



Supplement  
Agenda Item No. 11(A)(17)

## MEMORANDUM

### Miami-Dade Board of County Commissioners

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TO: Vice and Members of the Board of County Commissioners      DATE: April 4, 2023

FROM: Chairman Oliver G. Gilbert, III      RE: Feedback related to 2023  
Board of County Commissioners      Federal Legislative Package  
Critical Priorities

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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 March 7, 2023, the Board enacted Resolution No. R-229-23 which approved the 2023 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 forthcoming feedback and recommendations are provided below, based on the precedent set by Resolution No. R-1267-18, with the following caveats.

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 first session of the 118<sup>th</sup> Congress and the Biden 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. This process resulted in a total of 20 items for final review.

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The federal contract lobbyists made the following recommendations based on feasibility pursuant to and based on the precedent set forth by Resolution No. R-1267-18:

**DEPARTMENTAL ITEMS (20 TOTAL):**

**DEPARTMENTAL REQUESTS BY POLICY AREA**

**Policy Area: Transportation and Ports**

**Miami-Dade Aviation Department**

- **FAA Reauthorization Act of 2023 - SUPPORT** the timely passage of an FAA Reauthorization bill in 2023 which will provide airports with the needed certainty to tackle important safety and security projects funded through the essential Airport Improvement Program. In 2018, Congress passed, and the President signed the FAA Reauthorization Act of 2018. The five-year Act authorized funding for FAA programs and services from FY 2019 through FY 2023. To maintain our leadership position, we must make needed infrastructure upgrades and security enhancements to provide for a safe and efficient travel experience for a growing number of passengers.

**PortMiami**

- **Implementation of the Infrastructure Investment and Jobs Act (IIJA) - MONITOR** agency activities surrounding the roll out of the \$1.2 trillion Infrastructure Investment and Jobs Act (IIJA including the Notices of (FY 2023) funding opportunities (NOFOs) for the major programs of interest to ports: the National Infrastructure Project Assistance Program (Mega); the Port Infrastructure Development Grant Program (PIDG), RAISE and INFRA. **ADVOCATE** for continuing (FY 2024) appropriations for IIJA programs and Mega Grant prioritization language by the (2024) Transportation, Housing and Urban Development (THUD) appropriations bills.
- **Inflation Reduction Act (IRA) / New \$3 billion Grant Program for Zero Emissions Port Equipment and Technology - ADVOCATE** to EPA and in response to the agency's outreach to stakeholders, to seek grant eligibility for essential components of "Net Zero" by this new grant program. This program can be critical to the successful implementation of "Net Zero" and Congress has afforded broad authority to the EPA in preparing the implementation guidelines/eligibility criteria.
- **Port Infrastructure Development Grant Program (PIDG) – SUPPORT** the House proposed funding level of \$300 million for FY 2023 and the accompanying report language which encourages MARAD to prioritize PIDP applications that demonstrate efficacy in reducing port air emissions through investments in clean electricity and demonstrate consultation with nearby communities traditionally affected by port air emissions.

- **Miami Harbor Navigation Improvements & Miami Harbor Feasibility Study - *ADVOCATE*** for final passage and enactment of H.R. 7776, the Water Resources Development Act (WRDA 2022) which urges the Corps to prioritize and expedite the completion of the Miami Harbor Feasibility Study (Committee Report 117-347). *ADVOCATE* for additional O&M appropriations by the 2024 Energy and Water Development appropriations bills to assure adequate funding for the USACE to pursue the corrective work to the completed (50-52 foot) project.
- **Donor and Energy Transfer Ports (D&ET) PROGRAM - *ADVOCATE*** for maximum of \$56 million and implementation of WRDA 2020 program changes by the 2024 Energy and Water Development appropriations bill. ***SUPPORT*** \$56 million for the D&ET program in 2023, pending final approval by the House/Senate 2023 conference.

### **Department of Transportation and Public Works**

- **SMART Plan Funding - *SUPPORT*** funding and financing for all corridors in the Strategic Miami Area Rapid Transit (SMART) Plan.
  - ***ADVOCATE*** for accelerated review of East-West Bus Rapid Transit Project and Northeast Commuter Rail Corridors currently in the FTA evaluations process.

### **Policy Area: Environment and Resilience**

#### **Regulatory and Economic Resources**

- **Agriculture Relief - *ADVOCATE*** for funding, programs, legislation, and assistance to increase viability of our local agricultural industry and mitigate any effects of invasive pests, diseases, freezes, flooding, windstorm and other potential damages to our said industry. (Economic Development)
- **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. (Environmental Resources Management)
- **Biscayne Bay Restoration - *ADVOCATE*** to restore Biscayne Bay water quality and habitats, including the development of a Reasonable Assurance Plan; ***SUPPORT*** efforts to secure recurring funds to accomplish Biscayne Bay restoration; ***SUPPORT*** legislation providing funding in the form of federal grants to facilitate restoration-related projects to restore water quality and habitats and prevent fish kills and algal blooms. (Environmental Resources Management & Resilience)
- **National Flood Insurance Program - *SUPPORT*** efforts to reauthorize, improve, and strengthen the National Flood Insurance Program with provisions that limit premium rate increases and protect affordability, encourage greater program

participation, expand the Increased Cost of Compliance Program, emphasize, and increase funding for mitigation, and develop accurate flood maps. (Resilience)

- **Electric Vehicle infrastructure - *SUPPORT*** funding for Electric Vehicle charging station infrastructure, both private and public. (Building)

## **Water and Sewer Department**

- **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 four 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 an \$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 including sewer and water extensions needed to convert impacted septic tank systems and contaminated drinking water wells. This represents the largest capital burden of any comparably sized utility in the nation.

## **Policy Area: Community Services**

### **Community Action and Human Services Department**

- **Older Americans Act (OAA) - *ADVOCATE*** for increased federal funding through the OAA to meet the demand for services for the growing senior adult population such as in-home support, adult day care, and respite for caregivers, and meals, thereby helping seniors avoid or delay institutionalization, while remaining in their homes and in the community.

### **Cultural Affairs Department**

- **Federal Funding for the Arts - *SUPPORT*** continued increases in federal funding for the arts, specifically for the National Endowment for the Arts (NEA), National Endowment for the Humanities, Assistance for Arts Education, Creative Arts Therapies in Veterans Healthcare Networks and Institute for Museum and Library Services. For FY 2023 (pending conference consideration), urge the U.S. Senate to support the U.S. House increase in NEA and NEH funding to \$207 million (from the currently authorized 2022 levels of \$180 million for each). In addition, support increased funding for the arts education programs, including:

- The U.S. Department of Education's Assistance to Arts Education program;
- The Student Support & Academic Enrichment Grants under Title IV, Part A, to support Well-Rounded Education;
- The Nita Lowey 21st Century Community Learning Centers (21stCCLC) after-school program; and
- The Institute of Education Science to implement a Fast Response Survey System (FRSS) study in the arts and appropriately fund the arts in the National Assessment of Educational Progress (NAEP).

### **Juvenile Services**

- **Justice Assistance Grants Funding - *SUPPORT*** funding of the Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") program by the U.S. Department of Justice, Bureau of Justice Assistance. This federal law enforcement program is beneficial to the County and funding is vital for its success.

### **Public Housing and Community Development**

- **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.
- **Community Development Block Grant (CDBG) - *SUPPORT*** for increased federal funding for the HUD CDBG program.

### **Policy Area: Public Safety**

#### **Miami-Dade Police Department**

- **Justice Assistance Grants Funding - *ADVOCATE*** for an increase in funding of the Edward Byrne Memorial Justice Assistance Grant ("Byrne JAG") program by the U.S. Department of Justice, Bureau of Justice Assistance (BJA). There are proposed cuts to this vital federal law enforcement program that would be detrimental to Miami-Dade County.
- **Victims of Crime Funding at the U.S. Department of Justice, Office for Victims of Crime - *ADVOCATE*** for an increase in funding that supports programs and services focused on helping victims in the immediate aftermath of a crime, as well as continued support while they rebuild their lives.