In some cases one lobbying firm worked the issue and in others multiple participated.

114TH CONGRESS

THE OBAMA ADMINISTRATION

FEDERAL PARTNERS

Over the last few years OIA has gone out of its way to cultivate strong relationships across all sectors of government and the private sector to further the goals and agenda of Miami-Dade County.

In addition to working with the County's Congressional delegation, OIA has reached out to the offices of Members of Congress across the State of Florida and the Nation, who may have similar areas of interest, to seek support on legislative issues that have broad appeal and worked with committee staff of both the House and Senate with jurisdictions over issues of pertinence. The County's Congressional delegation for the 114th Congress was comprised of Senator Bill Nelson, Senator Marco Rubio, Congresswoman Ileana Ros-Lehtinen (R-27th), Congressman Mario Diaz-Balart (R-25th), Congresswoman Debbie Wasserman Schultz (D-23rd), Congresswoman Frederica Wilson (D-24th) and Congressman Carlos Curbelo (R-26th). Following the results of the November 8th election, for the first time since 2008, the County's Congressional delegation will remain exactly the same for the 115th Congress.

Miami-Dade County has also worked to build contacts with the Obama Administration, specifically The White House Executive Office of the President, The White House Office of Intergovernmental Affairs, the Office of the First Lady, U.S. Department of Agriculture

(USDA), U.S. Department of Commerce (Commerce), U.S. Department of Defense (DOD), U.S. Department of Energy (DOE), U.S. Department of Health and Human Services (HHS), U.S. Department of Homeland Security (DHS), U.S. Department of Housing and Urban Development (HUD), U.S. Department of Justice (DOJ), U.S. Department of State (State), U.S. Department of Transportation (DOT) and the United States Trade Representative (USTR) among many others. Immediately following the November election, OIA started dialogue with transition officials and subsequent to the January 20th inauguration, met with OIA counterparts at the White House and various agencies.

As a result of the aforementioned relationships with the federal departments and agencies OIA has been able to secure Cabinet level meetings with Secretaries and their staff for Mayor Carlos Gimenez, Board of County Commissioners and Departments both in Washington DC and in Miami-Dade County. Further, OIA worked with the White House Office of Intergovernmental Affairs to arrange for Mayor Gimenez to greet the President and Air Force One on the tarmac of Miami International Airport on numerous occasions over the last year.

Furthermore, OIA has worked tirelessly to forge collaborative partnerships with likeminded organizations and entities for mutually beneficial outcomes. Some of these include but are not limited to; Florida International University DC Office of Federal Relations, DC Office for Governor of Florida Rick Scott, Greater Miami Chamber of Commerce, the Greater Miami Convention & Visitors Bureau, Florida Chamber of Commerce, City of Miami, City of Miami Beach, National Association of Counties, Broward County, Palm Beach County, Monroe County, Los Angeles County, City of Los Angeles, City of New York, City of Chicago, Florida Association of Counties, US Travel Association, the Congressional Hispanic Leadership Institute (CHLI) as well as the national and state associations with ties to county departments as well as many others both locally in Miami-Dade and nationally.

EARMARKS

Since the earmark ban was initiated in 2010, it is increasingly difficult to find funding sources from the federal government outside of the competitive grants process. As a result of the ban and in lieu of earmarks, Congress and the Appropriations Committees do accept programmatic and language requests to alter or maintain existing programs. What this entails is entities such as Miami-Dade County will submit an application to the Congressional delegation seeking to keep static or increase funding for a specific program, like the Department of Transportation's TIGER program. If the Member of Congress agrees, they will then submit this request to the Appropriations Committee for review and ideally inclusion in their fiscal year appropriations bill. In many cases Members of Congress will draft letters of support in the form of "Dear Colleague Letters" that seek broad support from a bipartisan group of representatives in favor of a program. OIA has worked with the Congressional delegation to see that as many of the programs of interest are given their due review and support. In theory, advocating for a specific program to continue and for funding to increase will have the consequence of having

additional funding available that the county can then apply for or be granted through a formula grant process. Since the earmark ban has been in place, OIA has submitted requests consistent with the Federal Legislative Agenda and Critical Priorities set forth and approved by the Board of County Commissioners as well as relevant issues that arose during the course of the year, such as funding to combat the Zika virus.

FEDERAL FUNDING

In the past, Miami-Dade County has been the beneficiary of a significant amount of federal funding. This funding is available in two distinct forms; formula and competitive grants. Formula funding is based on a set of predetermined criteria devised by Congress or specific federal departments and agencies and distributed without any input or lobbying efforts from either the county or Members of the House or Senate. A competitive funding award is the result of an application review by a specific department or agency and the outcome can be influenced, in part, by some measure of advocacy, usually the Congressional delegation, as well as stakeholders and industry experts. The award and amount is at the complete discretion of the department or agency within applicable rules set forth by Congress. In many cases OIA has requested delegation members support our applications through letters and phone calls to appropriate secretaries. In almost every instance the delegation members have agreed to assist the county. As a result, during the past year, Miami-Dade County was the recipient of both types of federal funding.

It should be noted that there is no way to positively quantify what factors resulted in a competitive grant being awarded to the county. Was it based on an outstanding application? Was it the result of advocacy efforts by the Office of Intergovernmental Affairs and the federal contract lobbyists? Did the support by the county's Congressional delegation influence the department or agency? In most cases, if not all, it was the result of a combination of these factors as well as internal metrics devised by the awarding entity that the county was not privy to. However, it is impossible to say with any certainty how much and to what extent each had on the decision makers.

During the FY2016 year, Miami-Dade County was the recipient of \$236,671,478 (according to www.usaspending.gov) in federal funds from various departments and agencies (this number is closely mirrors the one contained in the county's FY 2016-2017 budget which listed \$240,000,000 in federal funds received). These funds are comprised of both formula and competitive grants. As previously mentioned, in some cases OIA worked with county departments on securing letters of support from the Congressional delegation and requested these members make calls to the appropriate federal departments on our behalf. As a side note, Miami-Dade County is very fortunate in that our delegation is always extremely supportive of our efforts and they make every attempt within all applicable rules to assist us. Not all delegations are as accommodating as Miami-Dade County's and one would be hard pressed to find a group who works as cohesively as ours does despite political affiliation.

Below is an accounting of the programs and funding received under each during the previous fiscal year:

PROGRAM	FED FUNDING	NON-FED FUNDING	TOTAL FUNDING	AGENCY	DEPT/ AGENCY
Head Start and Early Head Start	\$58,723,731	\$0	\$58,723,731	HHS	HHS
Federal Transit Formula Grants (Urbanized Area Formula (UZA))	\$50,072,549	\$0	\$50,072,549	FTA	DOT
State of Good Repair Grants Program (State of Good Repair (SGR) Formula Grant)	\$26,873,066	\$0	\$26,873,066	FTA	DOT
Airport Improvement Program (Improve Existing Airport)	\$13,867,182	\$4,622,394	\$18,489,576	FAA	DOT
Federal Transit Formula Grants (Urbanized Area Formula)	\$16,798,715	\$0	\$16,798,715	FTA	DOT
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	\$14,488,164	\$0	\$14,488,164	HHS	HHS
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	\$12,135,743	\$0	\$12,135,743	HHS	HHS
State of Good Repair Grants Program (State of Good Repair Formula Grant)	\$7,309,427	\$0	\$7,309,427	FTA	DOT
Federal Transit Formula Grants (SR836 Express Project (Panther and Tamiami Stations))	\$5,570,526	\$0	\$5,570,526	FTA	DOT
Bus and Bus Facilities Formula Program (Bus and Bus Facilities)	\$4,518,981	\$157,029	\$4,676,010	FTA	DOT
Early Head Start (Training and Technical Assistance)	\$4,106,554	\$0	\$4,106,554	HHS	HHS
Airport Improvement Program (Improve Existing Airport)	\$2,764,125	\$921,375	\$3,685,500	FAA	DOT
Early Head Start (Training and Technical Assistance)	\$3,155,075	\$0	\$3,155,075	HHS	HHS
Early Head Start (Training and Technical Assistance)	\$2,040,450	\$0	\$2,040,450	HHS	HHS
Bus and Bus Facilities Formula Program (Bus and Bus Facilities)	\$1,684,625	\$0	\$1,684,625	FTA	DOT
National Urban Search and Rescue (US&R) Response System	\$1,168,582	\$0	\$1,168,582	FEMA	DHS
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	\$1,041,642	\$0	\$1,041,642	HHS	HHS
Federal Transit Formula Grants (Metrorail Metromover Guideway Bridge Inspection)	\$1,000,000	\$0	\$1,000,000	FTA	DOT
DNA Capacity Enhancement and Backlog Reduction Program	\$852,756	\$0	\$852,756	DOJ	DOJ
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	\$836,309	\$0	\$836,309	HHS	HHS
Services for Trafficking Victims (Human Trafficking Collaborative Project)	\$600,000	\$200,018	\$800,018	DOJ	DOJ
Domestic Violence Assistance Centers Collaborative Project	\$700,000	\$0	\$700,000	OJP	DOJ
Domestic Violence Assistance Centers Collaborative Project	\$700,000	\$0	\$700,000	OJP	DOJ
Violence Against Women Prevention and Prosecution Programs (Lethality Assessment Program)	\$650,000	\$0	\$650,000	DOJ	DOJ
Partnerships to Improve Community Health	\$644,631	\$0	\$644,631	HHS	HHS
Edward Byrne Memorial Justice Assistance Grant Program (Intelligence-Led Policing Project)	\$481,347	\$0	\$481,347	OJP	DOJ
Edward Byrne Memorial Justice Assistance Grant Program (Intelligence-Led Policing Project)	\$481,347	\$0	\$481,347	OJP	DOJ
Foster Grandparent Program (Operating Expenses)	\$269,254	\$178,753	\$448,007	CNCS	CNCS
Adult Drug Court Enhancement Project: Opioid Response Partnership	\$400,000	\$0	\$400,000	DOJ	DOJ
Paul Coverdell Forensic Sciences Improvement Grant Program	\$250,000	\$102,775	\$352,775	OJP	DOJ
Paul Coverdell Forensic Sciences Improvement Grant Program	\$250,000	\$102,775	\$352,775	OJP	DOJ
Drug Court Discretionary Grant Program (Veterans Treatment Court Implementation Project)	\$350,000	\$0	\$350,000	DOJ	DOJ
Senior Companion Program (Operating Expenses)	\$346,143	\$0	\$346,143	CNCS	CNCS

Senior Companion Program (Operating Expenses)	\$115,381	\$215,495	\$330,876	CNCS	CNCS
Adult Drug Court Enhancement Project: Opioid Response Partnership	\$325,000	\$0	\$325,000	HHS	HHS
Port Security Grant Program (State & Local Programs)	\$304,500	\$0	\$304,500	FEMA	DHS
Air Pollution Control Program Support (\$114,265)	\$301,840	\$0	\$301,840	EPA	EPA
Cooperative Agreement to Support Navigators in Federally-Facilitated & State Marketplaces	\$278,910	\$0	\$278,910	HHS	HHS
Airport Improvement Program (Improve Existing Airport)	\$229,926	\$25,547	\$255,473	FAA	DOT
Retired and Senior Volunteer Program (Operating Expenses)	\$104,310	\$146,290	\$250,600	CNCS	CNCS
Air Pollution Control Program Support (\$114,265)	\$169,120	\$0	\$169,120	EPA	EPA
Adult Education (Evaluation & Technical Assistance Improved Reentry Education)	\$92,934	\$0	\$92,934	ED	ED
Airport Improvement Program (Improve Existing Airport)	\$83,160	\$9,240	\$92,400	FAA	DOT
National Ambient Air Quality Standards	\$90,000	\$0	\$90,000	EPA	EPA
Assistance to Firefighters Grant	\$55,709	\$8,356	\$64,065	FEMA	DHS
National Urban Search and Rescue (US&R) Response System (Disaster Relief Fund)	\$61,600	\$0	\$61,600	FEMA	DHS
National Urban Search and Rescue (US&R) Response System (Disaster Relief Fund)	\$61,600	\$0	\$61,600	FEMA	DHS
National Urban Search and Rescue (US&R) Response System	\$28,571	\$0	\$28,571	FEMA	DHS
National Urban Search and Rescue (US&R) Response System	\$12,750	\$0	\$12,750	FEMA	DHS
National Urban Search and Rescue (US&R) Response System	\$7,830	\$0	\$7,830	FEMA	DHS
Retired and Senior Volunteer Program (Operating Expenses)	\$3,500	\$0	\$3,500	CNCS	CNCS
Adult Education (Evaluation & Technical Assistance Improved Reentry Education)	\$533	\$0	\$533	ED	ED
Surveys-Studies-Investigations-Demonstrations and Special Purpose Activities (\$200,000)	\$0	\$0	\$0	EPA	EPA
National Urban Search and Rescue (US&R) Response System	(\$8)	\$0	(\$8)	FEMA	DHS
National Urban Search and Rescue (US&R) Response System (Disaster Relief Fund)	(\$891)	\$0	(\$891)	FEMA	DHS
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	(\$1,092)	\$0	(\$1,092)	HHS	HHS
Assistance to Firefighters Grant	(\$5,960)	\$0	(\$5,960)	FEMA	DHS
Assistance to Firefighters Grant	(\$7,706)	\$0	(\$7,706)	FEMA	DHS
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	(\$11,092)	\$0	(\$11,092)	HHS	HHS
Port Security Grant Program (State & Local Programs)	(\$15,365)	\$0	(\$15,365)	FEMA	DHS
National Urban Search and Rescue (US&R) Response System (Disaster Relief Fund)	(\$38,936)	\$0	(\$38,936)	FEMA	DHS
Airport Improvement Program (Improve Existing Airport)	(\$68,188)	(\$22,729)	(\$90,917)	FAA	DOT
Airport Improvement Program (Improve Existing Airport)	(\$298,923)	(\$99,641)	(\$398,564)	FAA	DOT
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	(\$836,309)	\$0	(\$836,309)	HHS	HHS
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	(\$921,631)	\$0	(\$921,631)	HHS	HHS
HIV Emergency Relief Project Grants (Ryan White HIV/AIDS Program)	(\$1,041,642)	\$0	(\$1,041,642)	HHS	HHS
Early Head Start (Training and Technical Assistance)	(\$4,106,554)	\$0	(\$4,106,554)	HHS	HHS

TOTAL	\$230,103,801	\$6,567,677	\$236,671,478		
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OFFICE OF THE MAYOR BOARD OF COUNTY COMMISSIONERS COUNTY DEPARTMENTS

While OIA is mandated under the Board of County Commissioners, the Washington, DC office serves the entire county. In this capacity it serves the Office of the Mayor and County Departments as well. OIA works with the Mayor's office to coordinate trips to Washington, liaises with federal departments and agencies, and serves as conduit in following-up on letters sent by Mayor Gimenez to various federal officials. While serving at the board's pleasure, OIA also executes these same responsibilities for each commissioner and the board as a whole as well as keeping lines of communication between the county's congressional delegation and its various departments and staff. This extends beyond lobbying and advocacy but also helping to coordinate local events in the county where federal officials may be present, including visits by the President of the United States and other cabinet level officials.

The following is a summary by department detailing the actions the Office of Intergovernmental Affairs (OIA) has undertaken in pursuit of fulfilling the Board of County Commissioner's Federal Legislative Agenda.

MIAMI DADE AVIATION DEPARTMENT

CUSTOMS AND BOARD PROTECTION & TRANSPORTATION SECURITY ADMINISTRATION STAFFING

The Miami-Dade Aviation Department (MDAD) has several ongoing funding and regulatory issues. However, one in particular, specifically at Miami International Airport (MIA), has risen above all others. MIA continues to need adequate Customs and Board Protection (CBP) staffing for passenger and cargo perishable inspections for international arrivals. This is a critical component of the operations at MIA. As security measures have increased due to global terrorism and pandemics maintaining sufficient staffing at the airport is critical for operational efficiency.

Additionally, staffing for Transportation Security Administration (TSA) screening at MIA is now lacking as well. Aviation security, including all aspects of passenger and baggage screening, are woefully inadequate due to the demand for agents.

Given MIA's standing as the second busiest airport for international travel, its proximity to South America, and the ongoing inbound and outbound traffic due to global events such as the Olympics, the airport needs significant increases in both CBP and TSA staffing.

MDAD Director Emilio T. González has been a consistent presence in Washington over the last several years as he has advocated for increased staffing at CBP and TSA. OIA, and the federal lobbyists, have assisted the Director in this endeavor.

Director González has met with CBP Commissioner R. Gil Kerlikowske, Deputy Assistant Commissioner John Wagner and others to discuss how MDAD can work with the federal agency to further improve the customs process at MIA. Several years ago, former Homeland Security Secretary Janet Napolitano visited MIA to see first-hand the wait times endured by international passengers as they are processed by CBP. MDAD and PortMiami also participate in a program (Section 560) run by CBP for reimbursable services that allows the airport to pay for overtime and increase staffing. While this program has alleviated some of the issues processing international passengers, it has not solved the problem. MIA was one of five original entities chosen to participate in the 560 program.

On the TSA staffing issue, the Director has met with the administration on several occasions including meetings with Administrator Peter Neffenger, Acting Deputy Administrator Roderick Allison and former Administrators and officials to request additional agents to process passengers. The Director, the Congressional delegation and OIA have suggested and begun working with the administration on possibly developing comparable TSA related 560 program.

In addition to meeting with administration officials, the Director has also spoke directly with the Miami-Dade Congressional delegation on this matter as well. The County's members have been steadfast supporters of the airport and have advocated for increased staffing at every turn.

Further, the Director has also met on these issues with U.S. Senators John Thune (SD), John Cornyn (TX), Kelly Ayotte (NH) and the chief of staff for Senator Ted Cruz (TX) and Ron Johnson (WI) as well as others. Senator Thune is the Chairman of the Senate Committee on Commerce, Science and Transportation.

In the House, the Director previously met with Congressman Hal Rogers (KY), Chairman of the House Appropriations Committee, Congressman John Carter (TX), Chairman of the Homeland Security Appropriations Subcommittee as well as Congressmen John Mica (FL) and Congressman David Jolly (FL) and many others.

AIRPORT EMPLOYEE SCREENING

In the last year, there have been several instances around the country of airport employees smuggling weapons and drugs onto airplanes. Senator Bill Nelson has introduced legislation that would screen and limit access to airport employees to prevent such instances to occur. The Senator has used MIA as an example for other airports to follow as the first airport in the nation to screen passengers and is a leader in this area, as an example. Senator Nelson has held press conferences at the airport highlighted their achievements.

As a result of MIA's expertise in employee screening, Democratic Leader Harry Reid and Steering Chair Amy Klobuchar invited Director Gonzalez, to participate in a Senate Democratic Steering and Outreach Committee roundtable discussion on airport security, which was attended by several other Airport Directors and relevant industry associations.

FEDERAL AVIATION ADMINISTRATION

In the last several months Congress has been working on FAA reauthorization. Additionally, the Director has met with officials at the FAA on several issues impacting MIA. OIA worked with the federal lobbyists to secure meetings with FAA Administrator Michael P. Huerta and Associate Administrator for Airports Eduardo Angeles to discuss these issues.

DEPARTMENT OF TRANSPORTATION

The Director has also met with Susan Kurland, Assistant Secretary for Aviation and International Affairs at the U.S. Department of Transportation to discuss travel at MIA and air traffic between the U.S. and Cuba.

MIAMI INTERNATIONAL AIRPORT K-9 POLICE HOUSING FACILITY

MIA has been attempting to obtain funding for a K-9 facility as the use of police K-9 teams has increased security screening efficiency and accuracy in the screening of cargo and passenger baggage, greatly assisting the federal agencies operating at MIA. MIA and OIA have worked with the Congressional delegation to identify funding sources to help build this facility.

CONTRACT TOWER PROGRAM

MIA and OIA have worked with the Congressional delegation to protect cost-effective FAA contract towers like Miami-Opa Locka Executive Airport.

GRANTS COORDINATION

The Federal lobbyists transmit grant notifications on a weekly basis that OIA then sends to Grants Coordination and applicable county departments for their review and determination of eligibility. OIA then works with Grants Coordination to determine viable applications and lends support when necessary on supporting documentation such as letters of Congressional support. As previously mentioned, OIA works with the delegation to secure these letters, signed by our Senate and House members, which they then send to the federal department responsible for the grant in question on our behalf. These grants are of the competitive variety

These applications have been for a variety of projects and OIA works with the Congressional delegation and federal agencies to receive updates on the progress of grants. These applications have included, but are not limited to, transportation, law enforcement, emergency management, seaport, aviation and the Ryan White Program. The county receives a significant amount of funding for the Ryan White AIDS program and OIA has advocated for increased funding with the delegation and appropriations committee.

HOMELESS TRUST

Over the last several years OIA has assisted the Homeless Trust in executing their federal agenda and given support when issues arise. OIA has also kept the Trust apprised of issues that may impact their work in the county.

RESETTLEMENT OF CUBAN AND HAITIAN MIGRANTS

OIA has advocated for the support for increased funding for the Cuban-Haitian Entrant Program (CHEP) and the Refugee Resettlement Program enabling federally-contracted organizations within Miami-Dade County to keep pace with the tremendous spike in refugee arrivals and ensure Cuban and Haitian nationals are provided immediate resettlement and other services, reducing the burden on local resources. The county's Congressional delegation has been steadfast in their support on this issues. OIA has also kept the county aware of new policies instituted by the White House and the administration, especially given the new American position towards relations with the Cuban Government.

HOMELESS ASSISTANCE GRANTS

These grants are a vital aspect of keeping the county's homeless population, which is at all time low, in housing and off the street. The renewing and expanding investments for permanent supportive housing will help Miami-Dade to meet the national goal of ending chronic homelessness by 2017. However, in May 2016, the Homeless Trust was made aware that they would not be receiving the full and budgeted amount for a grant. OIA immediately contacted the Congressional delegation and the Department of Housing and Urban Development to bring this issue to their attention. OIA helped to secure a meeting for Mayor Gimenez and Secretary Julian Castro to discuss this issue. OIA continues to work with the delegation to ensure the Homeless Trust receives an explanation from HUD technical staff on why the grant award was significantly less than in past years. Further OIA will assist with the appeal of HUD's decision in any way deemed necessary.

PARKS, RECREATION AND OPEN SPACES DEPARTMENT

OIA has assisted Parks, Recreation and Open Spaces with several ongoing local projects that are being administered and conducted with and by federal agencies.

AMELIA EARHART PARK

The remediation of the park continues to be an issue that OIA has monitored since it was brought to the department's attention and as a result of a BCC passed resolution.

The contamination project has been and continues to be assessed by the US Army Corps of Engineers. This remains a lengthy and challenging process since DERM is the County's regulatory agency and the Army Corps is managing the environmental engineering consulting performing the assessment using a budget that is not really

prioritizing the contamination at the site. Again, OIA is aware of the ongoing work and gets periodic updates and stands ready to involve the Congressional delegation and engage with the Army Corps in the event the project stalls or if issues arise with the agency. A feasibility report is expected at the end of the fiscal year.

MIAMI WILDS

The Miami Wilds project had originally been projected to include Coast Guard property. At the time OIA was kept abreast of the progress between the parties as to intervene if necessary. It has been determined that the development will now exclude the Coast Guard property. The project is now going through an environmental review process and OIA stands ready to assist in any way necessary to ensure the project moves forward.

THE UNDERLINE PROJECT

The proposed project is seeking federal assistance. OIA has consulted with the county's Congressional delegation as well as the Department of Transportation on potential avenues for funding as well as attended meeting at DOT to discuss funding sources. OIA has also met with Congressional staff on this issue and continues to support its construction and completion.

MIAMI DADE POLICE DEPARTMENT

OIA has worked extensively with Miami Dade Police Department on a myriad of issues and engagement opportunities. Through Grants Coordination, OIA has assisted with funding opportunities related to the Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") program by the U.S. Department of Justice, Bureau of Justice Assistance; Paul Coverdell Forensic Science Improvement Grant Program (Formula and Competitive grants); DNA Backlog Reduction Program; Solving Cold Cases with DNA Program; NIJ Research Grants among others. Last year MDPD was the recipient of substantial funding under some of the aforementioned grants as well as for body cameras.

Additionally, OIA has engaged with the U.S. Department of Justice (DOJ) to build meaningful relationships so that the county is made aware in advance of notification of grant awards and new initiatives. As a result, the White House and DOJ has engaged directly with MDPD to bring Attorney General Loretta E. Lynch to Miami as well as other administration officials. OIA and MDPD have also worked to implement the President's Task Force on 21st Century Policing initiative.

Furthermore, OIA has been involved with and kept apprised of MDPD's work with the U.S. Department of State in training the Haitian National Police and other foreign law enforcement agencies.

OIA worked with Director Patterson and now Director Perez to organize Washington advocacy trips as well as to help coordinate grant announcements and visits by Congressional members and their staff to MDPD facilities and assets.

PORTMIAMI

OIA has extensively worked with PortMiami and the federal lobbyists on variety of policy and legislative initiatives. The federal lobbyist charged with representing the port have been doing so for many years and provide unmatched experience and expertise as well as considerable institutional knowledge.

DONOR AND ENERGY TRANSFER PORT PROGRAM

Sec. 2106 of WRDA 2014 authorizes \$50 million for a new program to aid in facilitating the competitiveness of the nation's key donor and energy transfer ports. PortMiami is one of six designated donor ports, including Los Angeles, Long Beach, Takoma, New York and Seattle. The program provides rebates for importers and shippers in order to reduce cargo diversion to non-U.S. gateways. Rebates are important to PortMiami in order to reduce cargo diversion to ports such as Freeport and Jamaica.

The FY 2016 Consolidated Omnibus Appropriations Act included a first time appropriation of \$25 million for the program, which would aid PortMiami. In addition, the FY 2017 Senate committee - reported Energy and Water appropriations bill includes \$50 million and the comparable House bill includes \$10 million. The federal lobbyists and OIA have scheduled and participated in meetings with appropriations staff, including a June 2015 meeting for Director Kuryla with staff of the Senate Energy and Water Appropriations Subcommittee. The federal lobbyist also represented PortMiami at an October 8th meeting with Senate Appropriations staff which was attended by donor ports.

OIA and the federal lobbyists have participated in numerous conference calls with the coalition of donor and energy transfer ports and representatives of the AAPA, to discuss strategy for securing appropriations. Recent efforts are also directed toward encouraging U.S. Customs to prepare the implementation guidance on the rebate program. On March 15th of last year the federal lobbyists attended a meeting at Army Corps Headquarters with representatives of the Port of Seattle and the AAPA to discuss the same.

The Miami Dade delegation has been fully supportive of PortMiami's efforts. Most recently, the federal lobbyists prepared a draft letter which the delegation Members signed (on March 16th), requesting full funding of \$50 million in the FY 2017 Energy and Water appropriations bill. On April 16th, in advance of the House Appropriations Committee markup a conference call for Director Kuryla with Congressman Diaz-Balart. Senator Nelson and his staff was scheduled and they have been fully supportive and have advocated on behalf of full funding for the program.

PORT PERFORMANCE LEGISLATION

S. 1298, sponsored by Senator John Thune (R-SD), establishes a port statistics program applicable to the 25 largest ports in the U.S. Miami is one of four ports in Florida impacted (including Tampa, Everglades and Jacksonville).

As the ranking member of the Senate Commerce, Science and Transportation Committee, Senator Nelson took a lead role in advocating for the Florida Ports. OIA and

the federal lobbyists were in frequent contact with Senator Nelson's staff from introduction of the legislation in May 2015 through to final enactment in December 2015. The Florida Members of the House Transportation and Infrastructure Committee, including Representatives Mica, Webster, Brown and Frankel, all of whom advocated on behalf of the Florida Ports were kept abreast of the legislation. The federal lobbyists coordinated with the American Association of Port Authorities (AAPA) and joined AAPA in a meeting with Senator Marco Rubio's staff in November 2015. Meetings were scheduled in advance of the Florida Ports Council (FPC) October 8th fly-in to brief key staff members about the Florida Ports' concerns. During House Floor debate of the surface transportation bill, numerous Florida delegation offices were contacted seeking their opposition to the Newhouse amendment which would have incorporated a port statistics program within the House-passed transportation bill. Mr. Newhouse ultimately withdrew his amendment.

While S. 1298 was ultimately incorporated into the final surface transportation bill (the FAST Act), it was significantly modified from the original version. Key was the addition of a provision enabling ports and other maritime stakeholders to have a voice in program implementation. In addition, some of the original metrics were removed and ports were removed as the responsible reporting entity.

WATER RESOURCES DEVELOPMENT ACT (2014 AND 2016)

Since enactment of WRRDA in June 2014, OIA and the federal lobbyist have monitored for the issuance of the implementation guidance, with special attention to those provisions which will impact PortMiami, to include Sec. 2106 and Sec. 1016: Operation and Maintenance of Certain Projects which authorizes the Secretary to assume federal maintenance for improvements to a federally authorized harbor. Sec. 1016 may provide an opportunity for PortMiami to seek maintenance of the Dodge Island extension channel which the Port constructed several years ago. To date, the guidance has not been issued.

Recently, the federal lobbyists recommended amending Sec. 2102 of WRRDA 14 in order to expand the uses of HMT Priority Funds. The proposed amendment would provide an additional source of funding for rebates to shippers and importers. OIA and the federal lobbyists have been in contact with Congressman Curbelo's office to inquire about the prospects for including an amendment within anticipated 2016 WRDA legislation.

MIAMI HARBOR APPROPRIATIONS

The FY 2016 and FY 2017 O&M allocations for Miami Harbor have been monitored on a constant basis. The 2016 Consolidated Omnibus Appropriations Act includes \$250,000 for Miami Harbor. The FY 2017 House and Senate Energy and Water appropriations bills include the budgeted amount of \$100,000 for Miami Harbor.

While the federal lobbyists continue to investigate opportunities to secure reimbursement for the federal share of the Miami deep dredge project, as outlined in a memo dated January 21, 2016, there are significant challenges including the need for the project to compete as a new start. There is some indication that the appropriations committees are taking a more proactive position on reimbursements and we will certainly monitor for any

progress. We also recently advised of FDOT's efforts to secure a credit for the federal share of the work on the Miami project to be applied to other navigation projects in the State.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS)

OIA and the federal lobbyists worked with PortMiami and other stakeholder groups in opposing the proposed APHIS rule related to fees incurred due to its potentially negative consequences on Florida cruise ports, making them less competitive vis-à-vis foreign ports where no similar fee exists. OIA, along with the federal lobbyists, reached out to secure cosponsors to H.R. 1091, the Fair and Transparent Stakeholder Involvement Fee Act, sponsored by Congresswoman Frederica Wilson.

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT

OIA has worked the department and advocated for static or increased funding for a variety of housing grants and programs. Due to budgetary issues in Congress, many of these programs have seen cuts. OIA has expressed the county's support for increased federal funding from the U.S. Housing and Urban Development Department for public housing and Section 8 programs that will ensure the preservation of existing housing stock and improvement of federally-funded programs that provide crucial affordable housing and rental subsidies to low-income families.

Additionally, on a yearly basis OIA submits programmatic language requests to the delegation and appropriations committee requesting an increase in funding for the HOME Investment Partnership Program, which is the largest Federal block grant to State and local governments, and it is designed to create affordable housing for low-income households. The Community Development Block Grant (CDBG) program provides grants on a formula basis to general units of local governments and states to address a variety of community development needs in very-low to-moderate income areas. OIA also has requested similar funding consideration for this program as well as several others in this and previous fiscal years.

OIA has also assisted in scheduling meetings with high level HUD staff.

DEPARTMENT OF SOLID WASTE MANAGEMENT

Covanta, the company that runs the county's waste-to-energy plant, works and communicates with OIA on a regular basis. OIA attends meetings with the Covanta team with Congressional members and the Environmental Protection Agency (EPA).

OIA and Covanta have briefed the congressional delegation on potential EPA issued Municipal Waste Combustors (MWC) maximum achievable control technology (MACT) rule that imposes standards using the "pollutant-by-pollutant" methodology. The EPA should set standards by selecting facilities that have the best overall pollutant levels, in

addition to considering waste content and emissions variability. Setting standards by the best individual pollutant levels would result in unrealistic and unachievable emission standards, some of which may not be met by the county's Waste-to-Energy facility. Imposing a MWC MACT standard measurement using a "pollutant-by-pollutant" approach could result in increased operational and capital costs as well as costly fines and the potential closing of the facility.

Additionally, OIA and Covanta have tracked legislation related to market incentives that encourage development and operation of alternative, renewable energy production and to support legislation designating biomass as a qualified energy resource, eligible for any and all market incentives.

DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES

VENETIAN CAUSEWAY BRIDGE AND THE JULIA TUTTLE ARTIFICIAL REEF PROJECT

In 2015, OIA worked with the Congressional delegation, the United States Army Corps of Engineers and the National Oceanic and Atmospheric Administration to help expedite the approval of a lapsed permit for the Venetian Causeway Bridge and the Julia Tuttle Artificial Reef project. Had this permit not been secured, the impact would have been severely detrimental to the county. OIA acted judiciously and with expedience in contacting the necessary and appropriate federal officials, which ultimately resulted in averting a financial catastrophe. The county's Senate and House delegation members were engaged immediately and they promptly contacted the appropriate federal agencies and were instrumental in mitigating the permit issue.

LAUREL WILT DISEASE

OIA and the Agriculture Manager have worked with the Congressional delegation, specifically Congressman Carlos Curbelo to mitigate the damage of the Laurel Wilt Disease. The Congressman and OIA have engaged the U.S. Department of Agriculture on this issue to help secure funding to provide continued funding for research into effective methods of eradicating laurel wilt disease into avocados, and treating those avocados crops already affected.

Additionally, OIA has worked with the Agriculture Manager to keep the Congressional delegation apprised of other invasive pests, USDA grants and other issues of relevancy.

SEA LEVEL RISE MITIGATION

Following the BCC's passage of sea level rise mitigation resolutions, OIA has worked with its federal partners and Congressional delegation on this issue. FIU and OIA have collaborated on several initiatives in support of stemming the effects of sea level rise. Additionally, OIA has engaged the White House Offices of Intergovernmental Affairs and Council on Environmental Quality on this issue. OIA also supported Mayor Gimenez's efforts in Washington to combat the pressing sea level rise concern.

16 COUNTY ECOSYSTEM SUMMIT

OIA has worked with the 16 County leadership to help execute their legislative priorities. To this end, OIA has coordinated meetings with the White House Office of Intergovernmental Affairs and the county's Congressional delegation. OIA has accompanied the 16 Counties to these meetings to advocate for the health and welfare of the lakes, estuaries, and riverine systems that connect bodies of water associated with the Everglades.

Additionally, OIA has worked with the federal lobbyists to determine the best course of action to ensure funding and preservation of Everglades National Park.

BEACH EROSION CONTROL SAND SOURCES

OIA has long worked with the Congressional delegation and the Army Corps of Engineers to find domestic sand sources to rehabilitate the county's beaches. OIA has attempted to find avenues to exempt the county from the federal prohibition of using non-domestic sources of beach sand for beach erosion control/sea level rise mitigation. Current legislation requires existing domestic sand sources be exhausted prior to non-federal sources being used. Domestic sand sources have been identified elsewhere in Florida but use of these sands will require greater transportation costs for delivery to Miami-Dade County, and these sources of sand are planned for use by other counties in which they are found. OIA continues to work with RER to find alternative means of supplying sand to the beaches and has supported efforts to change the aforementioned laws with Representatives Curbelo and Lois Frankel.

SOUTHEAST FLORIDA CLIMATE CHANGE COMPACT

OIA has assisted in supporting the Compact's federal legislative program as it relates to issues concerning infrastructure investments, national coordination on adaptation and resilience, adaptation action areas, program funding and implementation restrictions, climate science, Property Assessed Clean Energy (PACE), oil exploration and drilling, and Everglades restoration.

MIAMI-DADE TRANSPORTATION AND PUBLIC WORKS

OIA has assisted Director Alice Bravo in securing high level meetings with officials from the U.S. Department of Transportation (DOT). The Director has met directly with Therese McMillan, former Acting Administrator of the Federal Transit Administration (FTA), Victor Mendez, Deputy Secretary of Transportation, Carlos Monje Jr., Acting Under Secretary for Policy and Assistant Secretary for Transportation Policy, Robert Mariner, Deputy Director Infrastructure Finance and Innovation, among many others at the department. In the past, Mayor Gimenez has met directly with Secretary Anthony Foxx. In these meetings Director Bravo discussed the potential the Beach Corridor project as well as other potential funding applications for various types of transit projects.

The federal lobbyists and OIA also worked to keep the department apprised and updated on the recently passed Fixing America's Surface Transportation (FAST) Act, the 5 year \$305 billion surface transportation bill. OIA has organized conference calls with technical staff at DOT and with the federal lobbyists to brief the Transportation and Public Works Department on new grant opportunities and policy changes included in the legislation.

Further, OIA assisted Mayor Gimenez and his office during his participation in Secretary Foxx's National Freight Advisory Committee which sought to promote a safe, economically efficient, and environmentally sustainably freight transportation system. The Mayor's work on the committee led to advice and recommendations to the Secretary on matters related to freight transportation in the United States.

STRATEGIC MIAMI AREA RAPID TRANSIT (SMART) PLAN

OIA, along with the federal lobbyists, have been assisting the Transit and Public Works Department to identify funding sources for the SMART Plan through a variety of avenues. The comprehensive plan which advances six rapid transit corridors to the Project Development and Environment (PD&E) study phase has been discussed with the county's Congressional delegation as well as with House Transportation and Infrastructure Committee Chairman Bill Shuster and his staff.

OIA has also kept DOT and the White House Office of Intergovernmental Affairs apprised of the SMART Plan as the county seeks to tap federal resources for the completion of parts of the six corridors.

BEACH CORRIDOR TRANSIT CONNECTION

OIA and the federal lobbyists, in concert with the county's congressional delegation, have worked with the Transportation and Public Works Department to identify sources of funding to foster the development of a Beach Corridor Transit Connection (formally known as Bay Link). The Beach Corridor Transit Connection could provide a rapid-transit connection between the cities of Miami and Miami Beach, and also serve as an essential transportation link to important upcoming economic-engine projects. OIA continues to work with the department to secure funding and approval for this endeavor.

TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) GRANTS

TIGER discretionary grants fund capital investments in surface transportation infrastructure and are awarded on a competitive basis for projects that have a significant impact on the nation, a metropolitan area, or a region. In 2010, PortMiami was awarded one such grant. The county has applied for subsequent rounds of TIGER grants in the years since. OIA has worked, in consultation with the Transit department, Grants Coordination and the federal lobbyists to identify an appropriate project for submission. For the 2016 TIGER grant the county determined that it would not submit an application on behalf of the Transportation and Public Works Department.

In the past, OIA has worked with the Congressional delegation to secure a letter of support for the county's application to the Secretary of the U.S. Department of Transportation.

FOSTERING ADVANCEMENTS IN SHIPPING AND TRANSPORTATION FOR THE LONG-TERM ACHIEVEMENT OF NATIONAL EFFICIENCIES (FASTLANE) GRANTS

The FASTLANE grant program provides funding for projects of national or regional significance that are dedicated to address major issues facing the nation's highways and bridges. OIA and the federal lobbyists assisted the Transit department in submission of a grant application in 2016 under this program.

FEDERAL TRANSIT ADMINISTRATION - FIRST-MILE/LAST-MILE

The Transportation and Public Works Department had expressed interest in pursuing funding to help solve the challenge of first-mile/last-mile transportation. OIA, with the assistance of the federal lobbyists, identified the appropriate individuals at the Federal Transit Administration and coordinated a conversation that could allow for the development and implementation of flexible route applications. Subsequently, the department is working on a grant application that could fund such a project.

AUTONOMOUS VEHICLES

OIA also continues to work to find funding for the acquisition of autonomous vehicles, a priority of Mayor Gimenez's, to significantly improve safety, mobility, and sustainability in the county.

WATER AND SEWER DEPARTMENT

WATER INFRASTRUCTURE FINANCE INNOVATIONS AUTHORITY (WIFIA)

The federal lobbyists were instrumental in proposing and working to pass the Water Infrastructure Financing and Innovation Authority (WIFIA) program which was part of the passed Water Resources Development Act (WRDA). The legislation included this new program that will help the nation's communities finance much-needed water and wastewater infrastructure improvements. WIFIA would offer competitive low-interest loan assistance in the construction of major water and wastewater infrastructure projects.

WIFIA would leverage a small amount of federal funds to enable large, job-creating, water infrastructure projects. While WIFIA, at the time, could only finance up to 49% of eligible projects, a limitation that would have prevented these loans from being combined with tax-exempt bonds, resulting in the program's operation being severely impaired. This prohibition undermined WIFIA as a tool to advance water infrastructure projects. Congressman Curbelo introduced legislation, with the assistance of OIA and federal lobbyists, which would repeal the limitation on tax-exempt bonds, critical improvements

to our nation's drinking water and wastewater systems can be made. With this change now in place, OIA and the federal lobbyists have advocated for the Appropriations Committees in both chambers to fund the WIFIA program.

The administration was developing their guidance on how to implement WIFIA in 2016. However, in 2017 the county formally submitted their WIFIA grant application. With a future capital budget over the next 15 years in the range of \$13.5 billion for water and sewer projects, the county has no shortage of projects for which any available WIFIA funds will be helpful. .

WATER RESOURCES DEVELOPMENT ACT (WRDA)

In 2014 Congress passed The Water Resources Reform & Development Act (WRRDA), which marked the first passed of such a bill since 2007. House Transportation and Infrastructure Committee Chairman Bill Shuster has committed to passing a water bill every two years. OIA is assisting the Water and Sewer Department in ensuring that county related projects are included in the next iteration of the Water Resources Development Act (WRDA).

Water and Sewer met with the staff for Congressman Curbelo, with OIA, and continue to keep his office apprised of their needs. The Congressman sat on the Transportation and Infrastructure Committee and continues to be our biggest advocate in their work. Water and Sewer indicated to the Congressman that the county has several priorities for this bill. They include providing up to 90 million gallons per day of reclaimed wastewater from the South District Wastewater Treatment Plant located at Black Point in the southern part of the County to the FPL complex at Turkey Point; the addition of a water treatment plant, the South Miami Heights Water Treatment Plant, to meet future public water supply demands in the southern portion of the County; fulfilling the state requirement that all wastewater treatment plants in southeast Florida cease using ocean outfalls for the routine disposal of treated effluent by 2025 and to reclaim 60% of that effluent for other uses.

TAX-EXEMPT MUNICIPAL BOND FINANCING

The National Association of Counties (NACo) has long been opposed to altering tax-exempt municipal bond financing on public drinking water & wastewater systems. NACo is a vital and strategic partner of the county's and OIA has worked extensively with the organization to cap or eliminate the 100-year old tax exempt status of municipal bonds, a move that would cost the sector billions of dollars in infrastructure projects at a time when federal investment in water and wastewater infrastructure is waning. For more than a century, tax-exempt municipal bonds have been the most important source of funding for water and wastewater infrastructure projects in the United States. OIA and NACo continue to advocate for Congress to retain the current federal tax exemption for municipal bonds.

FOREIGN AFFAIRS

Miami-Dade County and the Office of Intergovernmental Affairs does not engage in diplomacy or foreign relations, as that is the purview of the federal government and the State Department. However, the county's position as the Gateway to the Americas as well as the international cooperation and work done at Miami International Airport and PortMiami, in addition to the multicultural makeup of the community make developments in foreign countries of particular interest.

OIA updates the Office of the Mayor and County Commissioners directly and through the Washington Weekly Report on various topics related to Cuba, Haiti and Venezuela as well as global issues that may have an impact on county residents and their families. When necessary, OIA, acting as a conduit, will express the positions of county officials to our Congressional delegation. Additionally, when the Obama Administration changed the longstanding American policy towards relations with Cuba and the Castro Regime, OIA continually updated the county and provided feedback to the White House. Further, when issues arise effecting the Haitian American community, especially the Temporary Protected Status following the earthquake of 2010, OIA takes an active role.

OIA has assisted in the coordinating of Embassy meetings in Washington for county officials, helped MDPD in dealings with the State Department for the training of foreign police forces as well as well. OIA also regularly keeps the county abreast of situations of global significance relating to Iran, Syria, peace between the Israelis and Palestinians, the United Kingdom's exit from the European Union and many others of interest.

FEDERAL LOBBYISTS

The county has four Federal contract lobbyists. They include Akerman, Alcalde & Fay, Greenberg Traurig and Squire Patton Boggs. OIA coordinates the lobbying activities of these firms and works with them to execute the legislative priorities and agenda set forth and passed by the Board of County Commissioners.

In this capacity, each of the firms brings a set of unique expertise in varying issue areas and assists OIA through legislative and policy analysis, communication with the administration and federal departments and agencies as well as specific Members of Congress and committees of jurisdiction relevant to the county. Further, the lobbyists help to connect the county with similar and likeminded clients, associations and organizations in an effort to execute the legislative agenda and to provide the best and most efficient outcome for Miami-Dade.

Additionally, OIA and the federal lobbyists work in concert with county officials and departments on a variety of issues. Without their assistance, the county and OIA would be at an extreme disadvantage compared to other counties around the state and country.

As part of their duties, OIA and county ask the lobbyists to provide monthly and year-end reports on their activities on our behalf. The following are the year-end reports and summaries submitted to the county:



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Memorandum

From: Jane Sargent, Rick Spees and Jose Villalobos
To: Board of County Commissioners
CC: Joe Rasco
Phillip Drujak
Date: February 13, 2017
Subject: 2016 Year-End Report for Miami-Dade County

Akerman worked throughout 2016 on the County's federal legislative agenda. We were assigned the following issues and departments: Children's Issues/Child Advocate; Corrections; Elderly Services; Fire Rescue; Health Care Issues; International Trade/Free Trade Agreements/International Affairs; Juvenile Justice; and Police/Interoperability/Law Enforcement. We also provided assistance to the County on other issues as requested, including appropriations, transportation and homeland security. We also provided notice of federal grant opportunities.

Throughout the year, we have worked closely with the Office of Intergovernmental Affairs (OIA) staff, particularly in Washington, DC, on our issues. We have also participated in meetings and calls with other County officials and departments to discuss issues of interest to them. We have communicated with the Miami-Dade Congressional delegation, other Congressional offices and committees, and various federal agencies as necessary on the County's issues. We also met with OIA staff and Miami-Dade County Commissioners and their staffs while in Washington, D.C. to discuss their federal issues and County priorities.

Finally, throughout the year, we provided numerous reports to the County on issues of interest keeping them regularly informed about relevant developments, our activities, and the potential impact on the County. Below we have provided a brief overview of some of the issues we worked on with the County during 2016.

Appropriations:

President Obama submitted his Fiscal Year (FY) 2017 budget proposal to Congress in February 2016. Appropriations requests were due to the County's Congressional delegation in late February. We worked with the OIA to complete and submit six of its programmatic appropriations requests to the Congressional delegation. This included requests for homeland security,

transportation, law enforcement, community development, youth employment and health priorities. We helped the OIA staff with drafting the necessary appropriations forms and letters for the delegation. Throughout the year, we worked with the County on the appropriations process, keeping them informed of any developments and the proposed funding levels for programs of interest to the County.

While the House and Senate Appropriations Committees made good progress throughout the spring and summer on the FY2017 bills, they were unable to complete them before the fiscal year began on October 1. In September, Congress passed a Continuing Resolution (CR) to keep the government funded until December 9, and adjourned for the November elections. The short-term CR included funding for most of the federal government for ten weeks. The bill also included \$1.1 billion to respond to the Zika virus, full FY2017 funding for the Department of Veterans' Affairs and military construction projects, and \$500 million in flood relief for Louisiana and other states.

Congress reconvened after the elections, but were unable to complete the 11 remaining FY2017 bills. Instead, Congress passed another CR that keeps the government funded at current levels until April 28. Between now and then, Congress will have to complete the remaining FY2017 bills or pass another CR to keep the government funded until the end of the fiscal year (September 30, 2017). At this point, it appears the more likely option will be another CR rather than an omnibus appropriations bill. We will continue to work with the County throughout the remainder of the FY2017 process and the beginning of the FY2018 process.

Zika Virus Response:

In 2016, the County Commission adopted a resolution urging Congress to allocate funding to combat the spread of the Zika virus in Miami-Dade County and other places. In July, the first cases of local transmission of the virus were confirmed in Miami-Dade County.

Last February, the Obama Administration requested \$1.9 billion in emergency funding to combat Zika. Congress debated a Zika response package for several months. There were a number of controversial issues that held up the bill. Throughout the process, we kept the County informed of the developments on the aid package, the Administration's actions, and other legislation introduced to combat the virus.

Congress ultimately decided to include a \$1.1 billion Zika response package in the FY2017 Military Construction-VA appropriations bill, which was rolled into the Continuing Resolution Congress passed in September 2016. The bulk of the money under the bill goes to the Centers for Disease Control and Prevention, National Institutes of Health, and Biomedical Advanced Research and Development Authority to combat the virus. The remaining money goes to fund international efforts to respond to the epidemic. While there was some initial discussions in Congress about providing more funding to combat Zika, those discussions have died down. If the number of reported cases increases drastically this year, that may change matters. We will continue to work with the County on this issue.

In addition to appropriations funding, a number of bills were introduced in Congress to address the Zika virus. We kept the County informed of these legislative developments. One of those bills was the "Adding Zika Virus to the FDA Priority Review Voucher Program Act" (S. 2512) sponsored by Senator Bill Nelson. The bill amends federal law to add the Zika virus to the list of tropical diseases under the FDA's priority review voucher program. Congress passed the bill last April and it was signed into law by President Obama. Other Zika related bills not enacted into law last year will need to be re-introduced this session.

Affordable Care Act (ACA) Repeal:

Since it was enacted in 2010, Congressional Republicans has tried to repeal the ACA several times. Those attempts continued in 2016 starting with the "Restoring Americans' Healthcare Freedom Reconciliation Act" (H.R. 3762), which the Senate passed in December 2015 and the House passed in January 2016. The bill repealed several key portions of the ACA, including the Medicaid expansion, employer and individual insurance mandates, subsidies that help consumers buy insurance on the exchanges, and the Prevention and Public Health fund. The bill also barred federal funding for Planned Parenthood for one year. President Obama vetoed the bill on January 8, 2016. The House tried, but failed, to override his veto.

Throughout the year, the House Republican leadership continued its efforts to repeal the ACA. Donald Trump, while campaigning for president, also promised to repeal the bill. As you know, the Republicans retained control of Congress and Mr. Trump won the White House in the November elections. After taking office in January, Congressional Republicans and President Trump quickly began their efforts to repeal the ACA. In January, Congress passed a FY2017 budget resolution that lays the groundwork for repeal of Obamacare using a process, known as reconciliation that allows the Senate to approve legislation by a simple majority vote, instead of the 60-vote threshold usually required under Senate rules. The budget resolution instructs the relevant Congressional committees to draft their portions of repeal legislation, which they are currently working on. After those committees complete their work, the House and Senate Budget Committees will then compile that language into a final bill to be considered by both chambers. The timeline for when this work will be finished continues to slip as they work on the complicated task of writing a bill to repeal and replace the ACA.

In the meantime, President Trump signed his first Executive Order directing federal agencies to "waive, defer, grant exemptions from, or delay" implementation of any ACA provision that imposes burdens on states, health care providers, insurers or individuals. The order also directs agencies to allow states flexibility in implementing the ACA. The order did not repeal any existing rules, but directs the agencies to begin regulatory action to make changes. Since any new changes will require the usual rulemaking process, it will take several months to see any changes to the ACA through regulatory action. At this point, it is not clear what actions the agencies plan to take to comply with the President's Executive Order. We will continue to keep the County informed of the process and potential impact.

President Obama Executive Actions on Immigration:

The County Commission approved a resolution supporting the President's executive action on immigration to expand Deferred Action for Childhood Arrivals (DACA) and implement Deferred Action for Parents of Americans and lawful permanent residents (DAPA), which would provide deportation relief and temporary work permits to undocumented parents whose children were born in the U.S. We kept the County informed of developments in the case last year.

Several states, including Florida, filed a lawsuit challenging the President's executive action on immigration, specifically arguing that DAPA and the DACA extension are beyond the President's authority and place an undue burden on the states. A federal judge agreed to block implementation of the President's action until the conclusion of the court case. The federal government appealed that decision and the Supreme Court agreed to review the injunction last year. On June 23, 2016, the Supreme Court issued a split decision in the case, a 4-4 tie, which means that the DACA/DAPA programs remain blocked and the Obama Administration was barred from implementing the programs. With the election of President Trump and his conservative positions on immigration, we do not expect the DACA/DAPA programs to be implemented. We

will continue to work with County on President Trump's executive actions on immigration throughout the year.

Gun Control Legislation:

In 2016, we continued to report the County on any developments on gun control legislation. Following the mass shooting in Orlando in June 2016, pro-control supporters in Congress tried to step up their efforts to move gun control legislation. In the Senate, Senator Chris Murphy (D-CT) led a 15-hour filibuster demanding a vote on gun control legislation. The Senate also voted on four amendments to the FY2017 Commerce-Justice-Science (CJS) Appropriations bill that would have either blocked terrorists from purchasing guns or expanded background checks to gun shows and online gun sales. Those amendments failed to get the 60 votes needed to proceed. Then Republican Senator Susan Collins of Maine offered a compromise amendment that would have banned gun sales to anyone on the "no-fly" list and the "selectee" list, which includes individuals who can fly, but must receive additional screening before boarding an airplane. After the amendment survived a procedural vote to table it, Senate Majority Leader McConnell pulled the FY2017 CJS bill from further floor consideration.

There were also efforts in the House last year to try to force a vote on gun control legislation. During the debate on the FY2017 Financial Services Appropriations bill, House Democrats staged a 25 hour sit-in demanding action on gun control. In particular, they were pushing for a vote on a "no-fly, no buy" proposal that would have blocked individuals on the terrorism watch lists from purchasing guns. Rather than give in to the Democrats' demands, the Speaker decided to adjourn early for the July 4th recess.

While gun control supporters in the House and Senate tried to bring attention to the issue throughout the remainder of the year, there was no progress on the issue. With the election of President Trump, who is a pro-gun advocate, we do not expect there to be any progress on the issue again this year.

Mental Health/Opioid Addiction Bills:

In 2016, we tracked a number of mental health bills of concern to the County, including S. 524, the Comprehensive Addiction and Recovery Act (CARA), which provides a series of incentives and resources designed to encourage states and local communities to pursue a full array of proven strategies to combat addiction. Of particular interest to the County was a provision in Section 601 of the bill, which created "State Demonstration Grants for Comprehensive Opioid Response". As the bill moved through the legislative process, we kept the County informed of any developments. The House and Senate passed their own versions S. 524 in the spring. It was then referred to a House-Senate conference committee to work out the differences. Congress approved the conference report in July, and it was signed into law by President Obama on July 22, 2016. Congress put some initial funding in the Continuing Resolution to begin the process of implementing CARA. In January 2017, the U.S. Department of Justice released some initial grants under CARA, the FY17 Comprehensive Opioid Abuse Site-based Program, to help combat opioid abuse. We notified the County about the availability of these grants and provided information on how to apply for them. We will continue working with the County as CARA is implemented.

Trans Pacific Partnership:

For several years, we have been tracking the Trans Pacific Partnership (TPP) on behalf of the County. The TPP is a free trade agreement the United States negotiated with 11 other countries throughout the Asia-Pacific region (Australia, Brunei Darussalam, Canada, Chile, Japan,

Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam). The Obama Administration wrapped up negotiations in late 2015 and signed the final TPP agreement in February 2016. Throughout 2016, the Obama Administration attempted to gain Congressional support for the agreement. While there was bipartisan support, there was also increasing opposition to the TPP as the election year wore on, so the Obama Administration did not formally submit the trade agreement to Congress for approval before the end of the year. As soon as President Trump was sworn into office in January 2017, consistent with his campaign promises, he pulled the U.S. out of the TPP. Since Congress had not approved the TPP, it was still within the President's authority to withdraw the U.S. from the trade agreement. With the U.S. out of the TPP, President Trump has indicated that he will instead attempt to negotiate bilateral agreements with some of the countries that were part of the deal.

Waters of the U.S. (WOTUS):

Throughout 2016, we continued to track the WOTUS rule for the County. In October 2015, a federal appeals court halted the WOTUS rule nationwide pending legal review. Several states, including Florida, filed multiple lawsuits against the EPA and the Corps of Engineers challenging the WOTUS rule, arguing that the rule oversteps the states' constitutional rights to regulate their own waterways. Local governments have also been opposed to the rule.

In addition to the federal legal action, Congress introduced legislation to block the rule, including a resolution (S.J. Res. 22) that would stop the WOTUS rule using the Congressional Review Act, which allows expedited procedures to be used to block new regulations. The Senate passed S.J. Res. 22 in November 2015. In January 2016, the House passed the resolution, which President Obama vetoed. There was not enough votes to override the veto so the resolution died, but House Republicans included language in the FY2017 appropriations bills to block the rule. The rule remains delayed through federal court actions and the U.S. Supreme Court has agreed to hear a legal challenge, not on the substance of the rule, but on a procedural issue. In the meantime, the Trump Administration is not supportive of the WOTUS rule and is expected to look for ways to eliminate it.

Food and Drug Administration (FDA) E-Cigarettes Rule:

The County Commission adopted a resolution (R-183-15) urging the FDA to regulate Electronic Cigarettes, which we tracked for the County. The FDA had issued a proposed rule extending the agency's tobacco authority to cover additional products that meet the legal definition of a tobacco product, such as e-cigarettes. On May 5, 2016, the FDA announced that it has finalized the rule expanding its ability to regulate all tobacco products – including e-cigarettes, hookah and pipe tobacco and cigars – and barring retailers from selling those products to juveniles under 18 years old. The rule went into effect on August 8, 2016.

ALCALDE & FAY
GOVERNMENT & PUBLIC AFFAIRS CONSULTANTS

February 14, 2017

MEMORANDUM

TO: Board of County Commissioners

FROM: Alcalde & Fay

SUBJECT: Year-End Report

Prior to adjourning in mid-December, Congress approved a Fiscal Year (FY) 2017 Continuing Resolution (CR), the Water Infrastructure Improvements for the Nation (WIIN) Act, and the 21st Century Cures Act as summarized below in addition to highlights of assigned issue areas at the close of the 114th session of Congress and legislation, policies and regulations to watch under the Trump Administration.

SEAPORT DEPARTMENT

Donor and Energy Transfer Port Program

Appropriations

Sec. 2106 of WRDA 2014 authorizes \$50 million for a new program to aid in facilitating the competitiveness of the nation's key donor and energy transfer ports. PortMiami is one of six designated donor ports, including Los Angeles, Long Beach, Takoma, New York and Seattle. The program provides rebates for importers and shippers in order to reduce cargo diversion to non-U.S. gateways. Rebates are important to PortMiami because of the transshipment business lost to nearby foreign ports such as Freeport and Jamaica.

We were pleased to report that the FY 2016 Consolidated Omnibus Appropriations Act, includes a first time appropriation of \$25 million for the program. PortMiami's allocation for 2016 is \$1.2 million, as provided by the Army Corps 2016 Work Plan.

The FY 2017 Senate committee-reported Energy and Water appropriations bill includes full funding at \$50 million and the comparable House bill includes \$10 million. The final allocation for FY 2017 will be determined by the 2017 House/Senate conference committee. It is anticipated that the Omnibus will be enacted by the end of April, as the

CR expires on April 28, 2017. We recommend that the Port plan a visit to Washington in the near future to advocate for the full funding in the Senate bill.

In advance of the markup of the 2017 appropriations bills, we prepared and circulated a draft letter for signature of the Delegation Members, requesting full funding in the 2017 bill. On April 16, 2017, just prior to the House markup, we scheduled a conference call for Director Juan Kuryla with Congressman Marion Diaz-Balart. At the request of the Port, we completed the appropriations forms for the Miami-Dade Delegation and participated in conference calls with other donor ports. We prepared talking points which included strategy for securing maximum funding levels in FY 2017. The Miami-Dade Delegation and Senate offices have been fully supportive of the Port's efforts.

Authorization Extension/Implementation

The Water Infrastructure Improvements for the Nation (WIIN) Act was enacted into law on December 16, 2016. The legislation is a scaled back version of WRRDA 2014, with fewer policy issues addressed.

For PortMiami, we advocated for an extension of the 2106 program which was due to expire in 2018. In preparation for the May 25, 2016 markup by the House Transportation and Infrastructure (T&I) Committee, we met with Congressman Carlos Curbelo's staff regarding the proposed extension language. Congressman Curbelo offered the amendment which extended the program through 2020. The committee accepted the amendment which was also retained in the final WRRDA bill, now Public Law 114-322.

We also monitored for any WRDA 2016 policy changes which could impact PortMiami, including the changes to the 2106 rebate program which were included in the Senate bill.

The implementation guidance on Sec. 2106 was released on July 14, 2016, which we provided to the Port. We are also monitoring for the implementation guidance on Sec. 2102 which allows for expanded uses of O&M funds by donor ports. Efforts were also directed toward encouraging U.S. Customs to prepare the implementation guidance on the rebate program. Lois Moore attended a meeting at Army Corps Headquarters with representatives of the Port of Seattle and the AAPA to discuss the same.

Most recently, on January 25, 2017, we scheduled and accompanied Juan Kuryla, Kevin Linskey and Debra Owens to a meeting with key officials at Army Corps Headquarters including the Director of Civil Works, Mr. James Dalton. Other attendees included:

James Dalton, Director, Civil Works, Army Corps Headquarters;

Jeff McKee, Chief, Navigation Branch, Army Corps Headquarters;

Stacey Brown, Deputy Chief, South Atlantic Division (SAD) Regional Integration Team;

*Susan Whittington, Acting Chief, Operations and Regulatory; and
Eddie Belk, Former prior Chief, Operations and Regulatory (Architect of 2106 Guidance).*

During the meeting, Corps officials briefed us on the challenges of writing the implementation guidance on the rebate program, especially with two federal agencies, both Customs and Corps, involved in preparing the guidance. The Corps officials did confirm that the Port could utilize the appropriated funds for FY 2016 and 2017 for other port needs, if allowable as “Expanded Uses” pursuant to the 2014 WRRDA Act. The Port could then opt into the rebate program at a later date, once the guidance is in place. We are working with the Port at this time to determine whether there are other port needs which may qualify as “Expanded Uses.”

We have also recommended amending Sec. 2102 of WRRDA 2014 to expand the uses of HMT *Priority Funds* to include rebates. Current law authorizes the use of O&M funds by donor ports for berth dredging and disposal of contaminated sediments. The proposal would provide an additional source of funding for rebates to shippers and importers. We will continue discussions, should the Port want to pursue this language in the next WRDA.

Miami Harbor Appropriations

The 2016 Consolidated Omnibus Appropriations Act includes \$250,000 for Miami Harbor O&M. The FY 2017 House and Senate Energy and Water appropriations bills include the budgeted amount of \$100,000 for Miami Harbor.

While we continue to investigate opportunities to secure reimbursement for the federal share of the Miami deep dredge project, as outlined in a memo dated January 21, 2016, there are significant challenges, including the need for the reimbursement to compete as a new start. There is some indication that the appropriations committees are taking a more proactive position on reimbursements and we will certainly monitor for any progress. We are also monitoring, should the Trump Administration consider any change to the rules governing New Starts.

As previously reported, a Florida Delegation letter (July 29, 2016) written to the Administration offers to forego federal funding reimbursement in exchange for funding allocations to other Florida dredge projects.

Port Performance Legislation

S. 1298, sponsored by Senator John Thune (R-SD), establishes a port statistics program applicable to the 25 largest ports in the U.S. Miami is one of four ports in Florida impacted (including Tampa, Everglades and Jacksonville).

S. 1298 was ultimately incorporated into the FAST Act, but was significantly modified from the original version. Key was the elimination of objectionable port performance measures and the establishment of a working group of stakeholders which would make recommendations on program implementation. The Florida Delegation, inclusive of Senator Nelson, was very supportive and advocated for scaling back the original legislation.

We have been monitoring the meetings of the working group and any significant developments by the Bureau of Transportation Statistics with respect to implementation of the new law. The working group released its report in January 2017. The report did not recommend any performance measures which would be intrusive to port operations.

Port Miami U.S. Export Opportunities

We scheduled and joined Eric Olafson in meetings on August 10, 2016 with government officials and private industry groups, including:

Agricultural Marketing Service, U.S. Department of Agriculture
U.S. Grains Council
Soy Transportation Association
Agricultural Transportation Association
North American Meat Institute
National Chicken Council
National Association of Manufacturers

The purpose was to present on Port Miami's advantages, including geographic and neo-panamax, for shipping agricultural products through the Port. These meetings were very productive and will require follow up. On January 13, 2017, we discussed additional follow up with Mr. Olafson.

FY 2017 APPROPRIATIONS

Avoiding a partial government shutdown, Congress cleared a \$1.07 trillion FY 2017 Continuing Resolution (CR) before adjourning for the year that extends current funding levels for most federal agencies through April 28, 2017. In addition to maintaining federal spending at FY 2016 levels (with an across-the-board cut of 0.19% for all accounts) until after President-elect Donald Trump is sworn in, the bill provides for additional investments to address the Flint, Michigan water crisis, as well as other needs including:

- \$170 million to address water infrastructure and health needs in Flint, Michigan;
- \$872 million for programs included in the 21st Century Cures Act, including \$500 million for states to combat the opioids addiction crisis;
- \$45 million to address a funding shortfall and continue health care coverage for retired coal miners past the end of the year, though it likely won't be enough to satisfy coal state lawmakers;
- \$4.1 billion in disaster relief funds to respond to major flood and hurricane damage in certain states; and,
- \$10 billion in additional uncapped war funding to combat the Islamic State terrorist group and for other military and diplomatic efforts.

Allocations for transportation programs of most interest to the county are highlighted below.

TRANSPORTATION & HOUSING AND URBAN DEVELOPMENT	FY 2016 ENACTED	FY 2017 PRESIDENT'S BUDGET REQUEST	FY 2017 HOUSE COMMITTEE-PASSED	FY 2017 SENATE PASSED
DOT – TIGER Discretionary Grant Program	\$500 million	\$1.25 billion	\$450 million	\$525 million
FTA – Urbanized Area Formula Program	\$4.538 billion	\$4.629 billion	\$4.629 billion	\$4.629 billion
FTA – Bus and Bus Facilities	\$696 million	\$720 million		\$720 million
<i>FTA – Bus and Bus Facilities Formula</i>	<i>\$427.8 million</i>			<i>\$436.4 million</i>
<i>FTA – Bus and Bus Facilities Discretionary</i>	<i>\$268 million (\$55 million set-aside for No/Low Competitive Grant Program)</i>			<i>\$284 million (\$55 million set-aside for No/Low Competitive Grant Program)</i>
FTA – Capital Investment Grants	\$2.177 billion	\$3.5 billion	\$2.5 billion	\$2.338 billion

WIIN ACT

On December 16, 2016, Congress approved its most recent version of a water resources measure, the “Water Infrastructure Improvements for the Nation (WIIN) Act.” While the bill cleared the House with overwhelming bipartisan support (360-61), the Senate almost punted consideration of the measure following an effort by Senator Barbara Boxer (D-CA) to block its passage. Of specific concern to Senator Boxer was language in the final bill negotiated, at least in part, by Senator Dianne Feinstein (D-CA) and House Majority Leader Kevin McCarthy (R-CA), facilitating the redistribution of water in California. The bill was ultimately approved by a vote of 78 to 21 just after 1:00 a.m. that Saturday morning.

The bipartisan agreement included the Water Resources Development Act (WRDA) of 2016, a compromise between the House and Senate versions of the legislation, which authorizes projects and programs of the Army Corps of Engineers. Additionally, the measure includes provisions to: improve drinking water infrastructure around the country, address control of coal combustion residuals, improve water storage and delivery to help drought-stricken communities, address federal dam maintenance backlogs, and approve longstanding water settlement agreements between the nation and Native Americans. A section-by-section summary of the WIIN Act is available [here](#).

21ST CENTURY CURES ACT

On December 13, 2016, President Obama signed into law a measure (“21st Century Cures Act” (H.R. 34) that will dramatically overhaul the way drugs are approved in the United States. Touted as the biggest health reform bill since the Affordable Care Act, the \$6.3 billion measure includes several provisions related to criminal justice, mental health and addiction important to communities, including:

- Reauthorizes the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) to support local government efforts to decrease mental illness in jails through a broad range of activities, including jail diversion programs, mental health courts, in-jail treatments and transitional services and crisis intervention training.
- Reauthorizes the Community Mental Health Services (CMHS) and Substance Abuse Prevention and Treatment (SAPT) block grants program, which assists communities to deliver direct behavioral health services to those with mental health conditions and substance abuse disorders.
- Authorizes \$1 billion in grants to states to supplement opioid abuse prevention and treatment activities.

Memorandum

TO: Miami-Dade County, Office of Intergovernmental Affairs

FROM: Greenberg Traurig

DATE: February 14, 2017

RE: 2016 Year-End Report

OVERVIEW

The 2016 legislative year was marked by strong partisanship stemming from a very contentious presidential election. Further, due to the presidential election, Congress took extended recesses throughout the year so that Members of Congress could campaign for their selected presidential candidate, as well as for their own congressional seat.

As a result of the heightened partisanship in Congress and the truncated legislative schedule, many legislative priorities were pushed until after the election. Some, such as the annual appropriations bills, were delayed until the 115th Congress. Others, such as confirmation hearings for President Obama's nomination to the Supreme Court, were suspended indefinitely following Donald Trump's election to serve as the 45th president of the United States.

Despite the presidential election and the ensuing congressional stalemates, Greenberg Traurig (GT) continued to advocate for and support the priorities of Miami-Dade County before Congress and the Executive Branch. Below is a detailed summary of the status of some of the major issue areas handled by GT and the actions taken by GT throughout the year.

We are grateful for the opportunity to represent Miami-Dade County and we look to our continued work together in the 115th Congress.

APPROPRIATIONS AND BUDGET

One of Congress' most important functions is to ensure the continued funding of the federal government. Congress' setting of the budget and appropriating funds are critical to a wide range of programs and projects in Miami-Dade County. Everything from transportation projects to homelessness services to criminal justice is dependent, at least in part, on federal funding. GT worked with Congress to advocate for Miami-Dade County's funding priorities and is charged with monitoring and reporting on the budget and appropriations process.

Given the truncated legislative calendar, Congress was forced to use a continuing resolution to prevent the shutdown of the federal government because of an inability to pass all twelve annual appropriations bills prior to the expiration of the fiscal year. A continuing resolution provides short-term funding for the federal government until a date specified in the continuing resolution. Following the election of Donald Trump, however, the Republican-controlled Congress voted to extend the continuing resolution until April 28, 2017. This extension was done in order to provide President Trump with an opportunity to weigh in on federal funding.

Since the passage of the latest continuing resolution, the Trump Administration has provided Congress and the public with a budget blueprint that seeks to dramatically cut federal spending. Under Trump's blueprint, the departments of Commerce and Energy would see major reductions in funding, with programs under their jurisdiction either being eliminated or transferred to other agencies. The departments of Transportation, Justice and State would see significant cuts and program eliminations. Overall, the blueprint being used by Trump's team would reduce federal spending by \$10.5 trillion over 10 years. Such cuts could have a drastic impact on Miami-Dade County and its citizenry. As of the date of this report, there have been no indications that Congress plans to acquiesce to Trump's blueprint.

Throughout 2016, GT met, discussed, and worked with the Obama Administration's Office of Intergovernmental Affairs and the Miami-Dade congressional delegation on the need for increased funding for host of programs critical to Miami-Dade County. These include funding for: combatting the Zika virus, Community Service Block Grants (CSBG), Community Development Block Grants (CDBG), public housing and Section 8 housing, homeless assistance grants, and Justice Assistance Grants (JAG), among others.

Congress' passage of a continuing resolution means that many of these programs were frozen at FY 2016 levels until such time that Congress can pass FY 2017 appropriations legislation. However, GT worked closely with Congress on passage of supplemental appropriations legislation to combat the Zika virus. H.R. 5325 provided \$1.1 billion in supplemental funding for activities in response to the Zika virus, including \$933 million in domestic funding and roughly \$175 million in international funding, with approximately \$400 million of the total being offset.

Because the FY 2017 appropriations process is ongoing, GT continues to monitor and report on the status of congressional appropriations actions and will certainly continue to push for the County's federal funding priorities.

RESOLUTIONS COVERED: R-170-16; R-169-16; R-168-16; R-146-16; R-82-16; R-1160-15

IMMIGRATION AND IMMIGRATION REFORM

In 2016, immigration and immigration reform continued to be one of the most controversial political issues facing Congress. Despite beginning the year with an eye towards enacting immigration reform, the House and Senate could not agree on a method to move forward. Although the Senate voiced its preference to reform immigration comprehensively, in one bill, House leaders rejected the idea in favor of moving smaller, more manageable legislation targeting specific programs. The politicization of immigration was heightened due to rhetoric on the presidential campaign trail. Leading up to the Republican primary, now-President Trump vowed to build a wall between the U.S. and Mexico and to implement a ban on Muslims from certain countries.

In addition to the rhetoric, immigration was also the subject of a Supreme Court decision in 2016. In January, the Supreme Court agreed to review President Obama's November 2014 immigration-related

executive actions. The president's executive action would have allowed as many as five million unauthorized immigrants who were the parents of citizens or of lawful permanent residents to apply for a program that would spare them from deportation and provide them with work permits. The program was called Deferred Action for Parents of Americans and Lawful Permanent Residents, or DAPA. The action was initially struck down by a federal district court in Texas. That decision was later affirmed by the United States Court of Appeals for the Fifth Circuit. Due to the death of Justice Antonin Scalia and the lack of a replacement, the Supreme Court deadlocked at 4-4 and was unable to issue a ruling on executive action. GT continually reported on the status of immigration reform and the Supreme Court case.

The most pressing immigration-related issue for the County, however, was the controversy surrounding self-anointed "sanctuary cities." The term is a socio-political one that has no legal definition in statute or within the Department of Homeland Security. Congressional Republicans and several Republican candidates for president (including Donald Trump) argued that sanctuary cities should be stripped of their federal funding for non-compliance with federal immigration law. In Congress, legislation was introduced to that would prohibits a sanctuary jurisdiction from receiving grants under certain Economic Development Assistance Programs and the Community Development Block Grant Program. According to that legislation, a sanctuary jurisdiction is a state or political subdivision that has a statute, policy, or practice in effect that prohibits or restricts: (1) information sharing about an individual's immigration status, or (2) compliance with a lawfully issued detainer request or notification of release request.

In an attempt to prevent Miami-Dade County from being classified as a sanctuary city and losing federal funding when the new administration took over, GT worked closely with Commissioner Sally Heyman and Assistant County Attorney Jess McCarty. GT strategized with Commissioner Heyman and Mr. McCarty to ensure that meetings with the Department of Homeland Security's Immigration and Customs Enforcement (ICE) went as well as possible. GT joined Commissioner Heyman and Mr. McCarty in meetings with high ranking personnel within ICE. Additionally, GT worked with outside stakeholders such as the National Association of Counties (NACo) and the National Immigration Law Center.

GT continues to work closely with Commissioner Heyman on this important issue to the County. As President Trump settles into the White House, the issue of defunding so-called sanctuary cities only increases.

RESOLUTIONS COVERED: R-522-15

CRIMINAL JUSTICE REFORM

As President Obama closed out his final year in office, the Administration spent a great deal of time raising awareness and investing in criminal justice reform. On the Hill, both parties agreed that, in light of several highly publicized incidences, the current situation was untenable and criminal justice reform was needed. As is generally the case, however, the parties remained at odds over how far such reforms should go and how much could actually be accomplished during a truncated legislative calendar. Unfortunately, the calendar and partisan politics won out and Congress was unable to pass comprehensive criminal justice reform legislation. Throughout the debate in Capitol Hill, GT kept the County informed of the developments and prospects of criminal justice reform passage.

Commissioner Sally Heyman was recognized by the White House for her efforts to reform the criminal justice system in Miami-Dade County and throughout the country. To the end, GT worked closely with Commissioner Heyman, the Department of Justice, and the White House to ensure that Commissioner Heyman's ideas and experiences were held up as a role model for nation-wide criminal justice reform. Commissioner Heyman was given the opportunity to participate in a White House panel on criminal justice

reform, focusing on courtroom sentencing reform. That panel also included Deputy Attorney General Sally Yates and allowed Commissioner Heyman to discuss the local perspective on criminal justice reform, the work Miami-Dade County has done to reduce the jail population, and the impact that mass incarceration has on local government budgets.

In addition to GT's assistance with Commissioner Heyman's participation on the White House panel, GT also worked closely with Commissioner Heyman and the National Association of Counties (NACo) on the Miami-Dade County Justice Exchange. The event served as a county justice peer exchanges, where other counties sent representatives to learn about the efforts underway in Miami-Dade County to reform the criminal justice system. GT worked with other counties to strengthen attendance and provide others with a chance to observe and learn best practices in the area. Diane Blagman attended the event and helped to facilitate relationships between Miami-Dade County and officials from other jurisdictions where similar reform efforts are underway.

RESOLUTIONS COVERED: R-1124-15

EVERGLADES' RESTORATION & BISCAYNE NATIONAL PARK RESERVE

Despite the truncated legislation calendar and the politically charged atmosphere on Capitol Hill, Congress passed the 2016 Water Resources Development Act (WRDA). The legislation, which is passed every few years by Congress, authorizes large water-related infrastructure projects so that those projects are eligible to receive federal funding. As such, this legislation is used to authorize projects envisioned by the Comprehensive Everglades Restoration Plan (CERP). Prior to passage of the 2016 WRDA bill, Congress authorized a total of 8 CERP projects. CERP and the preservation of the Everglades is a major priority for Commissioner Daniella Levine Cava.

Early in 2016, GT was requested to monitor the 2016 WRDA legislation and advocate for the inclusion of authorizing legislation for additional CERP projects. GT worked closely with Phillip Drujak in the County's Office of Intergovernmental Affairs to ensure that Congress continued its tradition of authorizing CERP projects in WRDA legislation. The final version of WRDA passed by Congress in December 2016, included a full authorization of the Central Everglades Planning Project (CEPP). CEPP is an Everglades restoration study under the CERP framework that was initiated in 2011 by the Corps and the Department of the Interior, with the state of Florida. It is expected to recommend a suite of restoration projects in the central Everglades that would be a part of the broader CERP program aiming to address problems associated with the timing and distribution of freshwater flows in the central Everglades. CEPP was initiated due to a perceived need to prioritize restoration projects in the central portion of the Everglades ecosystem and enhance the prospects for Everglades restoration overall. To date, most restoration projects in the Everglades have focused on the periphery of the historic Everglades (rather than flows to the Central Everglades). CEPP would incorporate multiple CERP projects that were envisioned in the original 1999 plan, at a preliminary estimated cost of approximately \$1.9 billion. WRDA authorized CEPP to receive \$993,131,000 in federal funding, with a non-federal match of \$991,544,000.

Commissioner Cava also requested that OIA and GT respond to legislation introduced by Senators Marco Rubio and Bill Nelson that threatened to overturn a marine reserve established by the National Park Service to protect the Biscayne National Park. In 2015, the National Park Service established a preserve covering 225 square miles of the park. Within that preserve, fishing would be prevented for all but invasive lionfish. Under HR 3099, the Access for Sportfishing Act, the decision to create the preserve would be overturned and National Park Service would be required to consult with state and local agencies in order to recreate the preserve. Similar legislative language, although not directly naming the Biscayne National Park, was introduced in the House. GT and OIA worked together to raise the County's objection

to the legislation. Neither the House nor the Senate legislation became law and the preserve remains in place, protecting an important South Florida resource.

RESOLUTIONS COVERED: R-325-16

COORDINATION AND DAILY UPDATES

In addition to the above, GT provides Miami-Dade County with daily updates on the congressional schedule and media relevant to the major issues that affect the County. As legislation important to the County moved through Congress, GT provided the County with legislative updates on the status and next steps of that legislation. During trips to Washington, D.C., by County Commissioners, GT works with OIA to ensure that the needs of officials are met and assists with scheduling meetings when requested. Further, GT works closely with outside groups, such as NACo, to maximize the County's exposure and influence in Washington.

Memo

To: Phillip Drujak and Joe Rasco
From: Squire Patton Boggs LLP
Date: February 13, 2017
Subject: 2016 End of Year Summary

This memorandum provides a comprehensive summary of work performed on behalf of Miami-Dade County by Squire Patton Boggs in 2016.

FY 2017 Appropriations

In 2016, the appropriations process got off to its earliest start in years. Without a budget resolution to guide the process, appropriators prepared the FY 2017 spending bills under the \$1.07 trillion discretionary spending cap set forth in the previous year's budget agreement.

Squire Patton Boggs prepared programmatic appropriations requests for the County's major priorities seeking the highest possible funding levels. The requests included the HOME program, Continuum of Care and homelessness, contract towers, UASI, WIFIA, and LIHEAP. All were submitted in a timely manner to the Congressional delegation.

Ultimately, however, the process broke down over partisan disputes concerning the Iran nuclear deal, LGBT rights, gun control, defense spending increases (without equivalent domestic spending increases), and a clash in the House Republican conference over discretionary spending limits. Following an initial short-term FY 2017 Continuing Resolution (CR) to get through the election, in December President Obama signed a subsequent CR under which the federal government will operate through April 28, 2017. The Continuing Resolution provided a full-year budget for the Military Construction-Veterans Affairs bill, as well as additional funding to address the Zika and opioid epidemics and disaster relief for Flint, MI and other areas impacted by flooding. Throughout the appropriations process, we kept the County updated on appropriations markups and bill passage and maintained a chart of all funding levels for programs of interest to the County.

Highways and Transit

In December 2015, we had coordinated and participated in a meeting for County officials and staff with the Deputy Administrator of the Federal Highway Administration (FHWA), the Acting Federal Transit Administrator and senior Federal Transit Administration (FTA) officials in Washington to discuss the Beach Corridor Direct Connection Project and the FTA Program of Interrelated Project requirements, as clarified by the Fixing America's Surface Transportation Act (FAST Act). In 2016, following up on that meeting, we coordinated with Miami-Dade Transit (MDT), Florida DOT and the Miami Dade Metropolitan Planning Organization on detailed technical and policy questions regarding the Program of Interrelated Projects. We provided the questions to FTA and facilitated a call and subsequent ongoing communication with FTA headquarters and regional officials on the Beach Corridor Direct Connection Project and the application of the Program of Interrelated Projects. We later advised the County on applying the Program of Interrelated Projects provisions to the Smart Plan Corridors. We briefed the Mayor and County officials on the President-Elect's infrastructure proposal and potential Congressional action in 2017.

Subsequent to the December 2015 meeting, we also followed up with FTA regarding first-mile/last-mile and mobility on demand (MOD) issues and opportunities. We coordinated with the FTA Associate Administrator for Research and Technology and set up and participated in a call with him, his senior staff and MDT on successful first-mile/last-mile and mobility on demand projects undertaken by other transit properties and on the then-upcoming Mobility on Demand Sandbox grant announcement. In addition to MOD, we advised MDT on autonomous vehicle testing opportunities and personal rapid transit (PRT).

We advised the County on available funding opportunities. We drafted and provided a memorandum summarizing the funding opportunities in the FAST Act. We provided grant announcements and advised on applying for TIGER, FASTLANE, Advanced Transportation and Congestion Management Technologies Deployment Program, Transit Oriented Development, and Mobility on Demand Sandbox grants. We also advised on railroad grade crossing grant availability and public private partnership (P3) project financing.

We advised County staff on implementation of the FAST Act, including FTA funding for commuter rail, positive train control (PTC), freight funding, Recreational Trails, Transportation Alternatives, Surface Transportation Block grant funding for park trails, and discretionary programs. We advised County staff on FTA Full-Funding Grant Agreements, on a Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA-LU) credit for Miami Metro Rail, and on the Mayor's Safer People Safer Streets comments and proposal. We attended Congressional hearings on FAST Act implementation and other surface transportation issues and provided summary memoranda to the County. Additionally, we notified the County of DOT earmark repurposing. We also notified

the County of the FTA and FHWA final rule on “Metropolitan Planning Organization Coordination and Planning Area Reform,” which was issued on December 15, 2016.

Aviation

We advised Miami International Airport (MIA) staff and coordinated and participated on a call with U.S. Department of Transportation/Office of the Secretary of Transportation, International Aviation staff on issues, processes, route availability, and international agreements regarding potential direct service between MIA and China and Taiwan and Fifth Freedom service from Hong Kong through Vancouver.

We performed due diligence with respect to Federal Aviation Administration (FAA) certification of the AW-169 helicopter, which the County was purchasing for emergency services. We provided the County with the FAA Order on Validations for imported aircraft and the Technical Implementation Procedures for Airworthiness and Environmental Certification between the FAA and the European Aviation Safety Agency (EASA). Although this new model rotorcraft had been approved and certificated by EASA, the international bilateral agreement with the European Union requires FAA certification as well. We continued coordinating with the FAA throughout the process, advising the County of the status.

We reviewed and analyzed the House and Senate FAA reauthorization bills and reported to the County on our analysis of the provisions in each bill. We kept the County updated through each stage of the legislative process. We drafted and provided the County with summaries of hearings, House and Senate committee markups and other Congressional action, as well as with our analysis of the substantive provisions. We arranged meetings between MIA leadership and senior FAA officials throughout the year.

We reviewed the FAA requirements and advised the County on the factors to be considered for approval of a bike path around Tamiami Airport.

Water Resources Development Act (WRDA) and WIFIA

We analyzed and provided a memorandum to the County comparing the coastal resiliency provisions in the House and Senate WRDA bills – specifically, the provisions relating to increased utilization of dredged material for enhancing flood protection against storm surges or sea level rise, the U.S. Army Corps of Engineers study of flood risks and vulnerabilities in the South Atlantic states, and the use of natural and nature-based features for coastal risk reduction. We also included an analysis of the Senate-only provisions relating to coastal resiliency. Upon passage of the final WRDA bill, the Water Infrastructure Improvements for the Nation (WIIN) Act, we drafted and provided a summary and analysis of the provisions in the bill.

We conferred with key Congressional participants and advised the County on the likelihood of preserving a provision in the WRDA Conference that appeared in the House bill, but not in the

Senate version, allowing the use of non-domestic sand for beach renourishment and shoreline protection.

We advised the County on potential changes to WIFIA in WRDA, advocating for WIFIA funding in FY17 Appropriations and on the inclusion of \$20M for WIFIA, leveraging over \$2B in loans, in the FY17 Continuing Resolution.

Zika Response Funding

The FY 2017 Continuing Resolution enacted in September 2016 included \$1.1 billion of Zika response funding. The Department of Health and Human Services (HHS) received the majority of the funding, with a small portion going to overseas efforts. Florida received \$5,631,235 in Zika funding through the Center for Disease Control's (CDC) Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) Cooperative Agreement which is the funding mechanism for public health initiatives through the CDC. Further, the State received \$25,972,810 in supplemental funding for a total of over \$31 million. Recognizing that Miami-Dade County was ground zero for the crisis, Squire Patton Boggs worked with the Congressional delegation and the CDC to try to secure directed funding for the County, but Congress opted to provide funding instead to states. We continue to monitor this and work with CDC to facilitate the County obtaining all the funding it needs to prevent and combat the disease.

Sanctuary Cities

Last year, numerous bills were introduced prohibiting so-called sanctuary cities from receiving federal financial assistance. Several of the House appropriations bills also included similar language, but none of the legislation worked its way through Congress to final passage. The term "sanctuary city" has not been clearly defined, even in proposed legislation, but it is generally used to refer to political jurisdictions considered to be in violation of Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S. code 1373). Section 1373 restricts local law enforcement from implementing policies that prohibit the sharing of an individual's immigration information from the federal government. In the summer, Squire Patton Boggs alerted the County to their inclusion in a Department of Justice (DOJ) Inspector General's report suggesting that ten jurisdictions required further review by DOJ as to their potential status as a sanctuary jurisdiction. Prior to the election, it was suggested that these ten jurisdictions be the starting point for the funding ban. We have followed this issue very closely, providing the County with a chart of sanctuary city legislation and have kept the County apprised of all developments. Most recently, we have formed an informal, information sharing coalition of the ten jurisdictions in the OIG report.

Miscellaneous

Over 2016, we kept the County apprised of all developments impacting local governments with regular quarterly reports and daily updates on items of interest. We closely monitored and kept

the County updated on the progress of criminal justice reform, the Department of Labor Overtime rule, energy legislation, and 21st Century Cures Act. We reported on the development and introduction of legislation to expand the Low Income Housing Tax Credit by 50 percent over five years, as well as the development and introduction of the Middle Income Housing Tax Credit legislation to provide a tax credit to incentivize developers to build and preserve affordable housing. We remained on the alert for any threat to the tax exempt status of municipal bonds and movement on the Marketplace Fairness Act. We closely monitored the Mobile NOW Act, which allocates additional spectrum to bolster mobile broadband needs and could provide a vehicle for additional language threatening local zoning and authority over the siting of wireless facilities. We kept a close eye on the Waters of the U.S. rule and the legal challenges that it faced in 2016.

Additionally, we continued to send the County twice-weekly grant announcements which might be of interest. We provided the County with our analyses of the State of the Union Address, the President's FY 2018 budget, and the renowned Squire Patton Boggs Post-Election Report.

We regularly attended meetings with the White House Office of Intergovernmental Affairs and stayed in close contact with NACo, U.S. Conference of Mayors, and National League of Cities staff. We cosponsor the annual Florida Association of Counties reception at the annual NACO meeting in Washington, DC.

Squire Patton Boggs is honored to represent Miami-Dade County. Please contact us if you have any questions concerning our activities over the past year.