



STATE LEGISLATIVE AND EXECUTIVE PROGRAM

2022

Adopted August 24, 2021





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INTRODUCTION

This State Legislative and Executive Program will serve as the guiding policy platform for the Broward County Board of County Commissioners during the 2022 state legislative session, which convenes in Tallahassee on Tuesday, January 11, 2022.

The Intergovernmental Affairs/Boards Section will work with the county's state legislative delegation, contract lobby teams, and the Florida Association of Counties to file legislation and appropriations on behalf of the Board of County Commissioners to further their adopted priorities and lessen the impact of attempts at preemption and unfunded mandates overall to the county.

In advance of session, Intergovernmental Affairs/Boards Section staff will attend all legislative interim committee meetings during the following dates:

- **Committee Week 1: September 20 – 24**
- **Committee Week 2: October 11 – 15**
- **Committee Week 3: October 18 – 22**
- **Committee Week 4: November 1 – 5**
- **Committee Week 5: November 15 – 19**
- **Committee Week 6: November 29 – December 3**

Respectfully,

The Intergovernmental Affairs/Boards Section



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BROWARD COUNTY STATE LEGISLATIVE AND EXECUTIVE PROGRAM

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I. STATE PRINCIPLES AND POLICIES

BROWARD COUNTY STATE PRINCIPLES

LOCAL DECISION-MAKING

SUPPORT proposals that would provide a greater share of total available state funding to Broward County. **OPPOSE** proposals that would reduce the County's share of total funding.

SUPPORT proposals that would provide local governments with greater decision-making authority over the use of federal funds, which provide for direct grants or mandatory pass-through allocations to large urban counties.

OPPOSE proposals that impose new unfunded mandates on the County.

OPPOSE proposals that would finance increased spending for one program by cutting other programs of greater benefit to the County, or which would result in a net revenue loss or a cost-shift to the County.

SUPPORT proposals to reduce or relax local match requirements that hinder the ability of local governments to receive or use state funds.

OPPOSE state preemption of local government authority.

POLICY STATEMENTS

*The ability to maintain home rule and avoid unfunded mandates are central to Broward County's state legislative priorities and advocacy needs, as outlined in this legislative agenda. Broward County is a member of the **Florida Association of Counties (FAC)**, **16 County Coalition for the Responsible Management of Lake Okeechobee**, and the **Southeast Florida Regional Climate Change Compact** and works in concert with these associations to further joint priorities and goals.*

FLORIDA ASSOCIATION OF COUNTIES

SUPPORT the Florida Association of Counties (FAC) Legislative Program and Guiding Principles unless specific issues conflict with Broward County positions.

16 COUNTY COALITION

SUPPORT the 16 County Coalition legislative priorities unless specific issues conflict with the Broward County position.

SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT AND CLIMATE LEGISLATIVE PROGRAM

SUPPORT the Southeast Florida Regional Climate Change Compact State Energy and Climate Legislative Principles unless specific issues conflict with Broward County positions.

II. COMMISSION PRIORITY ISSUES

AFFORDABLE HOUSING

SADOWSKI AFFORDABLE HOUSING TRUST FUND

SUPPORT full use of the dedicated revenues provided by the Sadowski Affordable Housing Act for Florida’s housing programs and projects. Specifically, full funding for the State Housing Initiative Partnership (SHIP) and State Apartment Incentive Loan (SAIL) Programs aiding income eligible residents, including seniors and individuals with disabilities. **OPPOSE** any diversion of housing trust fund monies for purposes unrelated to the affordable housing needs of Floridians.

STATE HOUSING INITIATIVE PARTNERSHIP FUNDING DISTRIBUTION

SUPPORT modifying the current requirements of SHIP funding distribution. Currently, s. [420.9075\(5\)\(a\)](#) requires at least 65 percent of awarded SHIP funding to be used for home ownership, and s. [420.9075\(5\)\(b\)](#), indicates up to 25 percent of funding may be used for rental housing. Since the Great Recession, Broward and all urban counties have had a much greater need for rental housing than home ownership. Due to the extreme home prices in Broward County, only 13 percent of all families in the County can afford the median priced home (\$464,000). The Board further **SUPPORTS** amending the current law to allow 50 percent of SHIP funding for home ownership with the remaining 50 percent for multifamily rental housing to allow for a more equitable distribution of SHIP funds under the current reality of the housing market.

CONSTITUTIONAL AMENDMENT ON AFFORDABLE HOUSING ***NEW***

Floridians for Affordable Housing, the PAC established by the Florida Realtors, has proposed a constitutional amendment to establish the State and Local Government Housing Trust Funds in the Florida Constitution. While this proposal would dedicate 25 percent of net revenues from the existing doc stamps to those Trust Funds, it would destroy large urban counties’ future ability to increase the equitable distribution of those funds to support multifamily affordable rentals. While Broward County would support a constitutional amendment to protect doc stamp proceeds dedicated for affordable housing and preventative measures from future legislative fund sweeps, the County would only support a proposal that allows local governments the flexibility to address the affordable housing crisis in their communities. The constitutional amendment proposed by the Florida Realtors does not accomplish this goal.

Broward County **OPPOSES** the proposed Constitutional Amendment titled *Affordable Housing – Protects affordable housing funds from being used for non-housing purposes*, in its current form. Broward County **SUPPORTS** an affordable housing constitutional amendment that dedicates documentary stamp revenues to the State and Local Government Housing Trust Funds and allows local governments the flexibility to distribute the revenue to balance funding for home purchase with rental demand to alleviate the varying stresses of the housing crisis in each community.

AFFORDABLE HOUSING FOR SENIORS

SUPPORT funding for all housing projects dedicated to serving income eligible seniors with more and more seniors “aging-in-place” or relocating to South Florida. As Broward County is one of the primary locations in the state where this population is growing, it is increasingly important to find sustainable solutions to address the affordable housing needs of seniors.

CRIMINAL JUSTICE REFORM

JAIL DIVERSION, PRISONS & RE-ENTRY PROGRAMS ***UPDATED***

SUPPORT increased funding to expand all jail diversion programs. Additionally, **SUPPORT** the Stepping Up Program and legislative efforts that reduce the number of people with mental illness in jails. Further, **SUPPORT** only prison reforms that include a comprehensive approach and dedicated revenue source for quality re-entry programs. **OPPOSE** the privatization of prisons in South Florida.

SUPPORT the enforcement of state law requiring that entitlement benefits be suspended, rather than terminated, during jail stays of 364 days or fewer. Additionally, **SUPPORT** providing health care to inmates and arrestees at a rate no higher than 10 percent above Medicaid reimbursement rates.

JUVENILE JUSTICE ***UPDATED***

SUPPORT the investment within certain facilities to enhance the conditions of secure confinement for detained youth, specifically, in providing comprehensive services that will assist in decreasing juvenile offender recidivism.

SUPPORT the expungement and sealing of juveniles who have successfully completed a probationary or rehabilitation program, specifically a County operated civil citation or prearrest diversion program.

SUPPORT measures that promote civil citation and similar pre-arrest diversion programs, like the Broward County Civil Citation Program, that provides an alternative to arresting youth who commit misdemeanor acts and ensures that these juveniles are expeditiously held accountable, supervised, and receive appropriate intervention services.

SUPPORT legislation that provides opportunities for counties to develop, invest in, and implement alternatives to divert children and youth from secure detention facilities, such as intensive home detention, electronic monitoring, and reporting centers. **OPPOSE** any policy increasing numbers of youth in adult facilities.

SUPPORT legislation that improves the accountability of the educational systems within juvenile detention facilities.

SUPPORT legislation that stops the practice of direct file for children under the age of 18 and requires all decisions to transfer children to the adult system be made by a judge based on testimony and evidence presented in a hearing, with a presumption in law that children should remain in the juvenile system.

SUPPORT continued funding for organizations providing pre-apprenticeship, apprenticeship, or internship programs for disadvantaged youth and for organizations providing re-entry programs.

ECONOMIC DEVELOPMENT

Recognizing the significant role small business plays in our economy, the Board encourages the growth and development of emerging and small business enterprises within our geographical boundaries.

SMALL BUSINESSES

SUPPORT policies and legislation that assist small and disadvantaged businesses through such capacity building components as access to banking and financing, insurance and bonding, business development, technical assistance trainings, workforce development and mentor-protégé programming. Also, **SUPPORT** the creation of small business loan programs targeted to small and emerging businesses in Broward County.

APPRENTICESHIP PROGRAMS

SUPPORT policy proposals and funding for workforce development, apprenticeship, and pre-apprenticeship programs.

MINORITY-OWNED BUSINESS

SUPPORT continued funding for the Black Business Loan Fund and Hispanic Business Investment Grant Fund. Also, **SUPPORT** legislation that would increase funding for economic development programs in low-income/high poverty communities and create programs, which would stimulate economic development within Broward County.

OPPORTUNITY ZONES

SUPPORT legislation providing guidelines and incentives for investors that provide employment and contracting opportunities for those living in all Florida Designated Opportunity Zones.

FILM, TELEVISION AND DIGITAL MEDIA INCENTIVES

SUPPORT film, television and digital media production, and other entertainment grant opportunities that would focus on local talent and businesses, in turn increasing local revenue and tourism. Support initiatives for the film, television and entertainment production industries that will promote tourism, foster economic development, and create high-wage, high-skilled jobs for Floridians.

ENVIRONMENTAL POLICY

STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE *UPDATED*

SUPPORT measures to amend the newly enacted s. 380.093, F.S, regarding statewide flooding and sea level rise resilience ([L.O.F. 2021-28](#)) to establish in advance, the total amount of funds to be distributed to water management districts and other state agencies, and the total amount of funds to be distributed to local governments. ***NEW***

SUPPORT full funding of the Statewide Flooding and Sea Level Rise Resilience Plan where counties, municipalities, and regional resilience entities are authorized to submit to DEP lists of proposed projects for inclusion in the plan to ameliorate the effects of climate change. ***NEW***

SUPPORT legislation intended to assess the financial need to address Florida's water infrastructure relating to conservation, the protection of water quality, stormwater, flood control and environmental protection and restoration.

SUPPORT legislation that promotes adequate funding to address water infrastructure needs, as well as the development of prioritized and science-based grant programs for the implementation of projects identified by local governments, the water management districts, and state agencies.

SUPPORT legislation requiring the assessment and evaluation of state agency efforts to address sea level rise and other weather impacts on the county.

SUPPORT funding to water management districts for resiliency initiatives, which include updating design standards, planning and regulatory criteria, and level of service studies to maintain project compatibility, and infrastructure connectivity under potential future climate conditions.

SUPPORT direct funding for the South Florida Water Management District to expand upon the Central and Southern Florida Flood Control Resilience Study of the Army Corps of Engineers as a non-federal sponsor to address priority needs and initiate regional projects more expeditiously. ***NEW***

BEACHES AND INLET MANAGEMENT

SUPPORT a minimum of \$50 million in state funding for beach nourishment and inlet management projects.

REGULATION OF POLYSTYRENE PRODUCTS

SUPPORT legislation to remove the prohibition on local government action to regulate or ban the use of disposable plastic bags and polystyrene products.

FRACKING

SUPPORT legislation that prohibits high-pressure well stimulation and matrix acidization in the state, specifically for oil and gas wells. Additionally, **SUPPORT** legislation that clarifies that a permit for drilling or operating an oil or gas well does not authorize the performance of high-pressure well stimulation or matrix acidization.

OPPOSE preemption of local regulation of extreme well stimulation and oil and gas exploration and extraction, including hydraulic fracturing.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ***UPDATED***

SUPPORT state funding and additional resources to address the significant unmet behavioral and mental health needs in Broward County, including permanent, supportive, and transitional housing for vulnerable populations, i.e., economically disadvantaged, racial, and ethnic minorities, uninsured, low-income children, elderly adults, persons experiencing homelessness, and those with chronic health conditions including severe mental illness. Additionally, **SUPPORT** access to case management and therapeutic services including mental health, vocational, social, and recreational services to decrease homelessness, hospitalization, and incarceration of individuals with mental illness. Further, **SUPPORT** community support services, short term residential treatment beds, extended acute care beds, and integrated primary/behavioral health programs to provide services to special populations.

SUPPORT multidisciplinary teams, specifically designating Children’s Community Action Treatment Teams (CAT), Family Intervention Treatment Teams (FIT), and Florida Assertive Community Treatment Teams (FACT) in Broward County. Additionally, **SUPPORT** funding and inclusion of an additional CAT Team for Broward County.

SUPPORT measures that regulate recovery residences.

SUPPORT the protection and full funding of the existing behavioral health safety net in Broward County.

SUPPORT the Broward Behavioral Health Coalition’s (BBHC’s) FY 2022-23 Legislative Priorities and Funding Requests.

III. LOCAL BILLS

SENIOR SERVICES DISTRICT

SUPPORT the creation of a countywide Senior Services District. The independent special district will fund and provide services to seniors throughout Broward County. The governing body of the independent district will be known as the Senior Services Council of Broward County (Council). It will be tasked with providing and maintaining preventative, developmental, treatment-based, and rehabilitative services for the general welfare of seniors. Additionally, the Council will allocate and provide funds to other agencies that operate for the benefit of seniors; collect information and statistical data that will be helpful in deciding the needs of seniors in the county; and seek local, state, federal, and private grants/donations. As more seniors are “aging-in-place” or relocating to South Florida, specifically in Broward County, the creation of a Senior Services District provides the elderly population with a sustainable solution pertaining to their specific needs.

AFFORDABLE HOUSING DISCRETIONARY SURTAX | BROWARD COUNTY HOUSING TRUST FUND

SUPPORT a local bill that creates a dedicated source of funding for Affordable Housing in Broward County. The ability of Broward County residents to have a discretionary documentary surtax will be a dedicated source of funding for the charter established *Broward County Affordable Housing Trust Fund*. The discretionary surtax is designed to provide gap funding not available from the state due to annual “raids” of the Sadowski Affordable Housing Trust Fund. Like Miami-Dade, Broward seeks to send \$0.60 of documentary stamp revenues to the state, of which \$0.10 will be used for administrative purposes. An additional \$0.45 tax will be applied, in which all monies will go directly into the *Broward County Affordable Housing Trust Fund*. The surtax will seek reauthorization by voter referendum every 12 years.

Updated local bill developments can be found on the Legislative Delegation’s website:

<http://www.broward.org/legislative/Pages/Default.aspx>

IV. COMMISSION POLICY POSITIONS

ALTERNATIVE FUEL VEHICLES AND CHARGING INFRASTRUCTURE

SUPPORT legislative initiatives to expand the use of electric vehicles and other low-carbon alternative fuel vehicles, including hybrid and hydrogen fuel cell, vehicles, and support the expansion of electric vehicle charging infrastructure.

ALTERNATIVE WATER SUPPLY ***UPDATED***

SUPPORT legislation and funding initiatives to increase alternative water supply funding, including stable or increased funding for the Water Sustainability and Protection Program and state funding of the Leah Schad Memorial Ocean Outfall Program.

ANCHORAGE RESTRICTION ***UPDATED***

SUPPORT proposals to clarify time limits of overnight vessel anchorage and enforcement responsibility of existing state restrictions.

AVIATION FUEL TAX EXEMPTION

OPPOSE attempts to waive, reduce or suspend aviation fuel taxes statewide or locally.

ARTICLE V COSTS

The Board urges the state to take responsibility for fully funding the state's court system and opposes the Legislature's continuing efforts to expand counties' funding responsibilities beyond the specific items authorized in [Article V, §14\(c\)](#) of the state constitution.

The Board **SUPPORTS** the repeal of existing statutory provisions mandating counties fund responsibilities not found in the state constitution or that require counties to automatically increase court expenditure levels without appropriate review and budgetary justification. The Board also **SUPPORTS** an increase in the recording fee distributed to counties to fund the court-related technology needs of the state attorneys, public defenders, and state trial courts, but **OPPOSES** the distribution of these limited funds to other entities.

CHILD WELFARE

SUPPORT adequate and equitable resources for the child welfare system to ensure the safety and well-being of children at risk of abuse. Provide a continuum of high-quality services for children in the dependency system and youth in transitional independent living programs.

SUPPORT access to high quality trauma focused services for victims of sexual violence from certified rape crisis centers funded through the Florida Council Against Sexual Violence (FCASV).

SUPPORTS legislation to extend KidCare coverage to include children of "lawfully residing" immigrants as allowed by federal law and funded with federal matching dollars under provisions of the Children's Health Insurance Program Reauthorization Act (CHIP).

SUPPORT expanding the School Readiness Program to provide subsidized childcare services for children from low-income families and reduce the waiting list for such services. The Board also supports efforts to ensure that children have access to high-quality childcare services, including those who are funded from childcare subsidies (School Readiness funds).

SUPPORT the expansion or implementation of evidence-based prevention and intervention programs to reduce the likelihood of child maltreatment and provide safe and caring homes for children through increased funding of the Florida Network of Children's Advocacy Centers (FNAC).

COMMERCIAL SERVICE AIRPORTS

SUPPORT amendments to s. [332.0075](#), F.S., to increase the mandate to comply with the contractual service and commodity procurement requirements of Chapter 287, F.S., from \$65,000 to the County's mandatory bid amount of \$100,000, increase the threshold amount from \$325,000 to \$500,000 for award by the Board as currently established in the County, and clarify that only contracts procuring contractual services or commodities are prohibited from appearing on a consent agenda.

COMMUNICATION SERVICES TAX

SUPPORT the maintenance of an equitable tax structure for communication products and services. The Board opposes efforts to reduce the tax base and revenues and any efforts to reduce local government's ability to manage its public rights-of-way.

EDUCATION ***NEW***

OPPOSE measures to reduce award amounts of Bright Futures scholarships and further **OPPOSE** any attempts to tie the scholarships to certain degree programs.

EMERGENCY PREPAREDNESS AND MANAGEMENT

SUPPORT all public safety initiatives, funding for much needed public safety facilities, and the implementation of policies protecting countywide emergency communication infrastructure.

SUPPORT measures that increase flexibility for counties to best respond to and recover from emergency incidents. ***NEW***

SUPPORT a viable, fully integrated and coordinated local, state, and federal disaster response structure. County emergency managers are the first to respond to citizens and visitors during all emergencies including terrorism and natural disasters. There are real and ongoing financial challenges for local governments, particularly law enforcement and other first responders.

SUPPORT an "all hazards" approach to emergency management, allowing local emergency managers the highest degree of flexibility in the expenditure of state and federal funds.

EMINENT DOMAIN

OPPOSE legislation that further restricts or preempts the powers of local government to effectively address critical infrastructure projects and other economic development projects that are vital to the economic prosperity of Broward County and the state.

EVERGLADES RESTORATION

SUPPORT continued state funding for Everglades Restoration Projects under the Comprehensive Everglades Restoration Plan (CERP), specifically the Broward County Water Preserve Area (WPA) and the Central Everglades Planning Project (CEPP). Additionally, the Board recognizes that the Everglades and associated CERP projects contribute valuable educational and recreational benefits to residents and tourists. The Board **SUPPORTS** state and federal funding to construct 13 miles of trail and other recreational components of the WPA that will provide significant recreational benefits to the County-owned Everglades Holiday Park.

OPPOSE the sale of undeveloped lands within Broward County under the South Florida Water Management District's land assessment program that support restoration of the Everglades and protect natural resources.

FIREARMS REGULATION

SUPPORT legislation allowing local governments to regulate or prohibit firearms in government-owned buildings and facilities. Further, **SUPPORT** legislation prohibiting the possession of firearms, weapons, and ammunition in substance abuse programs, mental health programs, and sexual assault treatment facilities. **OPPOSE** legislation allowing individuals with concealed-weapons licenses to open carry firearms on college and university campuses; at state legislative and cabinet meetings; governing board meetings of counties, cities, school boards, special districts; and in courthouses.

FLORIDA BUILDING CODE

SUPPORT amendments to Florida Statutes which would allow local governments to adopt local amendments to the Florida Building Code (FBC) pertaining to energy conservation and amendments which would allow those local amendments to carry over into new editions of the FBC, subject to the normal review and modification procedures outlined in law and the Code. Additionally, **SUPPORT** legislation or Florida Building Code updates to require higher energy performance standards and resilience standards for new and existing buildings including, but not limited to, energy conservation, renewable energy, drainage, flood elevation, wetproofing, and seawall requirements to prepare for and lessen the impacts of future conditions. ***UPDATED***

SUPPORT policies that allow counties to issue permits for new construction of county-owned buildings.

SUPPORT legislation and policies that safeguard condominiums and other high-rise buildings. This statement will be updated upon the conclusion of the Broward County Condominium Structural Issues Committee. ***NEW***

GENERAL REVENUE

OPPOSE any efforts that further erode the capability of local governments to fulfill their financial obligations or provide necessary services to their residents.

HUMAN & CIVIL RIGHTS/DIVERSITY AND INCLUSION

SUPPORT policies aimed at denouncing white supremacy. Also, **SUPPORT** legislation prohibiting law enforcement agencies from engaging in or tolerating police brutality and **SUPPORT** funding for de-escalation and crisis intervention training for law enforcement officers. Further, **SUPPORT** proposals that mandate racial equity and diversity training in the workplace to ensure everyone in the workplace is respected and treated appropriately regardless of race, gender, religion, sexual orientation, and gender identity.

SUPPORT legislation that expands the list of hate crimes to include those committed due to disability, gender, and gender identity. Additionally, **SUPPORT** legislation that calls for the equitable treatment and elimination of discrimination based on race, gender, religion, sexual orientation, and gender identity.

SUPPORT policies and legislation that further Broward County's Dismantling Racism Initiative, which is an educational platform to change perspectives from and perceptions of a focus on personal bigotry and bias, to develop the capacity of participants to better understand racism in its institutional and structural forms. ***NEW***

HUMAN RESOURCES

SUPPORT home rule ability to effectively manage, at the local level, all aspects of employee salary and benefit packages in the best interest of taxpayers and employees. Further, **SUPPORT** the ability to protect the privacy and safety of its employees.

LOCAL HIRE AND LOCAL PREFERENCE PROGRAMS ***NEW***

SUPPORT policies and measures that allow local hire and local preference programs to be utilized on state-funded transportation and infrastructure projects.

PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) REGULATION LIABILITY ***NEW***

SUPPORT proposals that would exempt airports, seaports, and water and wastewater services from liability for costs, damages or penalties related to PFAS contamination. Additionally, if regulatory actions are developed, **SUPPORT** efforts for state agencies to work closely with local governments throughout the rule-making process. **OPPOSE** preemption of state or local regulation to address PFAS contamination.

RENEWABLE ENERGY

SUPPORT legislation and policies to move the state towards carbon-free electricity generation by 2050. ***UPDATED***

SUPPORT legislation that streamlines the permitting and regulatory processes for solar product manufacturers, installers, and consumers. The Board further supports legislation reducing burdensome regulations on solar manufacturers and products that hamper solar photovoltaic (PV) market penetration.

SUPPORT legislation encouraging direct financing, tax refunds, rebates, or other economic incentives to encourage and facilitate solar photovoltaic energy use and battery storage in residential and commercial properties. Additionally, the Board supports legislation strengthening local governments' ability to create voluntary energy financing districts.

SUPPORT the preservation of Property Assessed Clean Energy (PACE) as a finance strategy to expand investments in weatherization, energy efficiency, and renewable energy by residential and commercial property owners through voluntary property assessments. The Board further **SUPPORTS** the expansion of the types of projects PACE can finance to include wastewater treatment, flood and water damage mitigation, health and environmental hazards mitigation, and water conservation and efficiency projects.

SOVEREIGN IMMUNITY

OPPOSE legislative efforts to increase or eliminate the sovereign immunity waiver limitations in current law.

SMOKING REGULATION PREEMPTION

SUPPORT legislation that allows local governments the flexibility to regulate smoke-free air policies in workplaces and public places including county-owned beaches and parks.

TAX CREDITS

SUPPORT the repeal of s. [215.179](#), F.S., to restore local governments' ability to benefit financially from the federal Section 179D tax deduction for installation of certain energy efficiency features in government-owned buildings.

VIRTUAL MEETINGS

SUPPORT legislation amending s. [286.011](#), F.S., to allow a governing public body to establish a quorum to conduct public meetings and workshops virtually during a declared state of emergency by means of communications media technology, so board members could participate either in-person or remotely. Due to the indefinite duration of the COVID-19 pandemic, the Board **SUPPORTS** this amendment to protect the health and safety of the public, staff, and commissioners. This change to current law should also apply to advisory boards, quasi-judicial hearings, and other public meetings.

SUPPORT legislation and policies that will allow regional resilience collaboratives like the Southeast Florida Regional Climate Change Compact to conduct public meetings and workshops by means of communications media technology.

WAGE RECOVERY PREEMPTION

OPPOSE any legislation preempting the enactment and enforcement of county ordinances providing local workers a non-judicial forum and appropriate remedies to recover the nonpayment or underpayment of earned wages.

IV. DEPARTMENT POLICY PROPOSALS

Each County Department, Division, Office, and Section may submit proposed policy proposals. These proposals address specific issues that may be addressed in the current Legislative Session or carried over until the policy has been successfully implemented or removed by the Commission, whichever comes first.

AFFORDABLE HOUSING CAPITAL FACILITY & IMPACT FEES | HOUSING FINANCE AUTHORITY

REQUEST

Amend [s. 163.318, F.S.](#) – Concurrency, to include “affordable housing unit construction” in the definition of “capital facility” This would provide stronger authority for the County to apply impact fees for affordable housing to commercial development by defining affordable housing as a “capital facility” under state law. In addition, affordable housing impact fees would provide a source of revenue for the funding of affordable housing programs and projects, and ultimately increase the supply of affordable housing units in Broward County.

Require that affordable projects funded by impact fees, remain affordable over the long-term (e.g., minimum of 30 years). This will most likely result in commercial developments paying additional impact fees. County residents would benefit from an increased number of affordable housing units. Local governments would benefit from the collection of impact fees to fund affordable housing programs and projects, and affordable housing developers and agencies would benefit from increased funding.

BACKGROUND

In 2019, the Legislature approved [Ch. 2019-165, L.O.F.](#), which authorizes counties and municipalities to continue using inclusionary housing ordinances that require a developer to provide a specified number or percentage of affordable housing units within a development or, in lieu of, allow a developer to contribute to a housing fund or other alternative. In exchange, however, a county or municipality must provide incentives to fully offset all costs to the developer for its affordable housing contribution. Incentives may include:

- Allowing the developer density or intensity bonus incentives or more floor space than allowed under the current or proposed future land use designations.
- Reducing or waiving fees, such as impact fees or water and sewer charges.

Additionally, the law codifies the dual rational nexus test by requiring an impact fee to be proportional and have a rational nexus both to the need for additional capital facilities and to the expenditure of funds collected and the benefits accruing to the new construction. Local governments must designate the funds collected from impact fees for acquiring, constructing, or improving capital facilities to benefit new users.

Affordable housing is one of the most critical issues facing Broward County. While we are expecting a significant increase in job growth across the county and region, the shortage of affordable workforce housing has risen exponentially. In 2019, Florida International University’s Metropolitan Center published a study titled the [Broward County Commercial Linkage Fee Nexus Study](#). The Study found that new commercial development creates demand for new affordable housing, resulting in a rational nexus between development and the imposition of impact fees required under state law. More than 911,000 very low-income households pay more than 50% of their income on housing and these individuals and families are one missed paycheck away from homelessness. ***UPDATED***

REQUEST *UPDATED*

SUPPORT a public records exemption for certain employees of public animal care services by amending [119.071\(4\)\(b\)2, F.S.](#)

BACKGROUND

Public animal care professionals must make difficult choices on the care and welfare of those animals, including life and death decisions for dogs and cats. This often results in negative feedback from a limited number of animal advocates. Of late, this feedback has grown increasingly vitriolic, intensified by social media filter bubbles. Public animal care professionals are rightly concerned that this vitriol may devolve to actions against the safety and wellbeing of themselves and their families.

REQUEST

SUPPORT an amending s. [119.071](#), F.S., relating to provide a public records exemption for county administrators, deputy county administrators and assistant county administrators.

BACKGROUND

Protecting the private information of senior county leadership and their families is a public necessity. Over the past several years, and particularly because of the COVID-19 pandemic, death threats have been made towards the County Administrator of Broward County that were subsequently investigated by law enforcement. It is imperative that the state make efforts to prevent threats from transforming into actionable capability to commit violence against the policymakers of county government. County administrators, deputy county administrators and assistant county administrators provide essential functions for the continuity of local government and must be protected. The abuse of the public records requests system has created security gaps that must be addressed to ensure that the first amendment is respected but should not be mutually exclusive to the protection and safety of county leadership.

REQUEST

SUPPORT legislation that requires peer-to-peer car-sharing service providers to enter into an agreement with a public airport for such services.

BACKGROUND

Peer-to-peer car sharing is a rental platform like Airbnb, but for cars. Companies like Turo allow people who own cars to hire them out for a few hours to a few weeks. Rental car companies have been lobbying state legislatures to regulate car-sharing platforms as rental agencies, like how hotel chains and taxi companies spearheaded regulation of Airbnb's and ride-sharing apps.

Currently, peer-to-peer companies may enter into contracts/agreements with locally owned airports; however, locally owned airports need to ensure that these car-sharing platforms are required to enter into contracts/agreements. Without the mandatory distinction, locally owned airports will be at a disadvantage to enforce local authority over these entities. Agreements/contracts should be mandatory for use of the airport facilities on the same terms and conditions, including, but not limited to, the requirement to pay fees, imposed on off airport rental car companies that are utilizing the airport facilities.

REQUEST

SUPPORT an increase to monthly telephone 911 fees to cover the increasing costs associated with providing 911 services. The fee increase will also aid in reducing the subsidy sought from the General Fund.

BACKGROUND

The 911 fee was enacted over 25 years ago at an amount of \$0.50 per month per device for 911 services. Telephone service providers collect the 911 fee from subscribers, retain a one percent administrative fee, and remit the balance to the state. The fees are deposited into the state’s Emergency Communications Number E911 System Fund and are disbursed amongst 67 counties. This fee funds 911 Operator salaries, training, and certifications, 911 telephone systems and maintenance, 911 circuits, digital mapping, 911 call recording, hearing impaired equipment, backup power systems, time synchronization equipment, location repositories, 911 center security, 911 center and equipment environmental integrity, and Next Generation 911 (NG 911) network services (IP networks).

In 2015, Governor Rick Scott reduced the 911 fee from \$0.50 to \$0.40 as part of a \$226 million annual tax cut for Floridians. This reduction led to an immediate fund deficit issue for every 911 Center and County 911 Coordinator in the state and many counties supplement 911 services with millions of local tax dollars. Monthly telephone fees of \$0.40 per month per telephone that are collected by the state and allocated to the County are insufficient to cover the cost of 911 related equipment, services, and call taker salaries.

A Broward County audit determined monthly telephone 911 fees should be increased to cover more of the cost of providing 911 services and to reduce the subsidy from the County’s General Fund. Specifically, in 2018, the County’s General Fund subsidized 911 call taker salaries by over \$11 million. Furthermore, the National Emergency Number Association (NENA) showed that Florida currently has the third lowest 911 fee in the country.

REQUEST

SUPPORT legislation amending tree trimming laws to:

- Require that a licensed arborist inspect and submit a tree risk assessment to the applicable local government prior to removal.
- Provide clear and defined standards using Tree Risk Assessment Qualification Standards when determining what constitutes a “danger” to persons or property and clarify the term “residential” property.
- Explicitly state that mitigation may still be required to meet local landscape plan minimum standards; and adding exemptions for certain circumstances.

BACKGROUND

During the 2019 Session, the Legislature approved Chapter [2019-155, L.O.F.](#), which prohibits local governments from requiring a permit, application, notice, fee, approval, or mitigation for the pruning, trimming, or removal of a tree on residential property that has been certified to present a danger to persons or property. The certification must be provided by an arborist certified by the International Society of Arboriculture or a licensed landscape architect.

Broward County has tree ordinances that require a permit prior to trimming or removing trees or protect certain trees because they are considered a valuable community resource. The removal of any historical tree without first obtaining approval from the Board of County Commissioners is prohibited, as is the removal of any tree without first obtaining a tree removal license from the Environmental Protection and Growth Management Department. County tree regulations may be suspended during a state of emergency. Chapter [2019-155, L.O.F.](#), limits the enforcement of these regulations to non-residential property only.

V. COUNTY APPROPRIATIONS REQUESTS

JOINT CRIME LAB FACILITY ***NEW***

REQUEST

SUPPORT funding for the design phase and preconstruction services for the Broward County Forensic Science Center, a forensics and criminology facility that will collocate two major Forensic Science and Pathology Institutes of Broward County, the Broward County Office of Medical Examiner & Trauma Services (OMETS) and the Broward Sheriff's Office (BSO) Crime Laboratory and Crime Scene Unit. The joint facility will also house a City of Fort Lauderdale Police Substation and community/training room. The building will provide advanced technological and scientific tools for forensic experts to meet the demands of a growing County population. The new facility supports broad scientific pursuits such as medical examination and evidence analysis that will benefit our community by answering the difficult questions that follow death and criminal activity.

BACKGROUND

The Forensic Science Center is a joint facility with 59% of the building space allocated for BSO and 41% of the space dedicated for the Broward County OMETS. The total cost for the design phase and preconstruction services for the Forensic Science Center is \$15,913,073. Broward County OMETS's share of the cost for fiscal year 2021-2022 is estimated to be \$2,328,394 and the BSO's share is \$3,350,616. The County is currently funding the entire project and is seeking a 59% state match for the BSO share of the design costs totaling \$3,350,616.

The Broward County Medical Examiner's Office uniquely combines the services of the Medical Examiner, forensic toxicology, and trauma services. The pathology and toxicology divisions work closely with law enforcement to determine causes of death, and staff provides expert testimony at criminal and civil trials. The BSO Crime Lab provides all public law enforcement agencies in Broward County with scientific forensic analysis of physical evidence. The lab currently employs 54 people and processed 18,388 cases in FY 2021-22.

Both the Broward County OMETS and BSO Crime Lab are fully accredited agencies working in outdated, undersized facilities. The current facilities do not support emerging technology in these fields. Combining the two will provide synergy of scale and technology while maintaining the separation of their respective missions.

NANCY J. COTTERMAN CENTER – CRISIS INTERVENTION PROGRAMS ***UPDATED***

REQUEST

SUPPORT funding for the Nancy J. Cotterman Center (NJCC) improves and enhances the quality of life for child and adult victims of human trafficking, sexual assault, and child abuse through effective forensically sensitive interventions implemented by professionals specializing in the fields of human trafficking, sexual assault, and child abuse. Victims will have the support needed to successfully go through the criminal justice system increasing the likelihood of reporting and successful criminal prosecution of the offender.

BACKGROUND

Funding is necessary to expand Nancy J. Cotterman Center's (NJCC) victim-centered trauma-informed services to provide victims of child abuse and sexual violence, and non-offending family members support through the investigation and healing process, as well as victims of Human Trafficking (HT) or those at risk of HT. The funded Behavioral Health Clinician/Family Advocate will work to link clients to needed intervention services and assist in navigating through the prosecutorial phase, conduct courtroom orientations, assistance with completing documentation including crime victim compensation; and attending multi-disciplinary staffing. Services include intake and eligibility assessment; victim advocacy and accompaniment; life skills training; and referrals for housing; mental health services; medical and dental care; legal services; and education assistance.

The Advocacy Program has been funded continually at varying amounts by the legislature since 2015. The program is structured to provide advocacy, crisis intervention, court accompaniment, and other support services to child victims of sexual assault and their non-offending family members. With funding from the Office of the Attorney General, these services have been extended to adult victims of sexual assault. The State Attorney's Office 17th Judicial Circuit (SAO) supports the NJCC in its efforts to provide services to victims through this program. Both entities enjoy a long-standing positive relationship which was bolstered by the signing of a Memorandum of Understanding (MOU). Through this MOU the entities have agreed to training of the Sexual Assault Forensic Examiners, SAO Staff, and advocates.

SONOVOID INNOVATIVE BRIDGE REPAIR – HIGHWAY & BRIDGE MAINTENANCE *NEW*

REQUEST

SUPPORT a minimum 25% Florida Department of Transportation (FDOT) cost-share on the Broward County Sonovoid® Innovative Bridge Repair Project. The Project would be matched by 25% in local transportation surtax funds to match a federal RAISE grant application request of 50% of the project's costs.

BACKGROUND

Following a partial collapse of a Florida Department of Transportation (FDOT) Sonovoid® bridge in 2017, FDOT performed special inspections of all Sonovoid® bridges in the state. The Sufficiency Ratings for these bridges were substantially reduced, requiring that they be repaired or replaced. Broward County maintains 39 Sonovoid® Bridges.

Broward County's Highway & Bridge Maintenance Division (HBMD) has developed an innovative repair solution to restore the structural sufficiency and long-term durability of Sonovoid® bridges with minimal adverse impacts to residents, businesses, schools, emergency services, the traveling public, and the environment. For Sonovoid® bridges to be structurally sound, sufficient interconnection must be maintained between the individual slab units. This interconnection has relied solely on rebar rods that become corroded due to water intrusion and cause the bridge to fail when they break. HBMD's repair solution is to perform most of the rehabilitation work on the underside of the bridge by waterproofing the bridge deck and inserting stainless steel reinforcing bars under the bridge deck to interconnect the slab units, thus fully replacing the reliance on the failing rebar rods. The conventional repair method requires a thick concrete bridge deck overlay, which has adverse effects for the public and the environment.

VI. STATEWIDE APPROPRIATIONS REQUESTS

*The Board **SUPPORTS** the recurring, continued and/or increased funding for the following statewide programs, which have significant local economic, health, and safety impacts countywide.*

ALTERNATIVE WATER SUPPLY ***UPDATED***

SUPPORT a minimum of \$40 million of state funding for an alternative water supply and water resource development grant program to help communities plan for climate impacts affecting water supply and availability and to implement conservation, reuse and other water supply and water resource development projects.

BOYS AND GIRLS CLUB

SUPPORT state funding for Florida's Boys and Girls Clubs so youth may continue to benefit from its educational, recreational, cultural, after school, summer enrichment, and other social programs. This is one of the best investments we can make in future generations of good community citizens.

CRIME LAB FUNDING

SUPPORT amending state law to ensure each local criminal analysis laboratory, designated in Section [943.35\(1\)](#) F.S., receives the state mandated funding level (up to 75 percent of actual operating costs) required under Section [943.35\(2\)](#), F.S.

DEPARTMENT OF JUVENILE JUSTICE DETENTION CENTERS

SUPPORT state funding to the Department of Juvenile Justice (DJJ) to upgrade, renovate, or reconstruct detention centers that are in a state of disrepair. **SUPPORT** investments in juvenile facilities to enhance the conditions of secure confinement for detained youth.

EARLY LEARNING FUNDING

SUPPORT increased funding for children in early learning and school age care to ensure access to educational and enrichment programs that support low-income working families and children's readiness for and success in school. Further, **SUPPORT** investments in early learning infrastructure through stabilization grants to providers and additional funding to families for child care, which are both necessary to COVID-19 recovery solutions.

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FIVE-YEAR WORK PROGRAM FUNDING

SUPPORT continued funding for projects in the FDOT adopted Five-Year Work Program, which are prioritized based on the level of the return on investment. The Program provides a reliable source of capital funding and facilitates the ability of Florida Ports to be competitive.

FLORIDA JOB GROWTH FUND

SUPPORT \$85 million in funding for the Florida Job Growth Fund. The fund is a flexible, transparent economic development program used to promote public infrastructure and individual job training, which will encourage more businesses to choose Florida as a destination for business.

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) FUNDING

SUPPORT and encourage the state to reinstate full funding to the Florida Recreation Development Assistance Program (FRDAP). The FRDAP assists local governments to improve and/or complete capital construction projects focused on recreation. Investing in such capital improvements support tourism and recreation throughout Florida.

HIV/AIDS FUNDING

SUPPORT full funding and increased access to the Florida AIDS Drug Assistance Program (ADAP) by locating program services in community health centers and local community pharmacies. The Board supports expanding ADAP's insurance premium assistance program, which allows for patient adherence and increased availability of antiretroviral and opportunistic infection medications, as well as over the counter medications required by low income and uninsured HIV positive persons with comorbid conditions.

SUPPORT implementation of National HIV/AIDS Strategy goals in state funded programs promoting prevention and testing efforts that include Care and Treatment models and Viral Load Data to Monitor HIV Burden and Treatment Outcomes for local communities. The Board also supports enactment of legislation that implements the Center for Disease Control recommendations for routine HIV screening and testing in healthcare settings. Increase financial support to communities with high incidents of sexually transmitted diseases to expand the availability of same day screening and treatment sites in communities at greatest risk.

HOME AND COMMUNITY-BASED SERVICES FUNDING

SUPPORT funding of home and community-based services at a minimum of \$24 million.

Historically, Home and Community Based Services for seniors have been funded at a deficit. These programs allow older adults to age in place with dignity and minimal support. They defer/delay admittance to long-term care facilities and reduce the growth of Medicaid spending. According to the CDC's State Profile Report dated June 30, 2021, Florida is still above the national average for new COVID-19 cases, lab test positivity rate, new COVID-19 deaths, and confirmed new COVID-19 hospital admissions. On a positive note, 83% of seniors are fully vaccinated. The Florida Department of Health (DOH) report dated July 29, 2021, indicates that the COVID-19 death total for Florida is 39,079, of which 12,434 deaths of Florida residents occurred in Broward, Miami-Dade, and Palm Beach Counties. Statistics indicate that 88 percent of residents who have died were 60 or older. Additionally, 11,506, or 31 percent, of those deaths were residents and staff of long-term care facilities.

As of July 28, 2021, there were 72,990 Floridians languishing on the Department of Elder Affairs Assessed Prioritized Consumer List, of which 3,150 are Broward County residents. Additional recurring funding necessary to service these frail seniors is as follows:

Florida's Alzheimer's Disease Initiative (ADI)

The ADI provides services to meet the changing needs of individuals and families living with Alzheimer's disease and similar memory disorders. The ADI respite care is available for caregivers of adults age 18 and older, who have been diagnosed as having probable Alzheimer's disease or other related memory disorders, where mental changes appear and interfere with daily activities. Respite services include in-home, adult day care, emergency, and extended care (up to 30 days) for caregivers who serve patients with memory disorders. The ADI also provides for support services including case management, specialized medical equipment and supplies, caregiver counseling and support groups, and caregiver training.

Community Care for the Elderly (CCE)

CCE provides community-based services organized in a continuum of care to help functionally impaired elders live in the least restrictive, yet most cost-effective environment suitable to their needs. Eligible clients may receive a wide range of goods and services, including: adult day care, adult day health care, case management, case aide, chore, companionship, consumable medical supplies, counseling, escort, emergency alert response, emergency home repair, home-delivered meals, home health aide, homemaker, home nursing, information and referral, legal assistance, material aid, medical therapeutic services, personal care, respite, shopping assistance, transportation, and other community-based services.

Home Care for the Elderly (HCE)

HCE supports care for Floridians age 60 and older in family-type living arrangements within private homes, as an alternative to institutional or nursing home care. A basic subsidy averaging \$160 per month is provided for all program participants. Special subsidies are authorized for some consumers and can be used for incontinence supplies, medications, medical supplies, wheelchairs, assistive devices, ramps and home accessibility modifications, nutritional supplements, home health aide, home nursing, and other services to help maintain the individual at home. Formal case management is provided when needed.

HOMELESSNESS

SUPPORT \$3 million for local coalition funding for Florida’s coordinating agency for the 28 local homeless coalitions, which includes Broward County, that draw down more than \$80 million in federal funds targeted to housing and supportive services for homeless individuals and families. The Board **SUPPORTS** funding of individual coalitions through a statewide coordinating entity that has become a best practice in social service delivery systems.

SUPPORT the full funding of the Challenge Grant Program at \$5 million. The Challenge Grant Program authorized by s. [420.622\(4\)](#), F.S., assists the local homeless Continuum of Cares (CoC) in meeting the needs of individuals and families experiencing homelessness as identified in the CoC Plan. Statutory language also provides that each CoC may be awarded up to \$300,000, annually. Funds are utilized for housing navigation, as it is a priority identified in the updated CoC plan. In 2019, the number of unsheltered homeless persons increased by 484, totaling 1,350 individuals – a 64 percent increase from the previous year (2018).

SUPPORT \$560,406 for the State of Florida Office on Homelessness. The Florida Office on Homelessness is essential for the receipt of non-entitlement federal funds and to coordinating the activities of the Council on Homelessness.

LIBRARY AND CULTURAL GRANTS FUNDING

SUPPORT the Florida Cultural Alliance’s Legislative Platform that calls for the full restoration of cultural affairs programming grants, as arts and culture support jobs, tourism, and education.

SUPPORT increased funding for the State Aid to Libraries Program to \$33 million. Further, **SUPPORT** full funding of projects eligible for Public Library Construction Grant funding and full funding of State Aid to Libraries based on the current statutory formula providing counties a match for every local dollar spent.

MEDICAID EXPANSION

SUPPORT a state implemented Medicaid expansion to provide affordable healthcare coverage for nearly one million Floridians who are uninsured.

TANF EMERGENCY ASSISTANCE PROGRAM

SUPPORT funding for the Temporary Assistance for Needy Families (TANF) Program, which is a homelessness prevention grant program as authorized in Section [414.161](#) F.S., improves the County’s ability to prevent homelessness for Individuals and Families facing eviction and/or foreclosure.

VOLUNTARY PREKINDERGARTEN

SUPPORT increased funding for Florida’s Voluntary Prekindergarten Education Program (VPK) to reduce the program waitlist in Broward County.