

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(20)
02-20-07

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

RESOLUTION NO. R-199-07

RESOLUTION APPROVING THE 2007 TRI-COUNTY
COMMISSION LEGISLATIVE PACKAGE

WHEREAS, the Broward, Miami-Dade and Palm Beach Boards of County Commissioners, acting as the Tri-County Commission, wish to promote regionalism, wherever common goals exist, and agree with respect to the legislative agenda attached hereto,

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

Section 1. Approves the 2007 Tri-County Commission Legislative Package, which is attached hereto and incorporated herein by reference, to the extent not inconsistent with the Miami-Dade County State and Federal Legislative Packages.

Section 2. Urges the U.S. Congress to enact the federal issues contained therein.

Section 3. Urges the Florida Legislature to enact the state issues contained therein.

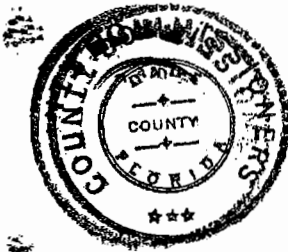
Section 4. Directs the Clerk of the Board to send a certified copy of this resolution to the member of the Miami-Dade Congressional Delegation and the Chair and members of the Miami-Dade State Legislative Delegation.

Section 5. Directs the Office of Intergovernmental Affairs to work together with their counterparts in Broward and Palm Beach Counties to advocate for the items included in the 2007 Tri-County Commission Legislative Package.

The foregoing resolution was sponsored by Chairman Bruno A. Barreiro and offered by Commissioner Dennis C. Moss, who moved its adoption. The motion was seconded by Commissioner Dorrin D. Rolle and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of February, 2007. 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: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

MEMORANDUM

Agenda Item No. 11(A)(20)

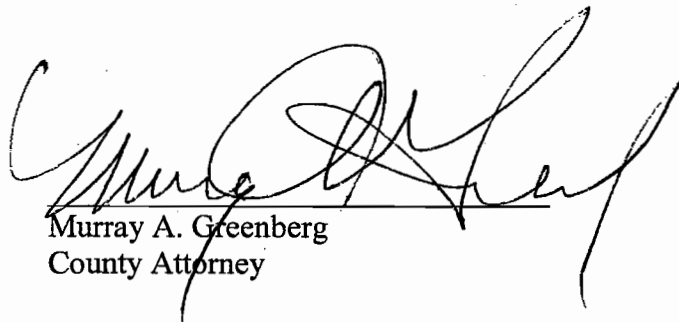
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 20, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution approving
the 2007 Tri-County
Commission Legislative
Package

The accompanying resolution was prepared and placed on the agenda at the request of Chairman Bruno A. Barreiro.



Murray A. Greenberg
County Attorney

MAG/dc



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 20, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(20)

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**

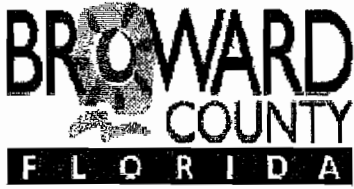
_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager'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**



Tri-County Commission 2007 State Legislative Priorities

The Boards of County Commissioners of Broward, Palm Beach, and Miami-Dade Counties acting together as **the Tri-County Commission**, have collectively and collaboratively identified the following five priority issues for the 2007 Legislative Session:

AFFORDABLE HOUSING FUNDING

The Tri-County Commission supports legislation to remove the cap of \$243 million effective FY 07-08 placed on the Sadowski Trust Fund for affordable housing programs and supports full utilization of the \$939.5 million of dedicated revenues in the fund for state and local housing needs.

BEACH EROSION CONTROL

Florida's beaches are a critical part of the State's travel and tourism industry, generating jobs and local, state, and federal tax revenues. The Florida Department of Environmental Protection estimates that more than one-third of Florida's 787 miles of beaches are in a state of critical erosion. **The Tri-County Commission supports** the protection and retention of the dedicated use of documentary stamp revenues for beach erosion programs throughout the State of Florida in order to protect and maintain the essential elements vital to our environmental and economic infrastructure. **The Tri-County Commission also supports and encourages** the State of Florida to study and promote methodologies other than sand replenishment which would prevent or repair beach erosion.

EXPENDITURE/REVENUE CAPS

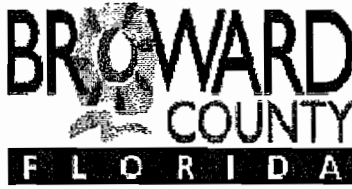
The Tri-County Commission opposes any effort of the Florida Legislature to amend the State Constitution to allow the Legislature to place artificial expenditure caps upon county and city governments. Further, **the Tri-County Commission opposes** any legislation which seeks to impose revenue caps on local governments including legislation disqualifying a local government's participation in the half-cent sales tax distribution under present state law.

HEALTH AND HUMAN SERVICES

The Tri-County Commission supports local involvement in the formulation and implementation of health, mental health, safety and welfare services as well as equity funding in order to meet the increasing needs of the tri-county area. The Tri-County Commission supports increased state funding for mental health facilities for the mentally ill who become jail inmates thus impacting the criminal justice system and do not receive adequate and appropriate mental health care. The Tri-County Commission supports the creation of state and programs for job training and other summer programs to prevent increasing youth violence in the Tri-County regional area.

TRANSPORTATION PLANNING AND EQUITY

The Tri-County Commission supports state legislation that provides greater equity in the distribution of state appropriations for transportation improvements including options such as light rail and for area seaports, maximum flexibility in planning and funding for systems and infrastructure, funding that promotes efficient regional interconnectivity, and encourages enhanced regional planning and coordination among the three Metropolitan Planning Organizations to ensure optimum compliance with federal law.



Tri-County Commission 2007 State Legislative Program

The Boards of County Commissioners for Broward and Palm Beach Counties, and the Mayor and Commissioners of Miami-Dade County, acting as **the Tri-County Commission**, will continue to use their collective vision to effectively serve the citizens of Broward, Miami-Dade and Palm Beach Counties.

The Tri-County Commission directs staff to communicate with appropriate Members of the Florida Legislature, including the Tri-County Legislative Delegation, to convey its intent to promote regionalism, wherever common goals exist, and our mutual agreement on the following issues:

AFFORDABLE HOUSING FUNDING

The Tri-County Commission supports legislation to remove the cap of \$243 million effective FY 07-08 placed on the Sadowski Trust Fund for affordable housing programs and supports full utilization of the \$939.5 million of dedicated revenues in the fund for state and local housing needs.

BEACH EROSION CONTROL

Florida's beaches are a critical part of the State's travel and tourism industry, generating jobs and local, state, and federal tax revenues. Beaches are also the first line of defense against hurricane and storm surge threats to life and property. U.S. Army Corps of Engineers' studies confirm that healthy beaches reduce flood damage to coastal properties, resulting in a reduction in Federal disaster rehabilitation payouts. The Florida Department of Environmental Protection estimates that more than one-third of Florida's 787 miles of beaches are in a state of critical erosion. **The Tri-County Commission supports** the protection and retention of the dedicated use of documentary stamp revenues for beach erosion programs throughout the State of Florida in order to protect and maintain these essential elements that are vital to our environmental and economic infrastructure. **The Tri-County Commission also supports and encourages** the State of Florida to study and promote methodologies other than sand replenishment which would prevent or repair beach erosion.

COUNTY OWNED BUILDING INSPECTIONS

The Tri-County Commission supports the amendment of Florida statutes to allow county building departments to permit and inspect renovations or construction of county owned facilities anywhere within their county.

EXPENDITURE/REVENUE CAPS

The Tri-County Commission opposes any effort of the Florida Legislature to amend the State Constitution to allow the Legislature to place artificial expenditure caps upon county and city governments. Further, **the Tri-County Commission opposes** any legislation which seeks to impose revenue caps on local governments including legislation disqualifying a local government's participation in the half-cent sales tax distribution under present state law.

FISCALLY CONSTRAINED COUNTIES

The Tri-County Commission supports funding a fiscally constrained counties program through state general revenue, and supports the restoration of the satellite communications tax and future increases to the respective donating counties and cities. Further, **the Tri-County Commission supports** the amendment of state statutes to include only those counties with a current millage rate of 9.5 or higher.

HEALTH AND HUMAN SERVICES

The Tri-County Commission implores the legislature to provide basic human services to protect and assist residents most in need. Miami-Dade, Palm Beach, and Broward Counties have demonstrated this commitment by providing funding for the delivery of health, mental health, housing and human services.

The Tri-County Commission supports local involvement in the formulation and implementation of policies that protect the health, mental health, safety and welfare of Florida's residents.

The Tri-County Commission supports equity funding for human services from state agencies' budgets and **opposes** any funding reductions in the areas of health, mental health and human services in order to meet the increasing demand.

The Tri-County Commission supports legislation that provides the financial infrastructure for the State to sustain Medicaid non-emergency patient transportation services by using a methodology rate process for distribution of funds to counties that does not shift financial responsibility of services to the local level.

The Tri-County Commission requests the Governor to petition The Office of Management and Budget regarding equalization of Medicare benefits for Miami-Dade, Broward, and Palm Beach counties, the country's 6th largest statistical metropolitan area.

The Tri-County Commission supports legislation that provides reimbursement for out of County trauma care patients, and identifies additional funding sources to adequately meet the growing needs of the trauma care system.

The Tri-County Commission supports increased state revenue funding for mental health facilities for the mentally ill who become jail inmates thus impacting the criminal justice system and do not receive adequate mental health care.

The Tri-County Commission supports the creation of state and federal programs for job training and other summer programs to prevent increasing youth violence in the Tri-County regional area.

HOME RULE

The Tri-County Commission is dedicated to the fundamental concept that county government is the government closest to the people and is the appropriate authority to serve the needs and requirements of the community. **The Tri-County Commission supports** maintaining the integrity of charter and constitutional county authority, which allows counties to develop and implement solutions to local problems. As charter counties, **the Tri-County Commission opposes** legislative efforts that interfere with the governance or administration of local government, and **opposes** interference with constitutional immunity from taxation of county property.

The Tri-County Commission opposes the shifting of costs from the state to the local level for juvenile justice services.

The Tri-County Commission opposes legislative intervention in voter approved powers such as regional land use oversight.

HOMELAND SECURITY

Improvement of security measures has been given top priority at all levels of government. South Florida's economy, including significant industries such as tourism, and shipping and trade, are highly dependent upon safe mobility. **The Tri-County Commission supports** maintaining and expanding a close working relationship with federal, state, and local government agencies to improve homeland security. Recognizing that local government is usually the first responder in crisis situations, partnership support and funding from all higher levels of government is essential. Security enhancements at South Florida's seaports and airports are of the highest importance. **The Tri-County Commission supports** state funding for equipment and technology to implement port and airport security programs.

PORTABILITY

The Tri-County Commission supports amending the Florida Constitution to allow through county option, Florida homeowners to transfer their Save Our Homes Homestead Valuation Limitation upon the sale of their home and apply the limitation to the assessed valuation on a newly purchased homesteaded property.

PROPERTY INSURANCE

The Tri-County Commission supports the efforts of the Florida Legislature to resolve the current property insurance crisis in Florida, and to find methods to ease the burden of insurance on all property owners in Florida.

TANGIBLE PERSONAL PROPERTY TAXES

The Tri-County Commission supports legislation to provide the Tax Collector additional enforcement tools to collect delinquent tangible personal property taxes by making the property owner personally liable for delinquent taxes (i.e., making the owed taxes a personal debt), authorizing the Tax Collector to contract with private attorneys to collect delinquent taxes, and requiring delinquent taxpayers to pay the cost of collection.

TRANSPORTATION PLANNING AND EQUITY

The Tri-County Commission supports state legislation and funding that promotes safe, efficient regional interconnectivity through the South Florida Regional Transportation Authority (RTA).

The Tri-County Commission opposes any legislation that could be detrimental to the interest of the maritime, aviation, and surface transportation industries.

The Tri-County Commission supports greater equity in the distribution of state appropriations for transportation improvements including options such as light rail.

The Tri-County Commission supports greater fairness and equity in the distribution of state appropriations to counties for transportation improvements through formula-based methodologies.

The Tri-County Commission supports state legislation granting county governments' maximum flexibility in planning and funding viable transportation systems and infrastructure.

The Tri-County Commission supports the counties' option of implementing a plan by enactment of an ordinance to install traffic safety photo enforcement cameras at intersections to help reduce the number of motorists who run red lights and to reduce traffic accidents.

The Tri-County Commission opposes any efforts to merge the respective Metropolitan Planning Organizations, and urges the state to redesignate the existing individual MPOs.

The Tri-County Commission supports additional and enhanced regional planning and coordination among the three MPOs to ensure optimum compliance with federal law.

The Tri-County Commission supports legislative changes to the criteria for turnpike noise walls so they may apply to large pieces of individually owned property in urban areas as well as schools and hospitals.

UNFUNDED MANDATES

Many state directives mandate local governments to provide services or programs without providing the appropriate revenue or funding sources. These unfunded mandates can compromise a county's ability to provide essential and discretionary services deemed appropriate by the local community. **The Tri-County Commission opposes** any legislative actions that implement unfunded mandates on a local government's fiscal and public policy.

WATER POLICY

The Tri-County Commission supports Florida's existing water law that is based on the principles that water is a public resource and that water allocations may not be sold or transferred. The Commission believes that current law provides sufficient protection for water and natural resources while also providing for reasonable and beneficial uses of water for the public. The Legislature may consider modifications to State water law which could lead to the privatization of Florida's water resources or modify fundamental precepts of the way Florida's water resources are managed. **The Tri-County Commission opposes** modifications to Florida water law that would: a) change the guiding principles of the State's water laws, b) allow the sale of water allocations, c) change the intent of local sources first provisions especially as it relates to the Central and Southern Flood Control Project and CERP implementation, or d) diminish the State's capacity to reserve water for the natural system.

The **Tri-County Commission supports** the existing framework of regional water management while working to improve coordination efforts between water management districts and local governments. ~~The Tri-County Commission opposes~~ the legislative creation of a statewide water authority which redefines the water supply relationship among the state, water management districts, and local governments.



Tri-County Commission 2007 Federal Legislative Program

The Boards of County Commissioners for Broward and Palm Beach Counties, and the Mayor and Commissioners of Miami-Dade County, acting as the Tri-County Commission, will continue to use their collective vision to effectively serve the citizens of Broward, Miami-Dade and Palm Beach Counties. The Tri-County Commission hereby directs staff to communicate with the Members of the South Florida Congressional Delegation and convey our intent to promote regionalism, wherever common goals exist, and our mutual agreement on the following issues:

Beach Erosion Control

Florida's beaches are a critical part of the State's travel and tourism industry, generating jobs and local, state, and federal tax revenues. Beaches are also the first line of defense against hurricane and storm surge threats to life and property. U.S. Army Corps of Engineers' studies confirm that healthy beaches reduce flood damage to coastal properties, resulting in a reduction in Federal disaster rehabilitation payouts. The Florida Department of Environmental Protection estimates that more than one-third of Florida's 787 miles of beaches are in a state of critical erosion. **The Tri-County Commission supports** a dedicated source of federal funding for the nation's valuable beaches in order to protect and maintain these essential elements that are vital to our environmental and economic infrastructure.

Future Implementation of the County's Beach Management Plan may require acquisition of aragonite sand or other non-domestic beach-quality material to diminishing local sand supplies and heightened restrictions on dredging near coral reefs. Current law severely restricts federal financial participation in projects which utilize non-domestic sand. **The Tri-County Commission supports** lifting the statutory ban on the use of federal funds for the acquisition of aragonite or other non-domestic sand for beach nourishment where such material is economical and environmentally sound.

Economic Development

A major goal of county government is to encourage economic development to promote a full range of employment, business and housing opportunities, which lead to improving the economy, increasing the tax base, and encouraging diversity. **The Tri-County Commission supports** legislation that helps promote the growth of the interstate and international trade,

travel and tourism industries in the region, and federal policies that will increase economic development and financial assistance for the expansion and creation of enterprise zones and new businesses. **The Tri-County Commission also supports** regional redevelopment initiatives, including brownfields pilot projects, to enhance neighborhood revitalization.

The Tri-County Commission recognizes that South Florida's ports and airports are economic engines generating billions of dollars and thousands of jobs for our citizens. Maintaining a healthy economy in South Florida is dependent on the efficient and continued use and development of our inter-modal means of transportation that enhance the movement of freight, goods and people, and the planned increase in the capacity of our airports and ports through environmentally sound expansions. **The Tri-County Commission supports** federal participation in infrastructure construction and growth.

Everglades Restoration Plan (CERP)

The full implementation of the Comprehensive Everglades Restoration Plan (CERP) is of vital importance to all of South Florida. The CERP encompasses 16 counties, 150 municipalities, two Indian Tribes, a multitude of State and Federal agencies, public and private utilities, and agricultural and environmental interests. The Tri-County Commission acknowledges the importance of all interested parties to work together, coordinate efforts, and come to a reasonable compromise to ensure that this vitally important \$7.8 billion project becomes a reality. **The Tri-County Commission supports** the preservation of the delicate balance between our environment, urban areas, and agriculture critical to all of South Florida, and the long-term success and implementation of the CERP.

Human Services

The Tri-County Commission recognizes the importance of providing basic human services to protect and assist residents in need and has demonstrated its commitment by providing funding for the direct delivery of medical assistance, mental health, social and aging services, and housing assistance. **The Tri-County Commission supports** local involvement in the formulation and implementation of policies that protect the health, mental health, safety and welfare of Florida's residents. **The Tri-County Commission supports** equity in and adequacy of funding for human services from federal agencies' budgets and **opposes** any funding reductions in the areas of health, mental health and human services in order to meet the increasing demand.

The Tri-County Commission supports federal programs for job training opportunities and summer programs for youth throughout the Tri-County area due to the recent increase of murders and homicides involving young people. Additionally, **the Tri-County Commission supports** the restoration of mental health and health benefits for individuals who are arrested but not yet convicted as well as increased funding for mental health facilities in order for the removal of the mentally ill from jails and placement in appropriate facilities.

Home Rule

The **Tri-County Commission supports** the fundamental concept that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. The **Tri-County Commission supports** maintaining the integrity of home rule power that allows counties to develop and implement solutions to local problems.

Insurance

In Florida and across the United States, the increased threat of huge losses from natural disasters has caused insurance companies to withdraw from markets or increase premiums beyond consumers' ability to pay.

The Tri-County Commission supports a national catastrophic insurance program which would establish a national commission and make recommendations that will retain and attract insurance markets in order to serve consumers and protect taxpayers.

Tax Relief

In 2006, a provision was included in HR 4297 that starting January 1, 2011, every county that spends at least \$100 million per year on goods and services will be required to withhold 3 percent of funds from a vendor or contractor for federal tax purposes. The few exemptions include payments for real property, interest, and those made in connection with a public assistance program based upon need or income or pursuant to a classified or confidential contract. The requirement does not apply to payments to county employees. It does apply to items purchased using a county credit card. There is no minimum transaction. This requirement will be extremely expensive to implement, and in many cases it will require programming changes to financial and accounting systems and the hiring of additional staff. The policy will discourage contractors from bidding on government products and increase pricing. **The Tri-County Commission supports** repeal of this unfunded mandate in Section 511 of Public Law 109-222.

In addition, the Joint Committee on Taxation's proposal to "require state and local governments to report to taxpayers and the IRS the amount of real estate taxes paid" would impose a significant unfunded mandate and data redaction issue on local government. The County is not able to discern which taxes are tax-deductible, and additionally would need information systems that captured, stored, and protected relevant social security numbers from the public record. **The Tri-County Commission opposes** legislation that would compel the County to report the amount of real estate taxes paid to the IRS and to individual taxpayers.

Telecommunications

Recently, the Federal Communications Commission (FCC) adopted a Rule that supersedes local government's authority of the video franchise process by imposing requirements to control the franchising of competitive video franchise applicants and limit the service build-out requirements to residents. In addition, the Rulemaking preempts all level playing field

provisions in existing local franchise agreements and in the County's communications ordinances. **The Tri-County Commission opposes** the FCC Rule and **supports** Congress reversing the FCC's decision.

Transportation

As the nation's fifth largest metropolitan region, South Florida has ongoing needs to modernize and expand transportation infrastructure and increase capacity to meet the needs of the traveling public and private sectors. Our transportation system must be upgraded in the coming years to accommodate the increasing needs of our growing urban county and region, with particular emphasis on facilitating Transit programs as well as on developing more efficient ways to move freight and goods. The Tri-County Commission is committed to working with regional, state and federal officials to ensure that our needs are addressed. **The Tri-County Commission supports** the development, funding and construction of a comprehensive regional transportation system to meet the access and security needs of all transportation modes, from seaport and airport to mass transit, roadways, and bicycle/pedestrian facilities.

Unfunded Mandates

Many federal directives mandate local governments to provide services or programs without providing the appropriate monies or funding sources. These unfunded mandates can compromise a county's ability to provide essential and discretionary services deemed appropriate by the local community. **The Tri-County Commission opposes** any federal legislative actions that implement unfunded mandates on a local government's fiscal and public policy.

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