
**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: 2010 State Legislative Issues

DEPARTMENT: County Manager Office

DIVISION:

AUTHORIZED BY: Joe Forte

CONTACT: Sabrina O'Bryan

EXT: 7224

MOTION/RECOMMENDATION:

Approve the proposed 2010 State Legislative Issues.

County-wide

Sabrina O'Bryan

BACKGROUND:

Annually, the Board of County Commissioners approves a list of legislative priorities moving into the legislative session. This list is used as a guide by staff, the Florida Association of Counties as well as our State Lobbyist to determine our concerns as Bills are filed. Additionally, the list is provided to our Legislative Delegation, which is scheduled to meet in Seminole County on November 12, 2009. Additional items may be brought back to the Board for consideration before or during the session.

STAFF RECOMMENDATION:

Staff recommends the Board approve the proposed 2010 State Legislative Issues.

ATTACHMENTS:

1. 2010 State Legislative Issues

Additionally Reviewed By:

■ County Attorney Review (Susan Dietrich)

**2010 State Legislative Issues & Priorities
Seminole County, FL
November 02, 2009**

Projects Requesting Funding:

Regional Alternative Water Supply Program - \$2.0 Million

Request - \$2.0 Million to assist in the design of the Yankee Lake Regional Surface Water Facility for augmentation of the reclaimed water system to offset potable ground water demands and the production of potable water to meet growth demands. The project will serve the Northwest/Northeast Service Areas of the County as well as provide resources to the Seminole, Lake Mary, and Sanford Tri-Party Re-claim System. This project also includes the design for the base infrastructure for expansion to a regional 25 million gallon per day potable water treatment plant to further offset regional groundwater withdrawals. St. Johns River Water Management District (SJRWMD) has determined, through studies conducted since the mid-1990's that the withdrawals from the Upper Floridian aquifer may result in adverse environmental impact. This project will help us meet the St. Johns River Water Management District regulatory controls along with possible grant funding from SJRWMD up to a maximum \$7.5 million for construction. The project total is \$40.3 million.

State Road 46 – Regional Evacuation Route (SR 415 to Volusia) - \$2.4 Million

Request - \$2.4 million to expand State Road 46 from SR 415 to Volusia County line. The \$2.4 million sought would cover the project development and environment phase of this project, which expands State Road 46 to 4-lanes from SR 415 in Seminole County to the Volusia County line. Widening State Road 46 would significantly improve travel on a regional basis and provide an upgraded hurricane evacuation route. The total cost of the project is \$126.0 million. The project in Seminole County was approved and adopted by the Metro Plan Orlando Board in 2004 as part of the Long Range Plan 2025. The County expects the funds to be provided to the Florida Department of Transportation, which would be the agency to implement the project since it is a State roadway and serves traffic on a regional basis. As an evacuation route, it directly serves Orange, Seminole, Volusia and Brevard Counties. Indirectly, it would serve as a primary or secondary route for other coastal Counties along the east coast of Florida.

State Road 429 – Wekiva Parkway & SR 46 Bypass

The Wekiva Parkway, which is being developed by the Florida Department of Transportation (FDOT) – District 5 and the Orlando-Orange County Expressway Authority, is believed to be critical to accommodate inter-county travel between Lake, Seminole, and Orange counties. The 25-mile project would relieve congestion on US Highway 441, State Road 46 and local roads, and complete the beltway on the west side of Metropolitan Orlando. FDOT is overseeing development of the Lake and Seminole County portions of the roadway. An environmental study is pending by FDOT. Lake County listed this project as a legislative priority. Seminole County supports the development of the Wekiva Parkway.

Statements:

- Maintain Home Rule Authority to develop community based solutions to local problems.
- Oppose unfunded mandates by the state to provide a service without the appropriate funding sources.

Finance, Transportation and Administration

Revenue & Expenditure Caps (TABOR)

Oppose legislative or constitutional restrictions on county authority to determine local tax burden or local financial commitments to services and quality of life.

Elections

*Support the extension of the 2012 deadline (to 2016) that requires new voting equipment for persons with disabilities found in s. 101.56075, F..S..
(Estimated cost deferral to Seminole = \$754,853)*

Libraries

Support full funding of state aid to libraries based the current statutory formula that provides counties 25 cents for every local dollar spent.

Central Florida Commuter Rail (SunRail) and High Speed Rail Corridors

Support approval of FDOT/CSX terms for joint use, support appropriation for 61-mile track purchase and support other regions' commuter/light rail goals. SunRail is the first piece of a larger, regional transit system. Support efforts to finalize insurance and indemnification language necessary to finalize the project and protect already identified state funding. Support efforts to bring high-speed passenger rail projects to Florida.

Local Option Rental Car Surcharge

A \$2 per day local option rental car surcharge would generate \$40 million for critical transportation projects in the region, providing a dedicated funding source for transit-related projects. This dedicated funding source can also be used to support passenger rail systems throughout the state, including Tri-Rail.

State Transportation Trust Fund

Oppose any effort to divert revenues from the state transportation trust fund for non-transportation purposes.

Growth Management & Environment

Affordable Housing

Support repeal of the cap on the Sadowski Affordable Housing Program Trust Fund. Support full appropriation of Sadowski Trust Fund monies for affordable housing purposes.

Monitor Mobility Fees proposals as they develop. Report due to legislature December 1, 2009 for legislature to take possible action, require mobility fee as a replacement for local impact fees. Concerns related to vehicles miles traveled (from major employment center in a jurisdiction, or from commercial node in an individual development? Unknown at this time) and/or a standard statewide fee, with possible repercussions for local capital budgets. Staff recommends BCC support for legislation that allows a regional approach to mobility fee, and support for mobility fee to also be used for transit.

Springs Legislation

Support legislation that uses scientific data to protect water quality in Florida's springs and springsheds, and that coordinates with existing water quality programs, such as the TMDL program and the effort to develop numeric nutrient criteria. Oppose unfunded mandate.

Fertilizer and Landscaping

Oppose preemption of county authority to regulate the use and application of fertilizer. Support enhanced statewide promotion of the Florida Green Industries Best Management Practices as a basic level of water quality protection. Support legislation that would allow counties to develop regional approaches to fertilizer and other water quality issues that take into account particular local concerns relating to geology and hydrology.

Growth Management & Environment

Water Quality

Numerous Florida businesses, associations and public entities share critical concerns about the US Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (DEP) proposals to establish new stringent numeric nutrient water quality standards throughout the state in lakes, flowing waters and Class III waters by January 2010 and in coastal waters by January 2011.

Support efforts to protect Florida's water quality, waterways and biologic resources. In fact, we respect the state's Total Maximum Daily Loads program (TMDLs), and we recognize the aggressive water quality standards that Florida has established and the progressive programs it has put in place to achieve them. However, the proposed numeric nutrient criteria that the DEP published in June 2009, and potentially even more restrictive criteria that may be forthcoming from the EPA, are 1) technically and scientifically unsupported; 2) arguably economically unattainable, creating major hardships for every sector of Florida's economy and local governments; and 3) not consistently related to the health of flora and fauna (i.e. freshwater and marine-based plant and animal life).

Monitor Recycling - 75% recycling goal. Report is due Jan. 2010.

Oppose legislation that imposes fees or taxes on local governments for collecting waste, which is an essential governmental service. Support legislation that removes the requirement for all counties to participate in composting and that removes the regulatory burden for counties to prove to DEP that they cannot implement a composting program.

Florida Forever

Support the continuation of the Florida Forever land-buying program, to the extent the program is sufficient to acquire land for the protection of natural resources and green spaces. Support continuation of a dedicated state funding source, which provides local match funding for local land acquisition. Oppose any efforts to undermine local government zoning authority. Support legislation that would require land acquisition projects to be ranked according to their consistency with the local comprehensive plan.

Health & Humans Services

County Health Departments

Support maintaining state general revenue funding for county health departments, and oppose any state reductions to the county health department trust funds. Support legislative efforts to retain cost based reimbursement for county health departments.

Rate Exemption

Support the reinstatement from rate control for county health departments.

Medicaid Reform

Support legislation to maintain and preserve Medicaid services.

Homelessness

Support legislation in the prevention of homelessness.

Public Safety

Red Light Cameras

Support legislation to allow the use of automated traffic enforcement technology at intersections to combat the increasing problem of red light running. Support change in statute to specify authority to use automated traffic enforcement technology to combat red light running. Support reasonable funding from fines for equipment costs. Proposed legislation to allow law enforcement to issue traffic citations for red light running violations through the use of technology includes a strong public awareness program and an appeal process, providing an effective safety tool for law enforcement and motorists.

Corrections/Juvenile Justice

Support equitable billing by the Department of Juvenile Justice.

Conflict Counsel

Oppose attempts to restore efforts to require counties to fund any aspect of the Criminal Conflict and Civil Regional Counsels.

*Federal Priorities will be developed in conjunction with FAC Federal Action Strike Team and our Federal Lobbyist and will be brought back to the Board for consideration at a future meeting. Several issues are under discussion at this time including water, health care for prisoners, tax on county purchases, etc.