

MEMORANDUM

To: Chairman Joe A. Martinez, Board of County Commissioners
cc: Joe Rasco, Phillip Drujak, Bill Couch, Tiffany Machado
From: Patton Boggs LLP
Date: April 18, 2012
Subject: March 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 March:

Budget and Appropriations

We provided comprehensive analyses, monitored and reported on the status of the House Budget Committee Chairman Paul Ryan's (R-WI) FY 2013 Budget Resolution (H. Con. Res. 112) and proposed budget alternatives during committee and floor consideration.

As Senate appropriations committees began their work on the FY 2013 appropriations, we worked with the Miami Dade Congressional delegation, U.S. Conference of Mayors and other organizations in support of Community Development Block Grant funding for FY 2013.

Surface Transportation Reauthorization

We continued to monitor and provide updates and analyses of Congressional action with regard to the transportation reauthorization. We provided floor debates updates and amendment highlights of the Senate bill, Moving Ahead for Progress in the 21st Century (MAP 21), S. 1813, as it was approved by the Senate on March 14th.

Prior to the legislation moving to the floor, we had advocated for support of several amendments. When the bill came to the floor, the Manager's Amendment contained a modified version of the local control amendment concerning Transportation Enhancements and Safe Routes to School, proposed by Senators Carper (D-MD) and Cochran (R-MS) for which we had advocated. The Cardin-Cochran amendment, as it appears in the final bill, requires state Departments of Transportation to sub-allocate to Tier 1 Metropolitan Planning Organizations (MPOs) a portion of the "Additional Activities" funding and then competitively award the remainder of the funding to other localities. Those additional activities included Safe Routes to School, Transportation Enhancements, and Recreational Trails.

Another amendment by former Anchorage Mayor Senator Begich (D-AK) would have maintained the current division of Surface Transportation Program (STP) funds between urbanized areas (62.5%) and “any area in the state” (37.5%) instead of the 50/50 split included in the MAP 21 bill. Despite the ardent support of local governments, including Miami Dade, the amendment was not adopted. Environment and Public Works Committee staff, however, say that while the bill does reduce the MPO sub-allocation under the newly created Transportation Mobility Program (TMP), because the program consolidates a number of other programs, the overall program size is increased and the sub-allocation amount in real terms will be consistent with what MPO’s are receiving under current law.

As reported by the Senate Banking Committee, the transit title of MAP-21 (S.1813) restricted the definition of eligible Bus Rapid Transit (BRT) projects to those that operate in a separate right of way dedicated for public transportation use. This potentially would have excluded Miami-Dade BRT projects, in particular the SR 836 and NW 27th Avenue Enhanced Bus Service projects, from eligibility for FTA New Starts funding. We worked with other transit properties, the Banking Committee and other Senate Delegations -- in particular Senator Murray (D-WA) -- and advocated for alternative legislative language which broadened the eligibility. We were successful in inserting this alternative language into MAP-21 as passed by the Senate.

Urban Area Security Initiative (UASI) and FEMA First Responder Funding

Patton Boggs continued to work closely with the Department of Homeland Security, the state and local advocacy organizations like the USCM, NLC and NACo and other local government representatives to further flesh out the details of the proposed FY 2013 National Preparedness Grant Program (NPGP), and advocated for local stakeholder input as the program guidance is developed. We monitored House and Senate appropriations subcommittee hearings on the FEMA budget, particularly as they related to the development and funding of NPGP.

Further, we drafted talking points for Commissioner Edmondson on FEMA first responder funding, and in particular, funding levels for the UASI program in preparation for her Hill meetings during the National Association of Counties conference.

EXIM Reauthorization

Patton Boggs provided an update on the status of the EXIM reauthorization and potential advocacy efforts moving forward.

Miami International Aerospace Show

Patton Boggs researched and drafted a proposed letter from Mayor Gimenez to Commerce Secretary Bryson concerning the Miami International Aerospace Show (MIAS). The letter recognizes Secretary Bryson and the Commerce Department’s efforts to help build products in the United States for foreign trading partners. The Mayor asks the Department’s support in urging the

White House and Department of Defense to revisit the Air Force's decision to decline to support the MIAS. The Air Force cited that their decision was due to it setting a precedent for other installations. The MIAS is supported by the entire Florida Congressional delegation, and the South Florida political leadership and business community and it would not only be good for the region, but would also be a boon to the U.S. aerospace industry.

General Federal Legislative and Regulatory Monitoring

Throughout March, we provided timely updates on federal regulatory and legislative action and the status of legislation of relevance to local government interests, including, but not limited to: D Block spectrum, Senator Bingaman's proposed clean energy standard, FTA/FHWA NEPA and VE notices, EPA "Waters of the U.S." draft guidance, and the EPA final rule on air quality.

Grant Report

We continued to provide timely notifications of federal grant solicitation. We also analyzed and reported on federal grant reform guidance released by the Office of Management and Budget (OMB).