

# Memorandum



**Date:** October 15, 2009

**To:** Honorable Dorrin Rolle, Chair  
and Members of Airport and Seaport  
Committee

**From:** George M. Burgess  
County Manager

Joe Rasco  
Director, Intergovernmental Affairs

**Subject:** Review of State and Federal Intergovernmental Items of jurisdiction to the  
Airport and Seaport Committee

ASC

Agenda Item No. 1D1

Handwritten signatures of George M. Burgess and Joe Rasco.

Pursuant to Resolution 1004-09, sponsored by Commissioner Sosa and adopted by the Board of County Commissioners on July 21, 2009, attached please find a copy of the 2010 State and Federal Legislative Agendas for your review. The resolution calls for the Mayor and or his designee to present departmental requests at the different October committee meetings of jurisdiction.

The attached legislative agendas have been approved by the County Manager after meetings between the Office of Intergovernmental Affairs, the Assistant County Managers, and Department Directors.

A copy of Resolution 1004-09 has also been attached for you review.

## STATE AIRPORT & SEAPORT

### AVIATION

**Aviation Sales-Tax Exemptions:** *MONITOR any legislation related to the repeal of aviation-related sales tax exemptions.*

**Funding of Capital Projects:** *SUPPORT full funding of Aviation capital projects included in FDOT's 2010-11 work program.*

**Secure Airports for Florida's Economy Program:** *SUPPORT funding of the Secure Airports for Florida's Economy (SAFE) Program.*

**Airport Security Pilot Programs:** *SUPPORT full funding in the area of enhancing security and safety made available through pilot programs.*

**Quarter Horse Permit Application and Slots at Miami International Airport:** *SUPPORT approval by the Florida Department of Business & Professional Regulation of the County's permit application for quarter horse racing at Miami International Airport; OPPOSE any effort to preempt or prohibit Miami-Dade County from securing a quarter horse racing permit or slot machines at Miami International Airport.*

### SEAPORT

**Seaport Security:** *MONITOR seaport security legislation, bills, rules, regulations and statewide policies affecting Florida's seaports.*

**Florida Ports Council:** *SUPPORT Florida Ports Council's effort in securing dedicated funding sources for Florida's seaports.*

**Transportation Intermodal Issues:** *MONITOR any legislation, rules, and statewide policy involving transportation intermodal issues including, but not limited to, major transportation improvement projects.*

# FEDERAL

## AIRPORT & SEAPORT

### AVIATION

**25th Street Viaduct Infrastructure Project:** **SUPPORT** funding request for \$106 million for the 25<sup>th</sup> Street viaduct, which is designed specifically for the movement of commercial air-cargo truck traffic between MIA's west cargo area and SR-826. The viaduct portion of the project is a two-lane elevated roadway straddling the north side of NW 25 Street using part of the existing canal right-of-way and the roadway's widened median for the supporting columns. Access to and from the viaduct would be provided at the SR-826 Interchange from NW 25 Street. The NW 25 Street transportation corridor is a major Miami-Dade County east-west arterial roadway and is the only major access corridor from the Palmetto Expressway (State Road 826) to Miami International Airport's (MIA) west and north air-cargo handling facilities. (Aviation)

**Airport Explosive Detection System Baggage Integration:** **SUPPORT** language contained in H.R. 2200, the Transportation Security Administration Authorization Act, directing TSA to increase the federal participation rate on MIA's EDS project from 75% to 90%. (Aviation)

**Federal Aviation Administration (FAA) Reauthorization and Passenger Facility Charges (PFC):** **SUPPORT** expedited passage of a multi-year Federal Aviation Administration (FAA) reauthorization bill that raises the cap on Passenger Facility Charges (PFCs), increases Airport Improvement Program (AIP) funding and rejects a labor proposal that could unnecessarily force airports to comply with excessive fire fighting standards.

**Customs and Border Protection (CBP), CBP-Ag Staffing and Food and Drug Administration (FDA) Staffing at Miami International Airport:** **ADVOCATE** for adequate CBP staffing which is critical in reducing wait times for international arriving passengers as well as adequate agriculture inspectors to inspect inbound international perishables. **OPPOSE** legislation that would restrict importation locations of commodities that require FDA inspection, including medicine, cosmetics, dog food and eyeglasses, to ports of entry with an FDA testing facility. There is no facility in Miami, and this could jeopardize operations of tenants importing these types of products at MIA. Support appropriate staffing for FDA inspections at MIA and advocate for a testing facility in Miami on a permanent basis or through the use of one of the agency's mobile testing lounges, which could be sent to Miami. (Aviation)

**K-9 Facility:** **ADVOCATE** for funding for a K-9 facility capable of boarding 14 K-9 units and offices for Miami-Dade Police Department. Additionally, TSA is also expanding their K-9 teams but they currently have no facilities to house them. MIA is a leader among U.S. airports in the use of K-9 teams. (Aviation)

**Biometric Access Control System: ADVOCATE** for funding for design and hardware associated with installing a biometric access control system at MIA. Adding biometric components to security procedures require that each individual entering a secure space would have to submit an index finger or iris scan as an added security measure. (Aviation)

## **SEAPORT**

**Maritime Transportation Security Act: MONITOR & SUPPORT** any legislative or regulatory developments relating to the Maritime Transportation Security Act (MTSA), Public Law 107-295, enacted on November 25, 2002. Support continued congressional appropriations in FY 2009 for the Seaport Security Grant Program of the Transportation Security Administration. Monitor any legislative developments to impose fees in order to pay for seaport security requirements. Support a dedicated source of funding for seaport security needs which does not involve additional fees. Support legislation that would establish a dedicated port security grants program within the Department of Homeland Security, to be paid for from duties collected by the U.S. Customs and Border Protection Agency. Support legislation that expands the eligibility of the Seaport Security Grant Program to include operating costs (inclusive of salaries). Support provisions that allow local governments to petition DHS for grant funds when a local agency is spending monies to perform what were formerly federal responsibilities. Support provisions that enable personnel expenses to be credited as “in kind” contributions towards the local share of the port security grant. (Seaport)

**Water Resources Development Language: SUPPORT** language in Water Resources Development legislation for port industry-identified refinements to the Act. These changes will have direct benefits for the industry and for the Miami-Dade County Seaport Department by increasing federal responsibility and cost-sharing in a number of areas. (Seaport)

**Cruise Ships: MONITOR and SUPPORT** legislation that would allow the Secretary of Transportation to issue permits to cruise ships already operating in other markets to operate in the United States domestic cruise trades, essentially permitting the operation of foreign-built cruise vessels in the domestic trades. (Seaport)

**Harbor Maintenance Tax: SUPPORT and MONITOR** legislation that would repeal the Harbor Maintenance Tax and authorize general revenues to pay for the federal cost of operating and maintaining the nation’s harbors. Additionally, oppose any user fee, which may be proposed as an alternative to the current financing mechanism. (Seaport)

**Seaport Federal Operations: SUPPORT** funding increases to budgets of federal agencies with operations at the Port of Miami from all Department of Homeland Security agencies, including the United States Coast Guard Service and the Transportation Security Administration, which provide key passenger safety and security support and assist in the expeditious and secure transportation of cargo via this major seaport facility. (Seaport)

**Intermodal Transportation: MONITOR and SUPPORT** any bills, rules, regulations and policies involving federal intermodal highway systems, roadway systems, funding designations or transportation improvements projects along connectivity corridors that impact access to and

from the Port of Miami. Improvements to our intermodal transportation system will result in a smoother and more efficient movement of cargo to and from the Port of Miami. (Seaport)

**Miami Harbor Dredging: ADVOCATE** for a \$37 million funding request for Miami Harbor Channel Dredging through the President's budget. This funding request is authorized as a recommended improvement provided by Water Resources Development Act 2007 (H.R. 1495) for construction of the project. (Seaport)

**Customs and Border Patrol Relocation: ADVOCATE** for funding for the consolidation of CBP offices into a central command center. CBP is the federal agency primarily responsible for immigration and border law enforcement. At the Port of Miami, CBP is tasked with inspections to prevent illegal entries, provide transportation checks, and entries into the Port. As such, CBP currently has two administrative and support offices at the Port of Miami located separately. One of the facilities is within an active cargo facility leasehold, and the other is at a converted cruise terminal to secured offices. (Seaport)

OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA



MEMORANDUM

Agenda Item No. 14(A)(36)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** July 21, 2009

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution directing the Mayor or  
Designee to present departmental  
state and federal legislative requests  
at October committees

**Resolution No. R-1004-09**

**This substitute differs from the original item in that it includes both state and federal legislative items, while the original item consisted only of state legislative items.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.

A handwritten signature in black ink, appearing to read "RAC", written over a horizontal line.

R. A. Cuevas, Jr.  
County Attorney

RAC/cp

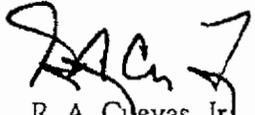


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** July 21, 2009

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 14(A) (36)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ~~6 weeks required between first reading and public hearing~~
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Mayor's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 14(A)(36)  
7-21-09

RESOLUTION NO. R-1004-09

RESOLUTION DIRECTING THE MAYOR OR DESIGNEE TO  
PRESENT DEPARTMENTAL FEDERAL AND STATE  
LEGISLATIVE REQUESTS AT OCTOBER COMMITTEES

**WHEREAS**, committee meetings for the Florida Legislature's 2010 legislative session will begin in the fall of 2009; and

**WHEREAS**, member of the Florida House are limited to only six bill slots per member, and these bill slots are in high demand; and

**WHEREAS**, bills filed during the fall and early in committee weeks have a far better chance of passage than bills filed later in the process; and

**WHEREAS**, during the 2009 session, Miami-Dade County saw successes with its legislative issues by including some of them in the Florida Association of Counties and Florida League of Cities legislative packages; and

**WHEREAS**, the Florida Association of Counties and Florida League of Cities hold their legislative policy conferences beginning in the fall; and

**WHEREAS**, to best pursue our legislative agenda for the 2010 session, it is important that Miami-Dade County have its legislative agenda in place no later than the end of October, so as to give our issues the best chance of passage,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

**Section 1.** This Board directs the Mayor or Designee to present all departmental legislative requests for the 2010 state legislative session >>and the 2010 federal legislative

package<sup>1</sup> at the October, 2009 committee meetings, including both changes to statutes and appropriations requests. The Mayor or Designee shall present such requests to the applicable committee that has jurisdiction over the department from which the request originated.

**Section 2.** During October committee meetings, committees shall consider such items, prioritize them and recommend items for approval by the full Board in the County's ~~>>2010 federal and~~ state legislative package~~>>~~.

**Section 3.** The Board shall consider, prioritize and approve the ~~>>federal and~~ state legislative package~~>>~~ at the October 20 Board meeting based on committee recommendations. The Board also shall identify no more than eight County departmental priorities ~~>>for the 2010 federal legislative package and no more than eight County departmental priorities~~ for the 2010 state legislative session, along with guiding principles.

The Prime Sponsor of the foregoing resolution is Commissioner Rebeca Sosa. It was offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

<sup>1</sup> The differences between the substitute and the original item are indicated as follows: words stricken through and/or ~~[[double bracketed]]~~ shall be deleted, words underscored and/or ~~»double arrowed«~~ constitute the amendment proposed.

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The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of July, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

**JAM**

Jess M. McCarty

5/10