

Meeting Date
December 6, 2015



REVISED/REPLACEMENT	
AGENDA	
Section	New Business
Item No.	VI. E. 2.

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Brevard County 2017 Legislative Program
DEPT/OFFICE:	County Manager's Office

Requested Action:

It is requested that the Board of County Commissioners approve the 2017 Legislative Program and identify priorities for the December ~~1619~~, 2016 Legislative Delegation meeting.

Summary Explanation & Background:

The Board of County Commissioners is asked to review the legislative items that staff and related Space Coast Agencies are highlighting for the State Legislature's 2017 session. The items the Board support make up the core of those issues that our legislative team will be asked to pursue.

The Board is requested to approve the 2017 Legislative Program and to identify their top priorities for the upcoming session. Proposals are categorized under the following areas:

- I. Brevard County Policy Statement/s
- II. Brevard County Initiatives
- III. Brevard County Department Issues
- IV. Brevard County Space and Technology Agenda
- V. Transportation Funding

Clerk to the Board Instructions:

Exhibits Attached: Proposed 2017 Legislative Program Summary;

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager, Frank Abbate	Department Director / Extension
Stockton Whitten	Assistant County Manager, Venetta Valdengo	



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December 7, 2016

M E M O R A N D U M

TO: Stockton Whitten, County Manager

RE: Item VI.E.2., Brevard County 2017 Legislative Program

The Board of County Commissioners, in regular session on December 6, 2016, reached consensus in identifying the priorities for the December 16, 2016, Legislative Delegation meeting, as follows:

1. Transportation Funding Supporting St. Johns Heritage Parkway System, Ellis Road Improvements, A-1-A Corridor, and State Road 528
2. Indian River Lagoon Restoration and Stormwater Treatment and Management of Environmentally Endangered Lands (EEL) Properties through Amendment 1 and/or General Revenue for Matching Funding Drawdowns
3. Brevard County Emergency Operations Center (EOC) Funding
4. Funding for Environmental Cleanup of 108-Acre Site of Former Brevard Correctional Institute
5. Modifying Current Standards for Building Code Inspectors and Plans Examiners

Staff is still permitted to work on or advocate other items within proposal.

Your continued cooperation is greatly appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

cc: Each Commissioner
County Attorney

Tourism Development

- **SUPPORT** a requirement for lodging operators to post sales tax ID number or Florida Rental License number on all advertisements to demonstrate compliance with all state laws regulating lodging operators and tax collection requirements.
- **OPPOSE** any legislation which would expand the legal use of Tourist Development Tax beyond the current statute; including uses for lifeguards, public safety, roads and infrastructure.
- **OPPOSE** any reductions to VISIT FLORIDA's marketing budget.

Brevard County Space and Technology Agenda

Space Florida Budget

- **SUPPORT** continued funding for business development and operations.
\$7 million request; same level as funded 2015.
- **SUPPORT** dedicated funding for business development to leverage private sector investment.
\$6 million request.
- **SUPPORT** space tourism and marketing.
\$1.5 million recurring request; second year for funding.
- **SUPPORT** research and development MOU with Israel.
\$1 million recurring request; second year for funding.

Transportation Funding

Space Coast Transportation Planning Organization

- **SUPPORT Brevard County Road Project Priorities**
 - **St. Johns Heritage Parkway System** - Continue local/state partnerships to construct all segments of the parkway from the south I-95 Interchange to Ellis Road.
 - **Ellis Road Improvements** – Secure funding for construction widening of Ellis Road to four lanes. Strategic Intermodal System designation granted in 2016.
 - **A1A Corridor** – Implement improvements to the A1A corridor from Pineda Causeway to Port Canaveral as recommended in the FDOT feasibility study.
 - **SR 528** – Continue design of widening SR 528 that expands multimodal options, bicycle/pedestrian/recreation features and accommodations for increased freight.
- **FUND regional trails, including the Space Coast Loop** – Consider allocating additional state transportation trust funds for regional multi-purpose trails. Only \$25 million per year is available to construct the 55-mile Space Coast Loop that is the eastern end of the Coast-to-Coast Trail and the southern end of the five-county St. Johns River to Sea Loop. Eight other trail systems are competing for the funds.
- **EXPAND Passenger and Freight Rail Capacity in Brevard County** - Continue FDOT and private sector investment in quiet zones, freight capacity and one or more passenger rail stops in Brevard County.
- **EXPAND Port Canaveral's Passenger and Freight Capacity** – Invest in strategic port projects to expand passenger and cargo facility development and support intermodal connections to the port.
- **INVEST in Space Transportation Infrastructure** – Continue to prioritize and fund spaceport projects in the Strategic Intermodal System five year work program. Incorporate spaceports into all long-range transportation plans and programs with specific policies and procedures for spaceport development.

Brevard County Board of County Commissioners

2017 Legislative Program Summary

Brevard County Policy Statements

Unfunded Mandates

- **SUPPORT** establishing a process for state, county, and municipal elected officials to collaboratively evaluate appropriate funding and delivery of intergovernmental service responsibilities between counties and the state.
- **OPPOSE** any state actions that limit the ability of local elected officials to make fiscal and public policy decisions for the citizens they represent.

Brevard County Initiatives

Brevard County Tourist Development Tax

- **SUPPORT** legislation that would amend Tourist Development Tax law to eliminate automatic expiration of the entire Tourist Development Tax upon pay off of stadium bonds and termination of professional sports team stadium lease. (*County Attorney's Office*).

Brevard County Emergency Operations Center (EOC)

- **SUPPORT** funding for new Brevard County EOC that supports emergency management activities that benefit the United States and the State of Florida through activation for every space launch at Cape Canaveral and Kennedy Space Center as well as support of NASA, military, and Port facilities. The facility should include a co-located communications center for law enforcement, fire and rescue dispatching to reduce the number of public safety answering points for 911 calls. (Emergency Management).

Brevard County Infrastructure

- **SUPPORT** funding for the Transportation Planning Organization's highest priority projects--the St. John's Heritage Parkway, Ellis Road Improvements and A1A corridor improvements. (*Public Works*).

Brevard County Department Issues

Central Services Department

- **SUPPORT** funding of environmental cleanup of the 108-acre site of the former Brevard Correctional Institute, including removal of contaminated soil, underground fuel oil piping, storage tanks, lift stations, and all other post building demolition infrastructure; and delineation of underground contamination plumes. Work is estimated at \$4 million.

Housing and Human Services

Affordable Housing

- **SUPPORT** retaining the full amount of dedicated documentary stamp tax revenues within the State Housing Initiative Program (SHIP) towards state and local affordable housing programs.
- **SUPPORT** full funding of the Weatherization Assistance Program (WAP) to assist low income homeowners with energy efficiency repairs and improvements to facilitate lower energy costs.

Public Safety

- **SUPPORT** the state taking shared responsibility for funding local, evidence-based reentry programs, where costs could be leveraged from a reduction in recidivism.

Funding for Programs Supporting the Homeless

- **SUPPORT** increasing base operational funding by \$300,000 recurring for the State's 28 Local Homeless Continuum of Care Lead Agencies. (Included in DCF's Legislative Budget Request).
- **SUPPORT** continued Homeless Staffing and Challenge Grants in order to meet emergency needs of the homeless and at risk individuals and families.

Funding for Senior Services

- **SUPPORT** \$10,011,455 in State General Revenue funding to serve 1,287 frail seniors (10% of the "most at-risk" seniors) on the Department of Elder Affairs Waiting List for the Community Care/Home Care for the Elderly and Alzheimer's Respite Care Programs.
- **SUPPORT** the appropriation of \$1.5 mil. in recurring State General Revenue and \$1.5 mil from recurring Federal Medicaid Matching Funds for Aging and Disability Resource Center (ADRC) client services workload under the Statewide Medicaid Managed Long Term Care Program.

Library Services

- **SUPPORT** legislation to eliminate the North Brevard Library District. The Board of County Commissioners will create a Titusville Library Advisory Board to replace it.
- **SUPPORT** continued State Aide to Libraries. Brevard County Libraries received \$484,632 in State Aide in fiscal year 2015-2016.
- **SUPPORT** continued Public Library Construction Grants.

Natural Resources

Indian River Lagoon Restoration and Stormwater Treatment

- **SUPPORT** increased revenue allocations from State General Revenue and/or Florida Water and Land Conservation Initiative (Florida Constitutional Amendment 1) Revenues to match local funds dedicated to implementing the Save Our Indian River Lagoon Project Plan.
- **SUPPORT** measures that provide flexibility to county governments for crafting local solutions to water quality problems.
- **SUPPORT** the new Indian River Lagoon National Estuary Program Council.
- **SUPPORT** initiatives that **reduce** pollution sources, **remove** legacy loading, **restore** critical ecosystem functions and provide sound, applied **research** for the Indian River Lagoon.
- **SUPPORT** revenue allocation for shellfish restoration to filter pollutants from the Indian River.
- **SUPPORT** increased revenue allocation to FDEP for Water Projects needed to meet federal water quality mandates, aka Total Maximum Daily Loads.
- **SUPPORT** increased revenue allocation to FDACS for Agricultural Best Management Practices targeting water quality improvements, especially to small farms and hobby farms not eligible for federal NRCS funding assistance.

- **SUPPORT** revenue allocation and county authority to reduce groundwater pollution.
- **SUPPORT** revenue allocation for voluntary upgrade of existing onsite sewage treatment systems to Passive or Performance-based Advanced Wastewater systems or connection to centralized sewer.
- **SUPPORT** the lawsuit filed by the State of Florida against the new federal Waters of the U.S. (WOTUS) definition that will divert scarce funding for restoring important natural water bodies to improving water quality in manmade ditches.
- **OPPOSE** preemption of county authority to regulate the use and application of fertilizer.
- **OPPOSE** preemption of county authority to regulate water quality to achieve Total Maximum Daily Loads.

Beach Erosion Control Funding

- **SUPPORT** increasing the state funding for beach renourishment from \$30 million annually to a dedicated amount sufficient to sustain Florida's beaches. Brevard County projects have submitted a Long Range request of \$292,500 of state funds for fiscal year 2016-2017.
- **SUPPORT** legislation that improves the project ranking criteria and process used to allocate state funding for beach renourishment projects.
- **SUPPORT** the position of the Florida Shore and Beach Preservation Association's Beach Watch program led by Debbie Flack. Brevard County is a Beach Watch member and participates in developing the Beach Watch positions and priorities.

Petroleum Clean-up and Pollutant Storage Compliance Verification Program

- **SUPPORT** legislation that upholds state and local funding sources and statutory provisions to assist Local Governments in the following:
 - Petroleum Restoration Program, Chapter 62-780, F.A.C.
 - Pollutant Storage Tanks Compliance Verification Program, Chapter 62-761 and 762, F.A.C.
- **SUPPORT** Local Government Clean-up Contracting which provide services in a more efficient and cost effective manner as stated in the Office of Inspector General's internal audit.
- **SUPPORT** funding for locally contracted FDEP Storage Tank Compliance Verification Program (\$10 million) as defined in Section 376.3073 F.S.
- **OPPOSE** reduction of funding allocations to the Storage Tank Compliance Verification Program special category of the Inland Protection Trust Fund (IPTF).
- **OPPOSE** changing the routine compliance assurance inspections frequency from every two (2) years to every three (3) years.

Waterways

- **SUPPORT** legislation which preserves public access to and along beaches and state water bodies and which preserves county regulatory authority.
- **SUPPORT** legislation intended to provide public waterway access, navigation rights, and advances mooring fields by allowing local authorities to adopt regulations to protect water quality for the health and welfare of local citizens when adequate anchorage is available.
- **SUPPORT** the development of legislation and initiatives that will simplify the requirements for maintenance dredging and muck removal for improved access and reduction of pollutant loads.

- **SUPPORT** revenue allocations to the Florida Boating Improvement Program by fully restoring program appropriations including revenue under section 206.606(1) (d), F.S., dedicating a portion of the revenues attributable to the sale of motor and diesel fuel at marinas.
- **SUPPORT** legislation that upholds state and local funding sources and statutory provisions to assist local governments in the following:
 - Maintain or expand state funding for derelict vessel removal.
 - Maintain land acquisition funding for recreational and commercial waterfronts from the Land Acquisition Trust Fund and Stan Mayfield Working Waterfronts Grant Program.
 - Provide for construction or maintenance of boating improvement projects, and vessel management initiatives.
 - Devise an estimating method that more accurately reflects the fuel taxes paid by all vessels, including vessels on trailer fueled at upland stations. Local studies and data characterizing boater fueling practices should be incorporated into this methodology where available.

Parks and Recreation

- **SUPPORT** legislation that maintains or expands state funding for derelict vessel removal.
- **SUPPORT** legislation that maintains or expands state funding for construction and maintenance of boating improvement projects.
- **SUPPORT** legislation that allocates funding for Brevard County Environmentally Endangered Lands Program for conservation land acquisition and management pursuant to the Florida Water and Land Conservation Initiative, Florida Constitutional Amendment 1; urging the Florida Association of Counties to identify this issue as one of its critical priorities.

Planning & Development

- **SUPPORT** for amending Ch. 468.609(2), F.S. to modify current standards for building code inspectors and plans examiners, in order to qualify for taking examinations for certification. Florida Statutes currently require that an applicant “demonstrate 5 years combined experience in the field of constructions or related field, building code inspection or plan review corresponding to the certification category sought...” The Statute should be amended to provide for an Alternative Internship Certification Program that allows a candidate to work as an intern under the building official of the jurisdiction in lieu of the 5 year experience requirement. The candidate would be required to pass the ICC exam for the inspector or plans examiner category prior to the internship and pass a 40 hour code training course prior to completing the internship.

Public Works

- **OPPOSE** any state actions that would require local governments to pay the cost of utility relocations associated with work the local government performs in their own right-of-ways.
 - Shifts costs of utility relocations from utility monopolies to the taxpayers;
 - If approved, would induce litigious environment regarding costs;
 - Would increase public expense associated with road maintenance and construction which is underfunded already;

The increased costs to the public are only known by the Utilities. Thus, the budgetary impact of the proposal is unknown.