



**2014**

***FEDERAL  
LEGISLATIVE  
PROGRAM***

113<sup>th</sup> Congress 2<sup>nd</sup> Session



## BOARD OF COUNTY COMMISSIONERS

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The Federal Legislative Program represents the Board’s Mission, Vision, and Goals. The Program is comprised of three areas: the *Fundamental Principles*, which are the general guiding policy positions of the Board; the *Appropriations Requests*, which are specific projects requesting federal funding; and the *Legislative Proposals*, which are legislative issues the Board supports or opposes. The Program is created annually and directs federal advocacy before Congress, the Administration, and federal agencies.

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# **FUNDAMENTAL PRINCIPLES**

## **UNLIMITED ECONOMIC OPPORTUNITIES**

A major goal of Broward County government is to encourage economic development, promote high wage/high skilled employment, and business and housing opportunities. The Board supports policies to enhance economic development utilizing various tools to induce business expansion, new capital investment, and job creation. The Board supports efforts to provide funds to local governments for public projects designed to boost employment and update infrastructure.

The Board supports the County's evolution into a global center for trade and investment. The Board further supports legislation that promotes and enhances the growth of foreign direct investment, trade, and tourism as facilitated by its Office of Economic and Small Business Development, Convention & Visitors Bureau, Port Everglades, and Fort Lauderdale-Hollywood International Airport. The Board also supports programs and efforts providing credit and capital formation for small and emerging businesses, the expansion and creation of enterprise zones, and commercial revitalization projects that help to enhance redevelopment in all distressed areas of the County. The Board opposes legislation that results in disadvantages for economic development, tourism, seaports, aviation, and transportation, specifically, if such legislation impedes the County's ability to make competitive business decisions.

## **A PRISTINE, HEALTHY ENVIRONMENT**

The Board has long recognized the value of strong policies and programs to protect the nation's environment, specifically the role of key federal agencies to implement national environmental policy. The Board opposes efforts that would undermine core government functions of federal agencies which protect public health and the environment.

Broward County is a community that values a vibrant, healthy environment with abundant open space, accessible and distributed throughout the County. Broward County residents and visitors enjoy pristine water bodies, clean air, and healthy beaches. The Board supports the role of federal agencies to implement provisions of the Clean Air Act, the Clean Water Act, and other laws intended to protect the health and safety of the environment and U.S. citizens. Further, the Board strongly encourages the Federal government to take the lead on comprehensive climate planning to protect the planet for future generations.

## **SOCIAL SAFETY NET: AN ACCESSIBLE COLLABORATIVE APPROACH TO HEALTH AND HUMAN SERVICES**

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

## **FISCALLY SUSTAINABLE AND TRANSPARENT GOVERNMENT**

Broward County is dedicated to the fundamental concept that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. Broward County urges Congress and the Administration to establish a sustainable path forward for the country and encourage a balanced approach to addressing spending adjustments, sequestration and ultimately, deficit reduction.

The Board supports full implementation of existing federal civil rights laws that protect persons against discrimination on the basis of race, color, religion, sex, national origin, age, disability, and familial status (housing only). The Board supports maintaining the integrity of home rule power that allows counties to develop and implement solutions to local problems. The Board opposes any federal legislative actions that implement unfunded mandates on a local government.

Broward County is committed to delivering quality services to its community at the lowest possible cost, generating the greatest possible return. The Board supports legislation and regulatory initiatives that reduce the cost of delivering County services.

## **EFFICIENT AND ACCESSIBLE REGIONAL INTERMODAL TRANSPORTATION NETWORK**

As Florida's second most populated county, Broward County has ongoing needs to modernize and expand transportation infrastructure and increase capacity to meet the needs of the traveling public and private sectors. Broward County's transportation system must be upgraded in the coming years to accommodate the increasing needs of the growing urban county and region, with particular emphasis on facilitating Express Bus, Bus Rapid Transit (BRT), and the Downtown Circulator/"The Wave" in addition to developing an efficient network to facilitate passenger, vehicular and freight traffic for airport and seaport connections.

The Board supports the development, funding for both operations and capital, and construction of a sustainable transportation system that addresses livable communities while providing a comprehensive regional network, in order to enhance all transportation modes, from seaport and airport to mass transit, rail, roadways, and bicycle/pedestrian facilities. The Board supports policies that will encourage the use of public transportation. The Board supports maximizing the return of transportation funding, including transit funding, to Florida.

The Board supports development, construction, and federal funding for operational and capital needs of a sustainable, safe and efficient transportation system. For years, Florida has been one of the "donor" states; that is, the state generates more transportation taxes than is received from the federal government. The Board supports the strengthening of the Firewall and Revenue Aligned Budget Authority (RABA) provision to ensure that all revenues in the Highway Trust Fund are spent for transportation purposes. The Board opposes legislation that permits funds paid by users into the Highway Trust Fund to be used for any other purpose than to improve the nation's transportation system.

## **A COMMUNITY WITH ACCESSIBLE, VIBRANT ARTS AND CULTURE, RECREATION AND LEARNING OPPORTUNITIES**

It is the responsibility of the federal government to help make the arts accessible to benefit the social, economic, and cultural well-being of the American people. Public support of the arts and humanities is dependent upon the development of a cultural infrastructure at all levels of government. The Board supports funding cultural arts programs. Broward County has more than 1.8 million residents, 11.1 million visitors, 10,000 artists, 7,773 arts-related businesses employing 26,755 people, 575 not-for-profit cultural organizations and 31 cities, some of which operate their own arts councils and public art programs.

## **A SUSTAINABLE, CREATIVE APPROACH TO COMMUNITY REDEVELOPMENT AND AFFORDABLE HOUSING**

Broward County is a desirable community where people can live, work and play with abundant amenities and infrastructure to accommodate residents and visitors. The County's diverse communities enjoy a tropical climate, beautiful beaches and green space, as well as cultural, recreational, and economic opportunities. The community is comprised of a broad array of attractive, interconnected neighborhoods offering a variety of affordable housing for ownership or rental. The Board supports a regional approach to growth and redevelopment through coordination and collaboration at the federal, state, county, and municipal levels. The Board further encourages the federal government to strengthen stakeholder partnerships to increase the availability of affordable housing options, such as single-family homes, multifamily homes, as well as purchasing and rental options for all.

# APPROPRIATIONS REQUESTS

## ENERGY & WATER

Beach Nourishment	\$ 11.8 Million
Southport Dredging Reimbursement	\$4.7623 Million
U.S. Army Corps of Engineers (USACE) Deepening and Widening Program	\$ 3.375 Million

## LABOR/HHS/EDUCATION

Broward Addiction Recovery Center (BARC)	\$ 1 Million
Nancy J. Cotterman Center (NJCC)	\$ 275,000
Childcare Licensing & Enforcement Pilot	\$ 328,400

## HOMELAND SECURITY

Public Safety Emergency Communications	\$ 3.7 Million
Radiation Portal Monitors	\$1.5 Million

## TRANSPORTATION/HUD

Downtown Transit Circulator (DDA)	\$ 11.5 Million
Electric Buses	\$ 7.4 Million
Downtown Multi Modal Transit Facility Project	\$ 2.5 Million
Transit Technology Enhancement Projects	\$ 3.5 Million
Transit Oriented Development-Park and Ride Lots	\$ 3 Million
School Zone Safety Enhancement Projects	\$4 Million
Traffic and Safety Improvement Projects	\$15 Million

## ENERGY & WATER

### BEACH NOURISHMENT

Broward County is requesting a total of \$11.8 million over a multiyear period to reimburse the County for the authorized and approved federal share of beach nourishment on 6.2 miles of County beaches. For FY15, the County seeks \$6 million for partial reimbursement for the County for the authorized share of construction of the Segment III Shore Protection project. This project was constructed in 2005 and 2006 in accordance with a U.S. Army Corps of Engineers (USACE). According to a federal audit, the total federal share of this project is approximately \$17.3 million of which approximately \$5.5 million has been reimbursed to date.

### SOUTHPORT DREDGING REIMBURSEMENT

Broward County is requesting \$4.763 million from the FY15 Energy and Water appropriations bill from within the USACE Construction General account to reimburse Port Everglades for the federal share of costs associated with the previous widening and deepening of the Southport Access Channel (1985) and Turning Notch (1990).

### DEEPENING AND WIDENING PROGRAM

Broward County is seeking \$3.375 million on behalf of USACE for the Pre-Construction Engineering & Design of the Port Everglades deepening and widening program. Broward County is scheduled to begin this process at the end of 2014. The U.S. Army Corps of Engineers has provided detailed information to the Port which necessitates extensive survey information that will be required based on the revised impacts/mitigation plan.

## LABOR/HHS/EDUCATION

### BROWARD ADDICTION RECOVERY CENTER

Broward County is requesting \$1 million to build a new Addiction Recovery Center in central Broward County. The Broward Addiction Recovery Center (BARC) is the primary provider of detoxification services in the County and the only option for court-ordered clients.

### NANCY J. COTTERMAN CENTER (NJCC)

Broward County is requesting \$275,000 to expand the understanding of sexual assault and child abuse, through an evidence-based social marketing campaign. The campaign will target Broward County's culturally diverse populations, focusing on youth through a collaborative partnership with the school system, while also seeking to penetrate historically hard-to-reach groups.

### CHILDCARE LICENSING AND ENFORCEMENT

Broward County is requesting \$328,400 to pilot a two-year program to assess, license, and regulate summer programs for children over the age of five. Florida is not one of the 46 states that require licensing of summer camps. Considering Broward County has the sixth largest school district in the nation with over 110,000 school aged children in grades K-5 in public and charter schools, the lack of health and safety regulations for summer programs is a significant concern. The pilot will assess summer programs, issue a time limited license, and monitor compliance. The results and impact of the pilot will be evaluated to determine effectiveness and necessity of a licensing requirement for summer programs.

## HOMELAND SECURITY

### PUBLIC SAFETY EMERGENCY COMMUNICATIONS

Broward County is requesting \$3.7 million to refresh a critical element of the countywide trunked radio system. The radio system functions as an emergency communications hub for more than 25,000 police, fire rescue, local government users, and 1,400 school buses.

In addition to ensuring on-going support, the microwave system replacement is essential to the County's migration strategy that will, over the next several years, transition the radio system from the current 800 MHz system to an all-digital 700 MHz P-25 radio platform. While there is sufficient spare equipment to allow for continued support in the near-term, funding this project will mitigate the inherent risk associated with "best effort" support, ensure current system continuity of operations, and enable the County to move toward a fiscally responsible system migration.

### RADIATION PORTAL MONITORS

Broward County is seeking a \$1.5 million reimbursement for costs incurred to design and construct U.S. Customs Border Protection (CBP) radiation portal monitors for Port Everglades at the international cargo entrance to the Intermodal Transfer Container Facility which is presently under construction.

## TRANSPORTATION/HUD

### DOWNTOWN TRANSIT CORRIDOR

The Board is requesting \$11.5 million for the Downtown Transit Corridor ("The Wave"). This project is jointly sponsored by Broward County, the City of Fort Lauderdale, and the Downtown Development Authority (DDA).

### ELECTRIC BUSES

Broward County is requesting \$6 million to purchase six electric buses, and \$1.4 million for two charging stations. The total cost for the purchase is \$7.4 million.

### DOWNTOWN MULTIMODAL TRANSIT FACILITY PROJECT

Broward County Transportation Department (BCT) is requesting an investment of \$2.5 million to spearhead a proposed public/private partnership transportation project. The project will redevelop the County's current downtown transit facility (Broward Boulevard Terminal) into a modern intermodal hub allowing inter-connectivity between various modes of transportation.

### TRANSIT TECHNOLOGY ENHANCEMENT PROJECTS

Broward County is requesting \$3.5 million for acquisition of transit technology to improve energy and transit efficiency, and safety. The project includes: a Traffic Signal Priority (TSP) system to facilitate the movement of public transit vehicles along heavily congested traffic corridors, installation of a Real Time Information System to provide riders with ADA accessible transit information about the next bus arrival time based on the vehicle's location and conditions in the transit corridor, and the purchase and installation of LED solar panel technology to provide energy-efficient lighting at 2,000 bus stops and to display transit information.

### TRANSIT ORIENTED DEVELOPMENT – PARK AND RIDE LOTS

Broward County is requesting \$3 million to develop geographically-dispersed park and ride lots along the County's regional transit corridors. Funding will be used for property acquisition and developing/renovating existing property to accommodate park and ride use. Park and ride lots will be developed along existing limited-stop routes that presently cross county boundaries or connect with Tri-Rail and should promote transit usage in areas that do not have ready access to transit.

### SCHOOL ZONE SAFETY ENHANCEMENT PROJECTS

Broward County is requesting \$4 million over three years to fund the installation of traffic/pedestrian safety infrastructure for the County's School Zone Safety Enhancement Program. Broward County has one of the largest school speed zone safety programs in the country operated by a single agency, with more than 970 school zone flasher locations.

### TRAFFIC AND SAFETY IMPROVEMENT PROJECTS

Broward County is requesting a multiyear investment of \$15 million to reduce traffic congestion and improve safety at heavily traveled intersections. These improvement projects will include addition of turn lanes, through lanes and queue jumpers for busses; installation of pedestrian countdown timers; conversion of existing span wires to hurricane-resistant structures; and improvement to intersection geometrics.

# LEGISLATIVE PROPOSALS

## UNLIMITED ECONOMIC OPPORTUNITIES

### AVIATION

As part of a regional transportation system, Fort Lauderdale-Hollywood International Airport (FLL) is an economic engine that creates and promotes commerce and industry. FLL serves the air travel needs of Broward, north Miami-Dade and southern Palm Beach counties. In 2013, the airport handled more than 23 million passengers and FLL generated more than \$2.3 billion in economic activity, as well as 31,500 jobs. The Board supports continued and increased federal funding for FLL. Funding will provide capital for expansion, maintenance, and security improvements, all vital for travel and trade to the South Florida area. The Board supports legislation that promotes airports and opposes legislation which could be detrimental to aviation interests with the following legislative proposals:

- Increasing the Passenger Facility Charges (PFCs) that can be charged by an airport to fund development up to \$8.50.
- Maintaining long-term funding for the Airport Improvement Program (AIP) to support airports' infrastructure development at a level no less than the current \$3.35 billion.
- Oppose the removal of federal funding for contract air traffic control towers.
- Expanding service hours and additional staffing for United States Customs and Border Protection (CBP) at FLL, which is a rapidly growing port of entry along with Port Everglades, and requires staffing support to meet expanding needs and to reduce wait times. The service hours of the CBP facility at FLL need to be expanded to 24 hours per day, 7 days a week to support the continued growth of international operations. Additionally, the opening of the Federal Inspection Services (FIS) Facility in Terminal 1/Concourse A in Fiscal Year 2017 will require funding to be identified for its staffing.
- Supporting the approval of a permanent exemption to the Alternative Minimum Tax (AMT) relative to Private Activity Bonds to facilitate airports' ability to bond projects.

### PORT EVERGLADES

Federal investments in seaports are an essential, effective utilization of limited resources, paying dividends through increased trade and commerce, long-term job creation, secure borders, military support and environmental stewardship. Port Everglades is recognized as the 3rd busiest cruise port in the world, and one of the busiest containerized cargo ports in the United States. It is also a primary bulk cargo depot for South Florida, as well as the petroleum distribution point for 12 counties and provides jet fuel for three international airports.

The Broward County Board of County Commissioners supports:

- An expedient delivery of a final Chief of Engineers' Report by the U.S. Army Corps of Engineers (USACE) and Congressional authorization of the Port Everglades Deepening & Widening project. The final authorization should accommodate the size of the current world ship fleet and right size the local cost-share on construction and maintenance projects.
- The Florida Congressional Delegation, the House Transportation and Infrastructure Committee and Chairman Shuster, Chairman Gibbs, Ranking Member Rahall, and Ranking Member Bishop for

the bi-partisan support of Port Everglades by adding vital language to the Water Resources Reform and Development Act of 2013 (WRRDA, H.R. 3080) that will allow Port Everglades to begin the first stages necessary to accommodate the next generation of big ships. The deepening and widening project has been awaiting a Chief of Engineer's Report for over 18 years.

- Modernizing the federal cost-sharing formula for all navigation improvement projects reflecting the growing size of general cargo vessels and their corresponding navigation channel needs including a change in the cost-share hinge point from 45 to 50 feet for maintenance dredging.
- Increased staffing levels and permanent funding for U.S. Customs and Border Protection (CBP) to keep pace with the major growth in cargo and travel/cruise activities affecting Port Everglades and Fort Lauderdale-Hollywood International Airport.
- Funding and construction of a United States Department of Agriculture (USDA) Plant Inspection Station at Port Everglades. While the volume of plant imports at Port Everglades exceeds that of Port Miami, the "local" station is in Miami. Port Everglades needs a local Plant Inspection Station. The USDA Deputy Administrator has stated that current staffing levels are adequate to support a Plant Inspection Station at Port Everglades.
- Full funding for the federally mandated Radiation Portal Monitors (RPMs). Cargo containers represent a massive area of concern in terms of homeland security and vulnerability. RPMs will start reaching obsolescence in 2014 based on initial estimates of a 10-year lifespan. Unless service life can be extended or replacements installed, there will be no useful radiation monitors left at seaports by 2021. Implementing the Congressionally mandated 100 percent inspection of these containers is an enormous task without Congress providing the required federal funding for the entire cost.
- Reauthorizing the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21). This law authorized surface transportation programs only through Fiscal Year 2014 and mandated the establishment of a National Freight Policy (NFP) and supporting programs that target national and regional freight networks as well as intermodal connections to seaports. Now, more than ever, the need of a goods movement network must be addressed as system use continues to grow in lockstep with America's recovering economy. The inclusion of seaports in a national freight plan with supporting policies, strategy and funding will help ensure America's international competitiveness, create jobs, and bolster the U.S. economic recovery.
- Requiring the annual Harbor Maintenance Tax (HMT is 0.125% of cargo value) revenue to be fully available to USACE for maintenance dredging and related purposes in its annual appropriation and not used for deficit reduction.
- USDA authorization for cold-treatment import of fresh produce in to the State of Florida. This would make permanent the pilot program, which began October 1, 2013, and authorized a limited number of "cold-treatment" cargoes – grapes and blueberries from Peru and Uruguay. Port Everglades and the Florida Perishables Trade Coalition (FPTC), a business coalition of international trade, transportation and port leaders, hope to work with the U.S. Customs and Border Protection, the Florida Department of Agriculture and Consumer Services, and USDA to welcome other perishable commodities from many new markets in 2014, facilitating reductions in transit time. By entering the Florida market directly, thousands of transit/logistics dollars are saved per container and thousands of trucks are removed from the highways. These savings could eventually be passed on to the consumer.
- Authorization and appropriation of \$400 million for the FEMA Port Security Grant program. It would be detrimental to Port security efforts if Congress eliminated direct funding for Port Security Grants, as this will threaten the ability of the nation to maintain and expand current

capacity. Cost-share requirements for FEMA Port Security Grants must be permanently eliminated, as it is a significant economic disincentive to make security enhancements and implement regional maritime security plans.

- Continued blockage of any attempt to move port security grants to the states. Broward County opposes any plan to merge all grant programs into one program to fund all critical infrastructure segments and transfer distribution to states. The FEMA Port Security Grant program must remain a stand-alone program. Port Security is a federal responsibility and it should remain at the federal level.
- Ongoing funding for the National Clean Diesel Campaign up to \$100 million annually through FY 2016. As stipulated in the Diesel Emissions Reduction Act (DERA), 70 percent of DERA funds are used for national competitive grants, with the remaining 30 percent allocated to the states. Additionally, Broward County applauds the legislation which authorized \$4 million in Diesel Emissions Reduction Act (DERA) grants devoted solely to seaports for projects that reduce emissions from diesel engines.
- LNG-fueled vessel development and the implementation of incentives to market and regulatory structures to promote/expand continued development. Over the past year, LNG as a marine fuel has gone from novel concept to an accepted alternative fuel in the United States. LNG-capable vessels will be ordered as appreciation grows for the environmental, economic and energy security benefits offered by LNG. If LNG is used to fuel vessels' auxiliary generators while in port there may be no need to install costly shore power systems for cold ironing since equivalent emissions results could be obtained with LNG.
- Locating Transport Worker Identification Card (TWIC) enrollment centers inside the Port jurisdiction area. For 22,218 Port Everglades TWIC cardholder/customers, the TSA designated center is inappropriately located in a small local hotel. The hotel parking lot does not accommodate the semi-tractor trailers of the 2,237 truckers who have been issued TWIC cards and they must park on neighborhood side streets which inconvenience the citizens who live near the hotel. Broward County is not opposed to providing TWIC card issuing services at/inside Port Everglades, but would require appropriate funding to offset incurred expenses.
- The National Export Initiative (NEI) in the effort to find ways the federal government can reduce trade barriers and create a stable investment environment to help American businesses win more foreign government contracts, find buyers worldwide, participate in more trade missions and trade shows, receive more export financing, and learn new ways to sell products and services overseas. Efforts supported include economic development incentive programs designed to facilitate the movement of freight that will result in the creation of jobs; public-private partnerships; support for manufacturing; development of intermodal distribution centers and the improvement of the trade and logistics infrastructure.
- A change from DHS Tier II designation to Tier I designation for the Fort Lauderdale/Miami Southeast Florida Urban Area Security Initiative (UASI), which includes Broward, Miami-Dade, Palm Beach and Monroe counties. The existing risk profile is flawed due to a failure to consider high-consequence infrastructure entities such as Port Everglades tank farms. DHS uses tier levels when creating risk methodology analysis which determines adequate regional grant funding to address multidiscipline planning, organization, equipment, training, and exercise needs and to assist high-density urban areas to build capabilities to prevent, protect against, respond to, and recover from threats or acts of terrorism.

#### FREE TRADE AGREEMENT OF THE AMERICAS

The Board supports the establishment of a Free Trade Agreement of the Americas (FTAA) along with the relocation of the Permanent Secretary of the FTAA to Miami. The Board opposes any statements or actions expressed in FTAs that would preempt local regulatory laws and policies, or that negatively affect Broward County residents.

#### WATER INFRASTRUCTURE FINANCE AND INNOVATION AUTHORITY

The Board supports proposals to create a Water Infrastructure Finance and Innovation Authority (WIFIA). WIFIA could lower the capital costs for water infrastructure projects by borrowing U.S. Treasury funds at Treasury interest rates and then supporting loans, loan guarantees, and other credit mechanisms to water utilities. WIFIA could also loan funds directly to State Revolving Funds, allowing them to leverage more projects by reducing the cost of borrowing. Given that this proposal involves loans that will be repaid, rather than grants, it may be particularly attractive in the current political climate because there would be minimal long-term impact on the federal deficit. The funds would be repaid to the Authority, and then to the Treasury, with interest.

### **A PRISTINE, HEALTHY ENVIRONMENT**

#### WATER RESOURCES REFORM AND DEVELOPMENT ACT

The Board supports passage of the Water Resources Reform and Development Act (WRRDA) and supports specific provisions:

- Authorizing Everglades restoration projects, either by name or by reference to those projects for which Chief's Reports have been completed.
- Creating a procedure for later authorization of projects under review at the time of passage of the Act, such as the Central Everglades Planning Project.
- Allowing non-federal sponsors to receive reimbursements or in-kind credit for project expenditures incurred before the execution of a Project Partnership Agreement with the U.S. Army Corps of Engineers.
- Creating an evaluation procedure for federal shore protection projects nearing the end of their 50-year federal funding lifetime and allowing the Assistant Secretary of the Army to extend the period for an additional 15 years.

#### EVERGLADES FOR THE NEXT GENERATION ACT

The Board supports S.414, the Everglades for the Next Generation Act, to expedite projects related to the Comprehensive Everglades Restoration Plan.

#### HERBERT HOOVER DIKE

The failure of the Herbert Hoover Dike surrounding Lake Okeechobee could have disastrous effects on the surrounding region, including Broward County. Reports have indicated that the Dike does not meet federal safety standards and may pose a threat to people and the environment. The Dike is currently undergoing rehabilitation with an estimated date of completion of 2030. During rehabilitation, water levels in the lake are maintained one foot below the historical average, resulting in less water storage and regional water supply. Therefore, the Board supports continued federal funding for the complete repair and protection of the Herbert Hoover Dike. The Board supports any and all actions by the federal government to expedite full rehabilitation of the Herbert Hoover Dike.

## BEACH NOURISHMENT

Future implementation of the County's Beach Management Plan may include acquisition of non-domestic beach-quality material due to diminishing local offshore sand supplies and heightened restrictions on dredging near coral reefs. The Board supports lifting the statutory restrictions on the use of federal funds for the acquisition of Bahamian or other non-domestic sand for beach nourishment.

The Board urges Congress and the Administration to:

- Prioritize beach-related reimbursement and direct funding.
- Recognize and acknowledge the high value of beaches and the need to replenish beaches when necessary, particularly in the context of adaptation to accelerated rates of sea level rise.
- Streamline and simplify the regulatory requirements that stem from overlapping jurisdictions of federal agencies in the coastal zone.
- Apportion costs among the federal government and other beach nourishment project participants consistent with the actual economic and environmental benefits that beaches provide to those participants.

## SOUTHEAST FLORIDA REGIONAL CLIMATE CHANGE COMPACT COUNTIES 2014 FEDERAL ENERGY AND CLIMATE LEGISLATIVE PROGRAM

For the purpose of continued regional collaboration and joint advocacy with the Regional Climate Change Compact Counties of Broward, Palm Beach, Miami-Dade, and Monroe; the Board affirms support for the Southeast Florida Regional Climate Change Compact Counties 2014 Federal Energy and Climate Legislative Program, which will be approved and published separately.

## ENERGY AND CLIMATE POLICY

The Board recognizes greenhouse gas emission reductions, climate adaptation activities, energy efficiency measures, and diversification of energy sources as critical to the long-term economic and environmental health of Broward County and the nation. The Board supports federal policies and actions which advance these goals, particularly efforts by federal agencies which provide local communities with resources and tools to promote greenhouse gas reductions, adaptation, and an efficient, clean energy economy at the local level.

A highly-centralized distribution model and over-dependence on a particular type of fuel for energy generation increase the risk that supply disruptions or extreme events pose to the electrical system. The Board, therefore, supports federal policies that promote a more resilient electrical grid and distributed generation of electricity from diverse sources, including solar, wind, and other renewables.

The Board also supports federal efforts to reduce the total demand for energy through energy efficiency, which both reduces costs for consumers and the need for new power plants.

In addition, given Broward County's vulnerability to the effects of climate change, particularly sea level rise, it is in the County's best interest to promote policies that reduce greenhouse gas emissions quickly and prevent as much future sea level rise as possible. The Board therefore supports the establishment of a revenue-neutral carbon tax as part of any tax reform efforts considered by

Congress as the most economically-efficient means of promoting energy efficiency and the transition to clean energy sources.

Specifically, the Board supports:

- The bipartisan energy efficiency bill sponsored by Senators Jeanne Shaheen and Rob Portman.
- A State Energy Race to the Top program, like that introduced by Senator Mark Warner, which would create a \$200 million incentive fund to double productivity of US electricity use by 2030.
- Funding for the Energy Efficiency and Conservation Block Grant Program, adjustments to the formula for establishing eligibility, and expansion of the program to assist local governments with regional authority to develop and implement regionally coordinated initiatives.
- Funding for the U.S. Department of Energy to fund programs such as the Clean Cities Program and Sunshot Initiative, and making such funds available to local governments. In addition, funding criteria for Clean Cities Coalitions should be amended to include a formula based on the population of the Coalition's geographic area.
- Funding for the U.S. Environmental Protection Agency (EPA) to fund programs such as the Climate Showcase Communities Grant Program, Sustainable Skyline Grant Program, and Southeast Diesel Collaborative, and making such funds available to local governments.
- H.R. 765, the Water Infrastructure Resiliency and Sustainability Act of 2013, which would establish a program to increase resiliency or adaptability of water systems to changes to the hydrologic conditions of a region due to the impacts of climate change.
- Full funding for the National Oceanographic and Atmospheric Administration (NOAA) Climate Program Office and other agencies involved in the critical advancement of climate science critical to informing decisions regarding energy and infrastructure investments, natural resource management, climate adaptation, and resilience.

#### AIR QUALITY

The Board favors full funding for EPA Section 103 (Particulate Matter) and Section 105 (Air Pollution Control) grants, which support Broward County's air quality programs.

#### OIL DRILLING

As a peninsular state, Florida has a delicately balanced ecological system of aquatic life, wildlife, coral reefs, wetlands, bays, estuaries, and marshes. It is widely believed that offshore drilling and pipeline construction near any Florida shore have the potential to cause significant damage to aquatic resources and the state's valuable tourist industry.

Spills from offshore oil drilling in the Gulf of Mexico present a risk to Florida's beaches. Due to the presence of the Gulf Stream and offshore loop currents, oil released in the Gulf of Mexico could severely impact east coast beaches and communities. Over the past years, hurricanes have devastated the state of Florida, the Florida Keys, and Gulf Coast communities and have severely impacted the energy infrastructure in the Gulf of Mexico. If, as expected, the number and intensity of hurricanes and tropical storms increases as a consequence of climate change, additional oil drilling either along the Atlantic Coast or within the Gulf of Mexico near Florida presents an unacceptable risk to Florida's beaches and economic future.

The April 20, 2010, Deepwater Horizon Oil Spill incident, which resulted in 4.9 million barrels of oil (205.8 million gallons) being spilled into the Gulf of Mexico, served to demonstrate the significant environmental and economic risks posed by oil drilling and exploration to the state of Florida.

The County remains opposed to activities, such as oil exploration and hydraulic fracturing, which present potential for negative environmental consequences to coastal areas, the Everglades, or state water resources. The Board supports preservation of the longstanding moratorium against offshore oil and gas drilling in waters proximate to the state of Florida.

#### CLEAN WATER ACT

The Board has a long-standing commitment to strong environmental and water quality policies, including support for the Clean Water Act (CWA), and has consistently opposed regulatory or legislative action that would weaken water quality standards and undermine regulatory programs under the CWA. The Board supports legislation that:

- Clarifies the basis and scope of CWA jurisdiction, including a more descriptive definition of the jurisdictional waters included within the term.
- Maintains Congressional policy and CWA provisions that recognize, preserve, and protect the primary responsibilities and rights of states to prevent, reduce, and eliminate pollution and to plan for the development and use (including restoration, preservation, and enhancement) of land and water resources.
- Establishes specific standards that protect wetlands having significant ecological functions or hydrological connections to navigable waters.
- Clarifies that CWA jurisdiction does not include isolated, intrastate, or non-navigable waters such as isolated ponds, ditches, and other channels containing intermittent or ephemeral water flows occurring during less than three months of the year as “navigable waters” or “waters of the United States.”
- Relies upon CWA jurisdiction under Congress’ commerce power to accomplish the objectives of the CWA and does not add the phrase “activities affecting such waters” to the definition of “navigable waters” or “waters of the United States.”

#### WASTEWATER DISPOSAL

Wastewater disposal has been an issue of great concern to the County as it seeks to address the obvious infrastructural needs of a growing urban population while protecting the natural systems that contribute to the quality of life and provide the foundation for County’s strong economy. We currently utilize all the available accepted technologies as part of the County’s wastewater disposal practices and have supported regional efforts to ensure the continued protection of Broward’s coastal waters and reef system. Broward County, along with DEP, NOAA and others, is a partner in the Florida Area Coastal Environmental Initiative (FACE), which is currently conducting a scientific investigation of the sources and relative contributions of various nutrient inputs to the coastal waters. The Board supports the efforts of the FACE stakeholders and strongly recommends that federal and state agencies implement a long-term coastal water monitoring program for the southeast Florida region. Monitoring will provide scientifically based information for making policy and regulatory decisions to control the impact of pollutants and to protect the coastal environment.

#### NATIONAL OCEAN POLICY

In July 2010, the President signed an executive order creating the National Ocean Council and adopted a national policy that includes a set of overarching guiding principles for management decisions and

actions toward achieving the vision of “an America whose stewardship ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, safe and productive, and understood and treasured so as to promote the well-being, prosperity, and security of present and future generations.” The National Ocean Policy will provide national and regional coordination on ocean policy which will lead to more efficient and effective management of ocean resources. The Board supports the National Ocean Policy and coastal marine spatial planning for supporting the diverse uses and long-term sustainability of the nation’s coastal and marine resources.

#### CORAL REEF PROTECTION

Southeast Florida’s coral reefs have been found to make a significant contribution to the regional economy, providing \$4.4 billion in annual sales, \$2 billion in annual income, and 71,300 jobs. Consequently, the Board supports the efforts of the U.S. Coral Reef Task Force. Through the coordination of the National Oceanic and Atmospheric Administration (NOAA), stakeholders, including the Florida Department of Environmental Protection, the Florida Fish and Wildlife Conservation Commission (FWCC) and Broward County, have coordinated formation of an interagency and stakeholder strategy team for coral reef management and conservation. This strategy team is implementing a local action plan to improve coordination of technical and financial support for conservation and management of coral reefs from Miami-Dade County northward to the St. Lucie Inlet in Martin County. The Board supports this effort and the development of local action strategies for the conservation of this important resource.

#### MARINE MAMMAL RESCUE ASSISTANCE GRANT PROGRAM

In 2013, marine mammal deaths reached a devastating level throughout many coastal areas of the United States, including the death of over 800 manatees in Florida, which could represent 16 percent of the total population. To help rescue organizations respond to cases of mammal distress, the Marine Mammal Rescue Assistance Act of 2000 established the John H. Prescott Marine Mammal Rescue Assistance Grant Program, which funded grants and cooperative agreements to members of the national network of organizations for the recovery and treatment of stranded marine mammals, the study of stranding incidents, and related facility, operations, and staffing expenses. For most of the 2000s, approximately \$4 million was appropriated for this program annually. In 2013, however, funding was reduced to \$1 million, and the President’s Fiscal Year 2014 budget included no funding at all. The Board urges Congress to restore full funding of \$4 million annually for this important partnership.

#### WASTE TIRE REMOVAL

In the early 1970s, two million tires were dumped into the Atlantic Ocean off the coast of Broward County, intended to create an artificial reef. Instead, approximately 700,000 tires spread over 34 acres, became loose and migrated to the outer face of the middle reef tract, creating a “dead zone” on the reef. To stop further destruction of the reef, the tires must be removed. A partnership of agencies has crafted a solution to this ongoing environmental threat, including the federal government, the state of Florida, and Broward County. The Board supports removing the tires from the ocean and recycling them into products with a constructive use and encourages Congress to continue to fund the Department of Defense’s Civil-Military Innovative Readiness Training (IRT) programs and emphasize selection of IRT projects that will have a net environmental benefit. The County’s service application has not received IRT support since 2009.

## **SOCIAL SAFETY NET: AN ACCESSIBLE COLLABORATIVE APPROACH TO HEALTH AND HUMAN SERVICES**

#### CHILD CARE DEVELOPMENT FUND

The Board supports increased funding through the Health and Human Services Appropriation for licensing and monitoring of child care facilities.

## HIV HEALTH AND SUPPORT SERVICES

The growing gap between increasing HIV/AIDS cases and funding continues to create significant challenges in sustaining consumer access to the established high quality HIV care system built in Broward County. Although Broward County is aggressive in achieving efficiencies in the use of Part A funds, the system of care has reached critical mass. Without additional funding, Broward County will be forced to consider implementation of both a wait-list and the rationing of life-sustaining medical care and treatment to meet the increased demand for services.

Funding allocations utilized under the Ryan White HIV/AIDS Treatment Extension Act of 2009 are largely based on a formula which considers the place of residence of persons at the time of initial diagnosis when making formula based grants. Under current law, if a person diagnosed with HIV in one area of the country moves to a different area of the country, the funding for the case is not transferred to that new area, but remains at the point of diagnosis. The Board urges Congress to revisit funding formula disparities, and require the Centers of Disease Control and Prevention to revise HIV Reporting to adjust for the migration factor. The Board strongly encourages restoration of the Hold Harmless provision, minimizing large reductions in funding resulting from fluctuations in HIV cases. The Board also supports revisions to the Part A formula ensuring funding allocations are aligned with the geographic burden of the HIV epidemic.

During the Ryan White Project period of March 1, 2012 – February 28, 2013, Broward County received \$15,390,658 in Ryan White Part A funding, resulting in a 3.3 percent reduction. While this source of federal funding continues to be the primary funding mechanism for HIV health and support services, Broward County has been impacted by late Notice of Grant Awards. Delays have restricted the County's ability to maintain the established continuum of HIV care and created significant planning challenges in providing care to HIV+ clients.

The Board supports full funding of the FY 14-15 grant application in the amount of \$18.2 million. Full funding of the requested amount will ensure sufficient resources to sustain current service levels while providing additional services for newly diagnosed persons entering care.

The Board urges Congress to increase funding for the Health Resources and Service Administration's Ryan White Part A Formula, Supplement and Minority AIDS Initiative programs in order to adequately address funding gaps in core medical and support services in communities disproportionately impacted by HIV/AIDS in large urban communities. The Board also supports additional funding for unfunded mandates including the Early Identification of Individuals with HIV and AIDS (EIIHA) to allow communities to develop and implement program requirements that will produce meaningful outcomes.

The Board urges Congress to establish a waiver process for the unobligated balance provision in the Ryan White HIV/AIDS Treatment Extension ACT of 2009. This provision currently penalizes Part A and B grantees with more than 5 percent unobligated grant award balances at the end of each grant period. Delays in funding awards create significant and unavoidable challenges in the fiscal management and operational management of the program.

The Board encourages reauthorization of the Ryan White HIV/AIDS Treatment Extension Act of 2009 for an additional four-year period that allows flexibility and ensures integration of the Affordable Care Act (ACA) that does not result in gaps in coverage and minimizes disruptions of life sustaining Core Medical and Supportive services. Further, the Board strongly encourages Congress to mandate that the Health Resources Services Administration engage CARE Act Grantees in the planning and successful transition of any CARE Act services under the Affordable Care Act.

The Board urges Congress to implement an accountable and transparent process in distribution of Part A Funding Awards. Despite the use of a competitive grants award process for Supplemental Funding in the Part A Grant Application process, the formula used to award these funds has not corresponded with the Supplemental grant scores.

Furthermore, the Board supports:

- Expansion of federal programs which provide scholarships and financial assistance to students committing to medical careers in HIV/AIDS and promote specialization in communities designated Health Professional Shortage Areas.
- Increased funding for HIV related Respite Programs and loosening of eligibility criteria to ensure earlier access and availability of supportive services for care givers.
- HIV testing of inmates upon incarceration in order to reduce the impact of transmission.
- Increased funding of the Ryan White Care Act.
- Continued funding for the AIDS Drug Assistance Program (ADAP) to ensure pharmaceutical Health Insurance Premium assistance access.
- Full funding of the Housing Opportunities for Persons with AIDS (HOPWA) program to meet the housing need for people living with HIV/AIDS.
- Full funding of the CDC's High Impact Prevention to geographical locations overburden with the HIV epidemic.
- Legislation which removes administrative and statutory barriers to obtaining prescription medications confronted by people living with HIV/AIDS; ensuring they are not forced to interrupt life-saving medications while learning to navigate the complex system of care.

#### MEDICAID

The Medicaid program is recognized nationally as a partnership between the federal and state governments to provide medical assistance to certain individuals and families with low incomes and resources. Unlike many states, Florida requires counties to contribute financially to the Medicaid program, subsidizing the state's share, leaving counties vulnerable each year to potential cost shifts when there is a state budget deficit or shortfall. As the state seeks to implement the federal waiver to help provide predictability in the cost of the state's share for Medicaid, the Board supports legislation which:

- Increases the percentage the federal government reimburses states for Medicaid expenditures through the Federal Medical Assistance Percentages (FMAP), based on a sliding scale, so that states with lower personal incomes will have higher FMAPs.
- Allows the state to finance and promote the objectives of the Medicaid program without shifting additional costs to county government.
- Allows the use of intergovernmental transfers (IGTs) to help draw down additional Federal funding without supplanting the state's share with local funds that have been certified to be federally matched, in addition to the state's contribution.

- 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 these services to the local level.
- Provides flexibility at the local level for counties to actively participate in the state's efforts to reduce unnecessary nursing home placement by allowing counties to re-direct their Medicaid match to fund local health care services or community-based care programs.
- Maintains and preserves critical mandatory and optional services such as the Medically Needy program.
- Ensures Medicaid coverage for dual eligible clients (Medicare/Medicaid).
- Allows a Medicaid funding increase and expanded prescription coverage without any copayments.
- Enables the state of Florida to seek a waiver from the Department of Health and Human Services, Food and Drug Administration to allow state and local governments to explore the purchase of Canadian pharmaceuticals in an effort to reduce costs.

The State of Florida has not expanded Medicaid benefits to low-income persons through the Affordable Care Act. The Board supports Federal legislation and funding in order to reduce states' long term share of cost and financing of Medicaid Expansion efforts. The Board also supports expanded drug formularies for beneficiaries and reduced co-pays.

In an effort to increase availability of Medicaid benefits to homeless persons, the County supports a provision in the Medicaid requirements section of the Affordable Care Act (ACA) that would make it easier for homeless people to access Medicaid benefits. This would result in the funding of needed supportive services for Medicaid eligible homeless persons and these funded services could serve as match for HUD funded projects. Quick Medicaid eligibility certification would contribute to ending a person's episode of homelessness and to reducing recidivism as it provides access to supportive services necessary to address the underlying issues that result in homelessness.

The Board opposes legislation which:

- Diverts County funding for older adults, developmental disability, or behavioral health services, to managed care programs.
- Changes the funding formula for the Medicaid program between the federal and state government that would reduce the federal share to Florida.
- Eliminates statewide application of mandatory or optional Medicaid services for eligible recipients.
- Eliminates the upper payment limit.
- Requires proof of citizenship for receipt of Medicaid services.

## MEDICARE

Legislation is critical to ensure the future solvency of the Medicare fund which serves more than 30 million elders as well as those elders dependent on Medicare for all or part of their medical and long-term care coverage. The Board supports the elimination of the 24-month waiting period for individuals

to access Medicare benefits after receiving a disability determination. The Board supports legislation which will ensure adequate funding of the Medicare program. Thousands of South Florida Medicare recipients rely upon daily prescription medication. The Board supports inclusion of prescription drug coverage within the traditional Medicare framework. The Board also supports permanent Medicare funding for medical immunosuppressant's and other related drugs. Further, the Board urges Congress to expand Medicare coverage for home- and community-based care as a cost-effective and evidence-based alternative to nursing home care.

Broward County is one of nine areas in which the Medicare Competitive Bidding Program (CBP) was implemented, in January 2011. The CBP established Round 1 of purchasing durable medical equipment, prosthetics, orthotics, and supplies through mail order. Round 1 does not include the Anti-Switching Rule that goes into effect in 2014. The Board supports Medicare efficiencies, but not at the expense of compromising a beneficiary's health. Of particular concern in the CBP is the supplies and equipment required to monitor diabetic patients. The Anti-Switching Rule requires contracted suppliers to furnish the brand of testing supplies that works with the beneficiary's monitor. Not requiring the Anti-Switching Rule could endanger the lives of beneficiaries or subject them to undue influence to experimenting with approved equipment or supplies.

#### SELF-SUFFICIENCY

The Board supports increased levels of funding for the Community Services Block Grant, which supplies core funding for local agencies assisting the lowest income families in America. Adequate funding levels for this program will increase self-sufficiency and reduce dependency on public funds. The Board also supports full funding at no less than \$5.1 billion to Florida for the Community Assistance Program and the Low Income Home Energy Assistance Program (LIHEAP). Funding cuts as currently proposed will leave many without assistance. Additionally, the Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) provides food, cash and employment assistance for 2-3 million residents in Florida, mostly low income, working families, and seniors. The Board supports continued and increased funding of these programs as measures of providing assistance and stability to individuals and families while moving toward self-sufficiency.

#### HOMELESSNESS

Since 1998, when Broward County received its first U.S. Housing and Urban Development SuperNOFA grant for its Homeless Continuum of Care program, the County has made considerable progress in addressing homelessness. The January 25, 2013 Homeless Point in Time Count (PIT) indicated that there were 2,810 sheltered and unsheltered persons experiencing homelessness in Broward County, of which 829 or 30% were unsheltered. This was a 13% overall decrease as compared to the 2012 PIT. More importantly, the unsheltered count decreased by 10 percent from 2012 to 2013. While, the number of persons counted in January 2013 decreased, the level of homelessness is consistent over the past five years, as identified in the Broward County 2013 PIT Report. This continues to be attributed to negative economic factors including the slow recovery from the recession and higher unemployment which adversely affect persons experiencing homelessness and an associated increase in demand for homeless prevention. Specifically, the Board supports the following ongoing federal policies, programs and funding:

- Increase funding via the Housing and Urban Development's (HUDs) McKinney-Vento Homeless Assistance Grants Program and Housing Choice Voucher Section 8 Programs.
- Increase funding levels for appropriations for Homeless Programs within the U.S. Departments of Health and Human Services, HUD, Justice, Veterans Affairs, Education, and Labor.

- Consistent with HEARTH Act Amendment priorities, support the federal “Ten Year Plan to End Chronic Homelessness Initiative” and “Opening Doors” plans through seeking \$1 billion in dedicated funding for the National Affordable Housing Trust for new permanent supportive housing.
- Support legislation to direct the Department of Justice to gather data on potential hate crimes against people experiencing homelessness, and to prosecute accordingly.
- Support legislation to expand funding for a range of supportive services to homeless persons to address issues such as mental health and substance abuse disorders and promote access to mainstream benefits.
- Support broadly standardizing the definition of homelessness for all McKinney-Vento Act funded programs.

### STEM CELL RESEARCH

Embryonic stem cells stand as a crucial link to the scientific puzzle that may mitigate the pain and suffering of more than 100 million Americans and provide new therapies and other scientific opportunities for countless diseases such as diabetes, Alzheimer’s, Parkinson’s, ALS, heart disease, spinal cord injury, and cancer. The Board supports protecting and preserving continued federal funding of human embryonic stem cell research.

### AUTISM

Autism insurance coverage “parity” connotes that autism would be viewed as a functional equivalent to other chronic medical conditions, and that therapies used to “treat” children diagnosed with an Autism Spectrum Disorder (ASD) would receive insurance coverage for rehabilitative approaches to the disease, similar to someone obtaining physical therapy for a spinal injury or speech therapy after a stroke.

Broad consensus exists across pediatrics, psychiatry, neurology and the allied fields of psychology, clinical social work, speech therapy, occupational therapy and physical therapy that the most efficacious treatment of autism requires early recognition and diagnosis, as well as early intensive treatment while the brain has the maximum potential to recover and/or compensate for the underlying pathophysiologic processes. Additionally, evidence exists that diverse treatments can lead to improved functioning in autism, some to remarkable degrees.

### FUNCTIONAL NEEDS SUPPORT SERVICES

The Board supports inclusive planning efforts to ensure disabled individuals are able to access the County’s emergency management programs, services, and activities, including appropriate sheltering services. However, the Board opposes any federal mandates that will require additional County expenditures relating to functional needs access to general population shelters.

### IMMIGRATION REFORM

This country was founded by immigrants and Broward County celebrates the value a diverse population brings to the community. To that end, the County supports reforming the current immigration system, including creating an expeditious but fair path to citizenship for all immigrants. The County firmly believes that a streamlined immigration system, with a clearly defined timeline and concrete milestones, rewards legal immigrants and provides relief for those in the County without documentation. The Board

also believes that any and all fees and/or penalties introduced through the immigration reform process should not be excessive and only serve to subsidize the operations of the agencies of jurisdiction.

The County also believes the country's borders must be secured efficiently. The County opposes any legislation or regulation that does not include clearly defined metrics for border security success as well as ensure these measurements are de-coupled from the streamlining of the immigration system. Further, the County believes that border security mechanisms employed by the federal government should not include any profiling initiatives.

### OLDER AMERICANS

The Older Americans Act expired in 2011, and reauthorization is a crucial opportunity for Congress to modernize and improve services by supporting efficiencies and innovations, reassessing the Act's successes and limitations, and addressing its ability to effectively serve older Americans in need. It also enables Congress to reaffirm its support for the Act and the efforts of the Aging Services Network to empower older adults to retain or improve their health and economic independence so they can remain in their own homes and communities.

Broward County's 266,825 seniors receive critical services provided by the Older Americans Act. These services, which are NOT provided by Medicare, include meals-on-wheels, transportation, help at home eating, bathing, and dressing, adult day care, caregiver respite, information & referral, home repair, and many others that help frail seniors remain at home.

Florida's communities greatly benefit from the millions of seniors who have chosen to make Florida their home. Seniors play a critical role in Florida's economy, owning 24% of the homes in Florida and contributing greatly to local communities by volunteering their time to work in schools, churches and synagogues, and as mentors and caregivers.

Almost 100,000 of Broward's seniors, however, are now in their 80's, 90's, and many have even surpassed 100 years of age. These seniors proudly worked all their lives, and planned for retirement. However, many seniors simply did not plan to live to be so old, and today live alone and have no family or caregiver. Plainly stated, many seniors have outlived their financial resources needed to support the care and assistance they need today. It is these very seniors that depend on the Federal Older American's Act for help to remain at home safely and with dignity and avoid or delay the need for more costly care in a nursing home.

On behalf of Florida's elders, the Board encourages and supports an increase in the funding for the Older American's Act. The Older Americans Act has already been cut substantially, nearly 6%, by earlier Federal sequestration reductions and the number of seniors being placed on waiting lists continues to grow. The Older Americans Act is a federal program that effectively reduces the nation's long term care costs and has been doing so for almost 55 years.

## **FISCALLY SUSTAINABLE AND TRANSPARENT GOVERNMENT**

### CIVIL RIGHTS

The Board supports federal legislation prohibiting discrimination on the basis of gender identity, gender expression, and sexual orientation in employment, housing, and public accommodations.

### CHILD CARE/EARNED INCOME TAX CREDIT

The Child Care Tax Credit (CCTC) is an important antipoverty and pro-work tax policy that improves the fairness of the tax code and directs tax relief to children in low-income families. The current credit indexes the income eligibility threshold for inflation, excluding more families every year. The Board supports legislation which lowers the income threshold at which the CCTC is refundable.

The Earned Income Tax Credit (EITC) is intended as wage support for poor and low-income families, and has been one of the federal government's most effective tools in lifting millions of Americans out of poverty. The Board opposes any proposal to initiate a pre-certification process or any effort to increase requirements for qualification of the EITC.

#### TAX RELIEF

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 Board opposes legislation that would compel the County to report the amount of real estate taxes paid to the IRS and to individual taxpayers.

Airports and seaports play a critical role in the U.S. economy. Fort Lauderdale-Hollywood International Airport and Port Everglades are major economic engines vital to the economic prosperity of Florida and Southeast Florida, in particular. Investment in capital infrastructure improvements is essential to keep pace with growing demands in moving people and goods. Despite the fact that a great majority of the nation's airports and seaports are publicly owned, and the public use and benefits of such facilities, a major percentage of bonds airport and seaport issue to finance infrastructure projects are deemed or classified under the U.S. tax code as Private Activity Bonds (PABs). This treatment results because private businesses are significant users of airport and seaport facilities and provide a large portion of the revenues used to repay the bonds. While the interest on PABs is exempt from ordinary federal income tax, the interest paid to investors is subject to the Alternative Minimum Tax (AMT). Because this tax treatment makes PABs a less attractive investment, airports and seaports often times must pay an interest premium (e.g., 10 to 30 basis points on average) to investors. Also, PABs cannot be advance refunded to take advantage of lower financing rates that may occur in the future, thus, prohibiting airports and seaports from efficiently managing their debt.

In 2009, Congress provided a two-year AMT exemption for PABs expiring December 31, 2012; PABs issued afterwards will be subject to the AMT penalty. Removing the AMT penalty that investors pay, and airports and seaports pay through discounting penalties, is vital to avoiding an increase in airports and seaports' costs for financing needed and publicly beneficial infrastructure projects – projects critical to advancing America's trade and tourism interests, securing jobs, and creating or expanding businesses for the economy. Therefore, the Board supports federal legislation to permanently eliminate the AMT penalty on airport and seaport private activity bonds, and to permit the advance refunding of PABs issued for port-related infrastructure projects.

#### CONGRESSIONALLY-DIRECTED SPENDING

Broward County supports congressional directives that provide Administrative agencies with guidance on the needs of a particular congressional district or state. This allows those with the best knowledge of the region to weigh in with recommendations on priorities for that region. Whether through "earmarking" or congressional report language, Broward County strongly encourages Congress to engage in the decision making process for the distribution of scarce federal resources. Congressional direction ensures geographical distribution, urban equity and greater transparency by posting projects

that have congressional support. Furthermore, it transfers responsibility for federal funding decisions back to those who are accountable to local communities.

#### DISASTER ASSISTANCE FOR INSURANCE DEDUCTIBLES

Florida is prone to hurricanes and, in recent years, has been struck by multiple hurricanes in one season. The Federal Emergency Management Agency (FEMA), through the Stafford Act, provides disaster assistance to local governments whose facilities are damaged by a natural disaster. The County is required to obtain insurance for its facilities and maintain it, as a condition of receiving FEMA assistance for a disaster-damaged facility. FEMA will not provide disaster assistance for damage or losses covered by insurance. While FEMA will reimburse the County for deductible costs incurred on a damaged insured facility, FEMA will not reimburse deductibles for the same facility damaged in a subsequent natural disaster of the same type. Accordingly, the Board supports an amendment to the Stafford Act that directs FEMA to reimburse local governments for 100 percent deductible costs incurred for an insured facility damaged by multiple same-type disasters, regardless of the number of events.

#### FEDERAL COURTHOUSE

In 2005, a recommendation was made against the reconstruction of the Fort Lauderdale federal courthouse and for dividing Broward County's federal caseload between the Miami Courthouse and the yet-to-be-constructed Palm Beach Federal Courthouse. However, there is no doubt that all three courthouses are urgently needed in this region, which is the sixth largest metropolitan statistical area in the United States. The existing federal courthouse was built before September 11, 2001, and thus lacks the security enhancements of newer federal courthouses. The Board strongly supports the retention of, and federal funding for, building a new federal courthouse in Broward County.

## **EFFICIENT AND ACCESSIBLE REGIONAL INTERMODAL TRANSPORTATION NETWORK**

#### SURFACE TRANSPORTATION REAUTHORIZATION

Broward County supports the passage of a long-term surface transportation reauthorization bill that includes the following:

- Funding beyond the current levels plus inflation. Additional investments must be made in order to sufficiently maintain and expand the national transportation system, as well as keep pace with technology, at a globally competitive level.
- Creation of a National Freight Program with dedicated funding.
- Amending the Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance program, to allow projects under \$50 million to be eligible.
- Robust growth of the federal public transportation program and continued funding for the Mass Transit Account from the Highway Trust Fund (HTF), thus preserving transit's long-term source of dedicated funding in order to maintain transit assets in a state of good repair, ensure stable funding for long-term capital investment projects, and meet the growing ridership demand.
- Further accelerated project delivery, without compromising environmental impacts.

- Restore the 10 percent set aside for Transportation Enhancements, as well as specific programs for Safe Route to Schools and retain Recreational Trails programs. These programs are imperative to a comprehensive transportation network that provides options to all people and should be funded; not unduly targeted as a false method for solving inadequacies in the HTF.
- Allows toll revenue credits to be used for paying back TIFIA and to be an eligible local match for competitive grants.
- Mechanics to reach full funding of the bill through congestion pricing practices. Broward County opposes diverting Outer Continental Shelf (OCS) revenues to the HTF without first preserving OCS revenues at the fully authorized level for their original purposes of state and local conservation efforts.
- A federally supported pilot program for Broward County or the state of Florida to explore non-traditional funding mechanisms that leverage federal funds with local dollars and devolve control for transportation dollars to the local level.

#### FREIGHT MOVEMENT

Many of the nation's land and water connections are insufficient and outdated, affecting the Port's ability to move cargo efficiently into and out of the U.S. This hurts U.S. business, U.S. workers, and the national economy. The Board supports focusing scarce federal resources in those areas that can have the greatest impact on economic growth, immediate and long-term job creation, national security, as well as current and future competitiveness in the global economy. Among the investment options, enhancements in seaport-related infrastructure should be a high priority.

The Board supports legislation to improve the efficiency, operation, and security of the national transportation system to move freight by leveraging investments and promoting partnerships that advance interstate and foreign commerce. The Board urges Florida's Congressional delegation to sponsor legislation to this end and work for its immediate passage.

#### PUBLIC TRANSPORTATION

The Board supports robust growth of the federal public transportation program. In addition, the Board supports continued funding for the Mass Transit Account from Highway Trust Fund, thus preserving transit's long-term source of dedicated funding, which is necessary to maintain transit assets in a state of good repair, provide stable funding for long-term capital investment projects, and meet growing ridership demand. The Board supports flexibility in Federal Transit Administration funding in order that local transit providers may use no less than 10 percent (as allowed with ARRA funding) for operations. Ridership continues to increase with Broward County experiencing, in 2013, its second highest ridership due, in part, to a new express bus service that serves the region. Fares amount for approximately 30 percent of the County Transit agency's revenue; however, the economic downfall has reduced tax collections relied upon to keep the system operational. Flexibility in funding operations allows the County to avoid fare hikes at a time when consumers cannot afford it or a reduction in services at a time when ridership is at an all-time high and rising. Funding operations, instead, will protect jobs as the County is able to retain existing routes and expand into new ones.

### **A SUSTAINABLE, CREATIVE APPROACH TO COMMUNITY REDEVELOPMENT AND AFFORDABLE HOUSING**

#### FORECLOSURE ASSISTANCE/AFFORDABLE HOUSING

The Board supports additional federal efforts to provide assistance to homeowners who have fallen behind on mortgage payments and face foreclosure of their homes. The Board supports legislation that requires mortgagors to foreclose in a timely manner and holds them responsible for paying any homeowner or condominium association fees or special assessments on reverted properties. Further, the Board urges Congress to require that mortgagors, when filing a *lis pendens* to initiate the foreclosure process, provide contact information of an individual with the authority to negotiate the terms of the loan. Lenders should be mandated to comply with this type of “anti-run-around” notice, and include on any correspondence related to the loan, a name, address, and phone number of an employee who will work with owners seeking to modify delinquent loans.

The Board supports federal efforts to expand affordable housing initiatives, including increased funding for the Section 8 Housing Program and overall Housing Authority resources. The Board seeks legislation to lift or increase the present 4 percent and 9 percent cap on Housing Tax Credits, used to raise equity for affordable housing development, and to provide a direct allocation of tax credit/bond resources to Local Housing Finance Authorities.

The Board also supports legislation that would maintain or increase current levels of the Community Development Block Grant Program (CDBG), which contributes to affordable housing infrastructure, public services and economic development for low to moderate income residents, and also maintaining and increasing current levels of funding in the Home Investment Partnership Program (HOME), to continue the partnerships to assist lower income residents in Broward County for safe and sanitary rental or home ownership. The Board also supports the “30/30 Plan,” which provides that existing housing funds should have a greater amount (30 percent) targeted for persons at or below 30 percent of median income. The Board also supports legislation which would give employers the option of offering financial homebuyer benefits, much like dental or medical benefits, for housing costs of all types. Employers would be eligible for a tax credit as a participation incentive.

The Board supports maintaining the homeowner federal income tax deductions. The reduction or elimination of these benefits would have a negative impact on lower income home owners.

For further information about Broward County's Legislative Priorities, please contact us.

Broward County Mayor and Board of County Commissioners

Mayor Barbara Sharief (954) 357-7008

Vice Mayor Tim Ryan (954) 357-7007

Martin Kiar (954) 357-7001

Kristin Jacobs (954) 357-7002

Stacy Ritter (954) 357-7003

Chip LaMarca (954) 357-7004

Lois Wexler (954) 357-7005

Sue Gunzburger (954) 357-7006

Dale V.C. Holness (954) 357-7009

Bertha Henry, County Administrator 954-357-7362

Edward G. Labrador, Esq., Director of Intergovernmental Affairs and Professional Standards 954-357-7575

OFFICE OF INTERGOVERNMENTAL AFFAIRS AND PROFESSIONAL STANDARDS

115 S. Andrews Avenue, Room 426 Fort Lauderdale, Florida 33301 [www.broward.org/intergovernmental](http://www.broward.org/intergovernmental)

This public document was promulgated at a cost of \$00.00 or \$0.00 per copy, to inform the public about the 2014 Federal Legislative Program.