



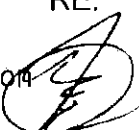
## MEMORANDUM

### Miami-Dade Board of County Commissioners

---

TO: Vice Chairwoman Rebeca Sosa      DATE: January 28, 2020  
and Members of the Board of  
County Commissioners

FROM: Chairwoman Audrey M. Edmonson      RE: Feedback related to 2020  
Board of County Commissioners      Federal Legislative Package  
Critical Priorities



---

On December 4, 2018, the Board enacted Resolution No. R-1267-18, which, among other things, directed the Office of Intergovernmental Affairs to timely remit the federal legislative package, after its approval by the Board, to the County's federal contract lobbyists for feedback and to prepare a report detailing the findings of said feedback prior to the Board's consideration of the federal legislative priorities, with such report being placed on the Board agenda as a supplement to the item providing for the Board's consideration of the federal legislative priorities.

On January 22, 2020, the Board approved the 2020 federal legislative package, including "urging" resolutions enacted by the Board to date, guiding principles, departmental legislative requests and the Public Health Trust's legislative requests.

The feedback provided below is based on the requirements of Resolution No. R-1267-18. The federal contract lobbyists were asked to provide insight and recommendations as to the viability of departmental requests and Board-approved federal urging resolutions before the second session of the 116<sup>th</sup> Congress and the Trump Administration. The lobbyists were not asked to make policy suggestions. Their input was sought only to recommend items believed to be the most feasible and practical given the current political environment. As a result, each of the four lobbying firms, Akerman LLP, Alcalde & Fay, Greenberg Traurig, LLP and Squire Patton Boggs, provided the Office of Intergovernmental Affairs with five issues, taken from the aforementioned requests and resolutions. There was overlap in the submissions, which resulted in a total of 14 issues for final review. Among those issues included were the top priorities as designated by the respective department for the Aviation Department, Police Department, PortMiami, Public Housing and Community Development Department, Environmental Protection within the Regulatory and Economic Resources Department and the Water and Sewer Department.

The federal contract lobbyists made the following recommendations pursuant to Resolution No. R-1267-18:

**DEPARTMENTAL ITEMS (14 TOTAL):**

***AVIATION'S TOP REQUEST***

- **ADVOCATE for U.S. Customs and Border Protection (CBP) Staffing at Miami International Airport (MIA)** - CBP staffing for arriving international passengers and cargo is a critical component of operations at MIA. CBP has struggled with hiring and retaining officers at our nation's airports. Over the past five years, international air travel has increased by 25-30 percent, yet the number of CBP officers available to process additional travelers and new flights barely changed because attrition has outpaced hiring.

As the federal government continues to increase security measures and inspections of arriving international passengers and cargo, maintaining sufficient CBP staffing at MIA in the face of rising volumes in travel and trade is of vital importance. Excessive wait times and costly inspection delays occur without the necessary CBP staffing to efficiently process arriving international passengers and time-sensitive cargo, particularly perishables. These delays severely impact tourism, impede international business and commerce, and cost South Florida jobs. The negative economic impacts ripple through the region's economy and reduce our economic competitiveness. More than one million jobs in Florida depend on international trade and investment.

Despite MIA's strong partnership with CBP and technology improvements in the last year, this issue continues to be MIA's top priority to address forecast increased traffic. MIA continues to participate in the reimbursement program, which allows local governments to voluntarily reimburse CBP overtime to increase staffing to process arriving international passengers and cargo. While this program is a great opportunity to leverage valuable local and federal resources to mitigate delays; it is not intended to be a long-term solution. While the current focus continues the Southern Border, MIA urges our Congressional Delegation to support a combination of solutions, including best practice, alternative and traditional mechanisms to fund staffing and technology to process international passengers and cargo.

***POLICE'S TOP REQUEST***

- **Justice Assistance Grants Funding - ADVOCATE** for full funding of the Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") program by the U.S. Department of Justice, Bureau of Justice Assistance. There are proposed cuts to this vital federal law enforcement program that would be detrimental to the county.

***PORTMIAMI'S TOP REQUEST***

- **MIAMI HARBOR NAVIGATION IMPROVEMENTS - *ADVOCATE*** for SEC.1203. EXPEDITED COMPLETION.(a) FEASIBILITY REPORTS.—The Secretary shall expedite the completion of a feasibility study for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the Miami Harbor project.

PortMiami is the world's top cruise port and business is continuing to grow. To accommodate the economic growth and customer requests, the Biscayne Bay Pilots requires navigational harbor improvements to the South Shipping Channel. The improvements are necessary for safe passage of both cargo and cruise vessels.

The Improvements to the outer channel will accommodate larger cargo vessels, up to 14,000 TEU vessels, and therefore enable the full potential of the completed phase III Miami Harbor improvement project (which was designed for 8,500 TEU vessels). These improvements are necessary to accommodate requests from cargo lines to come to the Seaport, instead of non-US transshipment ports, and to continue economic cargo growth in the United States.

The Army Corps ongoing feasibility study on the Miami Harbor will result in recommendations for channel modifications. The study, scheduled for completion in the fall of 2021, has been fully funded by a partnership with the Army Corps and the County.

#### ***PUBLIC HOUSING AND COMMUNITY DEVELOPMENT'S TOP REQUEST***

- **Public Housing & Section 8 Housing - *ADVOCATE*** for increased federal funding from HUD for public housing and Section 8 programs. Funding for these programs 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.

#### ***ENVIRONMENTAL PROTECTION'S (RER) TOP REQUEST***

- **Beach Erosion Control Sand Sources - *SUPPORT*** efforts to exempt Southeast Florida, specifically Miami-Dade County, from federal prohibition of cost-sharing non-domestic sources of beach sand for beach erosion control/sea level rise mitigation.

#### ***WATER AND SEWER'S TOP REQUEST***

- **Infrastructure Finance and Programs - *SUPPORT*** the implementation of Water Infrastructure Financing and Innovation Authority (WIFIA), adequate funding of State Revolving Loan Funds, and federal policy on affordability, climate change, Clean Water Act mandates, and Safe Drinking Water Act

mandates, which are all significant factors for WASD capital and operating requirements. The Department has been selected in each of the first three funding cycles for WIFIA projects, in addition to maximizing utilization of the State Revolving Loan Fund program, demonstrating the importance of these federal initiatives to produce results on the ground. A reliable utility system meeting all state and federal requirements is essential for the operation of other departments as well as the continued economic well-being of the County. Miami-Dade County has a \$8+ billion water and sewer capital needs program resulting from aging infrastructure, federal and state regulatory mandates, and changing conditions associated with documented sea level rise. This represents the largest capital burden of any comparably sized utility in the nation.

---

- **ADVOCATE for an Infrastructure Spending Plan that addresses the critical needs of airports** - U.S. airports serve more than two million passengers every day. The aviation industry is marked by technologically advanced and economically efficient aircraft; however, the associated infrastructure of airports and air traffic control systems is not keeping up. Despite encouraging developments and a reported agreement in concept to a \$2 trillion infrastructure package achieved at an initial meeting between the Trump administration and lawmakers earlier in the year, negotiations have stalled.

Miami-Dade County continues to urge Congress to pursue an infrastructure package that could help airports finance much-needed upgrades to better accommodate anticipated passenger growth, improve the customer experience for air travelers, and enhance competition at the nation's airports. **(AVIATION)**

- **Community Services Block Grant Act (CSBG) - ADVOCATE** for legislative action that will support the reauthorization and amendment of the CSBG Act to adopt performance requirements and performance benchmarks to be included as part of the performance measurement system under this Act. **(COMMUNITY ACTION AND HUMAN SERVICES)**
- **Access to Opioid Treatment (residential and outpatient) - ADVOCATE and SUPPORT** for a dedicated and increase in funding for residential and out-patient treatment to serve Opioid Use Disorder residents with a dual emphasis of diversion and rehabilitation. **(COMMUNITY ACTION AND HUMAN SERVICES)**
- **AGRICULTURE QUARANTINE INSPECTION (AQI) TREATMENT ELIMINATION FEE - ADVOCATE** for the elimination of the Animal and Plant Health Inspection Service (APHIS) treatment fee or freeze it at current levels, until such time as an equitable modification of the fee is designed and implemented. The fee imposes an unreasonable, unnecessary and perhaps illegal discriminatory burden on imports into Florida ports.

The two largest agricultural commodities being imported into U.S. requiring fumigation as a condition of entry: Chilean fresh grapes and Peruvian fresh asparagus. In 2017, the Southeast (SE) represented only 24% of the Northeast

(NE) volume requiring fumigation, but paid substantially more, even though SE volumes are less. If both import volumes were equal the SE would pay \$3.27 Million compared to the NE paying only \$21,868 for the same imported volume.

The disparity is as a result of one treatment in Florida typically involves one trailer-load of goods: one treatment in the Northeast typically involves a stack or warehouse-full of containers. The AQI Treatment Fee is increasing year-over-year and jeopardizing Florida's commerce, economy and trade. Florida jobs and international market share is at stake. **(PORTMIAMI)**

- **DONOR AND ENERGY TRANSFER PORT PROGRAM - *ADVOCATE*** for \$50 million in the FY 2020 Energy and Water development appropriations bill for the Donor and Energy Transfer Ports Program. In 1986, Congress established a user fee for coastal ports and harbors - the Harbor Maintenance Tax (HMT). The HMT is levied on the value of imported goods and was designed to provide 100% of operations and maintenance (O&M) costs for deep draft and coastal waterways throughout the U.S. Since 2003, HMT collections have far exceeded funds appropriated for harbor maintenance, and the "surplus" of collections over expenditures has grown to over \$9 billion. Rather than being used for their intended purpose, HMT revenues have been used to help balance the federal budget.

Annual Harbor Maintenance Trust Fund (HMTF) spending is typically based on the previous year's receipts. Congress has made important strides to full spending of annual receipts. In FY2019, Congress appropriated 91% of receipts, totaling \$1.54 billion in spending. The FY2020 House bill proposes \$1.697 billion from the HMTF, \$147 million above FY2019 spending. The Senate bill has yet to be released. Over the past few years, there has been a tremendous effort to develop a comprehensive fix for the HMTF.

PortMiami receives only a nominal amount of Harbor Maintenance Tax funds because our harbor requires little, if any annual maintenance dredging. The Miami Harbor has no contaminated sediments and the need for berth dredging is nominal due to the low levels of silting in the Harbor. Currently, there is an industry (AAPA) proposal to make the D&E program permanent and expand the amount of funds available. This industry proposal will be considered in the context of the anticipated 2020 WRDA legislation. **(PORTMIAMI)**

- **Community Development Block Grant (CDBG) - *SUPPORT*** for increased federal funding for the HUD CDBG program.
  - The CDBG entitlement 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.
  - The CDBG program's primary objective is to assist in the development of viable urban communities by supporting projects that:
    - benefit very-low to moderate-income persons

- are integrated in a long range community strategy
- leverage further private and public partnerships
- enhance deteriorated residential and business districts

The projects are classified in four categories: Public Facilities and Capital Improvement; Economic Development; Public Services; and Affordable Housing. CDBG program funds can be used to build community facilities, roads, and parks; to repair or rehabilitate housing, to provide new or increased public services to local residents or to fund initiatives that generate or retain new jobs.

Over the last five years Miami-Dade County has adopted a strategic focus on development within the Neighborhood Revitalization Areas in an effort to have the greatest impact among the most needy communities and households. The reduction of funding for the CDBG program has a significant impact on the County's ability to continue to implement programs designed to address the needs of its very-low to moderate-income communities which this program serve. The CDBG program funding has declined each year over the last ten years and given the current economic conditions this financial support is critically needed to continue serving and addressing the needs of very-low and moderate-income residents. **(PUBLIC HOUSING AND COMMUNITY DEVELOPMENT)**

- **Transportation and Infrastructure Projects Funding - *SUPPORT*** legislation that provides opportunities for increased and alternative revenue sources for transportation and infrastructure projects. **(TRANSPORTATION AND PUBLIC WORKS)**
- **Federal Surface Transportation Authorization Bill - *SUPPORT*** a federal surface transportation authorization bill that will replace the *Fixing America's Surface Transportation Act* (FAST Act) when it expires on September 30, 2020. Enact a long-term surface transportation authorization act funded by dedicated, sustainable revenues that address the pending shortfall in the Highway Trust Fund (including the Mass Transit Account), and provide funding over six years to bring public transit systems to a state of good repair and meet growing community demands for increased mobility choices. **(TRANSPORTATION AND PUBLIC WORKS)**