

MEMORANDUM

To: Chairman Joe A. Martinez, Board of County Commissioners
cc: Joe Rasco, Phillip Drujak, Bill Couch, Tiffany Machado
From: Patton Boggs LLP
Date: August 29, 2012
Subject: July 2012 Monthly Report

Below please find an update of the Patton Boggs team's most substantive activities on behalf of Miami-Dade County for the month of July:

Budget and Appropriations

We continued to monitor and provide analyses of Congressional efforts with regard to the FY 2013 appropriations process. In July, we provided a preliminary comparative analysis of the pending House and Senate FY 2013 Labor-HHS Education appropriations bills and advised the County of the tentative agreement among Congressional leaders to adopt a six month FY 2013 Continuing Resolution (CR) which would fund the federal government through March, 2013. The CR, which will be introduced when Congress returns from its August recess, will likely adhere to the discretionary spending level of \$1.047 trillion established last year in the Budget Control Act (P.L. 112-25), which is slightly higher than the \$1.043 trillion FY 2012 level.

We also reported on enactment of the Sequestration Transparency Act (H.R. 5872), which mandates a report from the Administration on how federal agencies would implement the \$109 billion in automatic sequestration cuts scheduled for January 2, 2013. The report from the White House is expected on September 7, 2012.

City/County Representatives Coalition

We continued to work with the U.S. Conference of Mayors, NACo and an informal group of local government representatives to identify areas of coalition engagement on behalf of local interests, particularly with regard to the upcoming sequestration. We attended an introductory meeting with the new White House Intergovernmental Deputy Director, Jay Williams, who has assumed the position vacated by David Agnew when he became Intergovernmental Director.

Surface Transportation and Transit

Patton Boggs provided background information and clarification to questions from Miami-Dade Transit concerning the Federal Transit Administration's (FTA) request of over 1000 transit agencies regarding lobbying certificates and disclosure requirements.

The recently enacted Surface Transportation Act, MAP-21, provides the FTA with significant new authority to strengthen the safety of public transportation systems and, in particular, rail fixed guideway systems like Miami-Dade Transit. And for the first time, the new act gives FTA authority to set safety standards for transit vehicles. Patton Boggs provided the County with an analysis of all the transit safety provisions in MAP-21 and their impact on Miami-Dade Transit.

Housing

Patton Boggs secured and attended meetings for Gregg Fortner, Executive Director of the Miami-Dade Department of Public Housing and Community Development, with Yolanda Chavez, Acting Assistant Secretary of HUD's Office of Community Development and Planning, and Peter Kovar, Assistant Secretary for Congressional and Intergovernmental Relations, at HUD. These meetings complemented the Congressional delegation meetings arranged by the County's Washington, DC office.

In a long and productive meeting on July 30th, Executive Director Fortner met with Acting Assistant Secretary Chavez and informed her of the County's exemplary progress in spending the Neighborhood Stabilization Program funding (\$62 million of NSP 1 and \$20 million of NSP 3 funding) as well as the additional Community Development Block Grant funding (\$4 million) from the American Recovery and Reinvestment Act of 2009, also known as stimulus funding. Also discussed was the "one to five" ratio required by the Community Development Block Grant program with regards to the line of credit with which the County, due to unanticipated cuts in the County's entitlement (because of federal cuts in the overall program and the impact of the decennial census data), will not be able to comply. The County was assured that when a grantee can't control or anticipate certain circumstances, HUD has discretion to take these circumstances into consideration during their consultation with the County.

Executive Director Fortner also met with Assistant Secretary Kovar to share the County's success with NSP and ARRA funding. In addition, they discussed the Community Development Block Grant formula and the American Community Survey data, used for the first time last year, which resulted in the County losing CDBG funding.

Patton Boggs also attended the meetings of Executive Director Fortner with congressional delegation staff to brief them on the HUD meetings and the status of the Department of Public Housing and Community Development (PHCD).

In addition, Patton Boggs provided the PHCD with a status report on their grant application to HUD for the Choice Neighborhood Initiative Planning grant, which is expected to be announced in December of 2012, as well as an update on the status of Choice Neighborhood funding in the next fiscal year (the House provides no funding for the program while the Senate appropriations bill provides even funding of \$120 million.)

We also drafted a letter for the County to send to the congressional delegation urging additional funding in FY 2013 appropriations bills for McKinney-Vento/ESG homeless programs.

General Federal Legislative and Regulatory Monitoring

In addition to Patton Boggs' weekly *Capitol Thinking* report, throughout July we provided timely updates on federal regulatory and legislative action and the status of legislation of relevance to local governments. In addition, we updated the County's Federal Urgings Chart with our activities and legislative updates.

Defense Budget and Sequestration/Base Closure

Patton Boggs participated in a conference call with the County to discuss the Base Realignment and Closure Act (BRAC), the potential outcome of sequestration on the defense budget, and subsequent potential impacts on Homestead Air Reserve Base. This was followed up by a memo which outlined BRAC law and existing Department of Defense authorities.