



# **STATE LEGISLATIVE AND EXECUTIVE PROGRAM**

**2023 LEGISLATIVE SESSION**

**ADOPTED DECEMBER 6, 2022**

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## BOARD OF COUNTY COMMISSIONERS

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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 2023 State Legislative Session, which convenes in Tallahassee on Tuesday, March 7, 2023.

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 as follows:

- Monday, December 12 – Friday, December 16, 2022
- Tuesday, January 3 – Friday, January 6, 2023
- Tuesday, January 17 – Friday, January 20, 2023
- Monday, January 23 – Friday, January 27, 2023
- Monday, February 6 – Friday, February 10, 2023
- Monday, February 13 – Friday February 17, 2023
- Monday, February 20 – Friday, February 24, 2023

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 that provide 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

#### AFFORDABLE HOUSING DISCRETIONARY SURTAX

**SUPPORT** legislation that authorizes Broward County to levy a discretionary surtax on documents pursuant to s. 201.031, F.S., to create and finance affordable housing throughout the County.

#### 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.

#### 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. The COVID-19 Pandemic exacerbated the residual effects of the Great Recession resulting in Broward and all urban counties having a much greater need for rental housing than home ownership. Due to extreme home prices in Broward County, the median single-family sales price is nearly triple what a Broward County household earning the median household income could afford (\$600,000). 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.

### CRIMINAL JUSTICE REFORM

#### JAIL DIVERSION, PRISONS & RE-ENTRY PROGRAMS

**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

**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** 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.

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## 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.*

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### BROADBAND FOR HOUSEHOLDS AND BUSINESSES

**SUPPORT** policies and funding that improve access to reliable and affordable high-speed internet to every household and business throughout the County and the state.

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### 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.

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### APPRENTICESHIP PROGRAMS

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

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### 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.

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### 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.

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### 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.

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STATEWIDE FLOODING AND SEA LEVEL RISE RESILIENCE

**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.

**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.

**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 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 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.

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BEACHES AND INLET MANAGEMENT

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

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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.

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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

**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** additional funding for local initiatives to respond to the continuing Opioid use and overdose epidemic.

- **SUPPORT** local projects that provide evidence-based interventions to hard-to-reach sub-populations, particularly individuals lacking sufficient healthcare coverage, housing, and other social supports.
- **SUPPORT** funding for long-acting injectable buprenorphine.
- **SUPPORT** funding for local expansion of detoxification beds in conjunction with or utilizing Opioid Settlement funds by qualified counties, in accordance with the FL MOU of approved and eligible uses.

**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) 2023 Legislative Priorities and Funding Requests.

**SUPPORT** additional funding for local initiatives to combat the rapidly increasing prevalence of methamphetamine and other stimulant use, particularly when combined with opioid use.

- **SUPPORT** funding for evidence-based interventions for methamphetamine and other stimulant use disorders. Currently no FDA approved medications exist for stimulant use disorders but evidence-based interventions, such as contingency management, have been proven effective.
- **SUPPORT** additional funding for local peer support initiatives to increase the number of certified peer support specialists providing care at licensed SUD providers. This may include workforce development projects to help combat the shortage of licensed professionals.

## III. LOCAL BILLS

### SENIOR SERVICES DISTRICT

**SUPPORT** the creation of a countywide Independent Senior Services District to 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) and 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 determine 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.

**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

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### 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.

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### ANCHORAGE RESTRICTION

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

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### AVIATION FUEL TAX EXEMPTION

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

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### 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.

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### 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 (FNCAC).

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### 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.

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## 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.

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## EDUCATION

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

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## 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.

**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.

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## 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.

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## 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.

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## 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.

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## 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.

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

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#### 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.

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#### HUMAN & CIVIL RIGHTS/DIVERSITY AND INCLUSION

**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.

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#### 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.

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#### LOCAL HIRE AND LOCAL PREFERENCE PROGRAMS

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

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#### LOCAL OCCUPATIONAL LICENSING PROGRAMS

**SUPPORT** legislation that repeals or revises s. 163.211, F.S, before the sunset date of the law, July 1, 2023, to allow counties the ability to maintain local occupational licensing programs, which protect small business owners and consumers.

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#### PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) REGULATION LIABILITY

**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.

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#### RECYCLING AND SOLID WASTE

**SUPPORT** funding and legislation to implement equitable and informed recycling access to consumers including policies that increase education, outreach, and consumer behavioral change; modernize and upgrade materials recovery facilities; expedite the adoption of renewable and/or zero-emission technologies; and increase access to recycling containers.

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## RENEWABLE ENERGY

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

**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.

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## SOVEREIGN IMMUNITY

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

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## 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.

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## 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.

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## WAGE RECOVERY AND LIVING WAGE 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.

**OPPOSE** any legislation preempting the County's existing living wage ordinance to ensure service contractors' employees and subcontractors performing covered services pursuant to applicable County contracts are paid a living wage.

## IV. DEPARTMENT POLICY PROPOSALS

*Each County Department, Division, Office, and Section may submit proposed policy proposals 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

Amend [s. 163.3180, 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.

### ANIMAL CARE PUBLIC RECORDS EXEMPTION | ANIMAL CARE AND ADOPTION DIVISION

**SUPPORT** a public records exemption for certain employees of public animal care services.

#### 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.



## EXCEPTION TO ANONYMOUS CODE ENFORCEMENT REPORTING | COUNTY ATTORNEY'S OFFICE

**SUPPORT** an exception to s.125.69, F.S., s. 162.06, F.S., s.162.13, F.S., s.162.21, F.S., and s. 166.0415, F.S. which would allow code inspectors to initiate enforcement proceedings for reported violations of building codes made pursuant to an anonymous complaint if the violation relates to a childcare facility or the alleged abuse, neglect, or mistreatment of an animal.

### BACKGROUND

Code enforcement conducted by local governments are consistent with the state's police powers in that they protect the health, safety, and welfare of the community. In 2021, several Florida Statutes regulating code enforcement were amended to prohibit code enforcement officers from initiating potential violations of codes and ordinances by way of anonymous complaints. This provision allowed a single exception in cases where a code inspector has a reason to believe that the violation presents an imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources. The Senate's own Bill Analysis and Fiscal Impact Statement conceded that local governments may experience a reduction in complaints filed due to individuals not wanting to provide personal identifying information because of the amendment. The most vulnerable members of any society include children and animals. Creating an additional exception allowing code inspectors to initiate enforcement proceedings on anonymous complaints relating to these two vulnerable groups will significantly lessen the chance that actual violations go unreported.

## COUNTY ADMINISTRATOR PUBLIC RECORDS EXEMPTION | COUNTY ADMINISTRATION

**SUPPORT** 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.

## PEER-TO-PEER RIDESHARING | AVIATION DEPARTMENT

**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, in the same way that hotel chains and taxi companies spearheaded efforts to regulate online vacation rentals 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, like those required of off-airport rental car companies that use airport facilities.

**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 revenue 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.

V. BROWARD COUNTY’S APPROPRIATIONS REQUESTS

HUMAN SERVICES DEPARTMENT REQUESTS

BLACK MATERNAL HEALTHCARE FUNDING

FUNDING REQUEST | \$1,000,000

**SUPPORT** \$1,000,000 to provide appropriate maternity health care and doula services to Black women in need in Broward County. The request is made in consultation with Broward Memorial Hospital’s Healthcare Services as well as Healthy Mothers Healthy Babies Coalition.

BROWARD ADDICTION RECOVERY CENTER – INJECTABLE BUPRENORPHINE PILOT PROGRAM – PHASE II

FUNDING REQUEST | \$275,000

**SUPPORT** state funding of \$275,000 in FY 2023 for Phase II of a pilot program providing Medication Assisted Therapy (MAT) through 150 long-acting injectable buprenorphine treatments to 50 individuals suffering from severe opioid use disorder, who would otherwise be unable to receive this FDA approved, evidence based and lifesaving treatment intervention.

BROWARD ADDICTION RECOVERY CENTER – PEER SUPPORT SPECIALISTS PROGRAM

FUNDING REQUEST | \$490,000

**SUPPORT** \$490,000 for a local peer support initiative to increase the number of certified peer support specialists providing peer-based care at licensed substance use disorder (SUD) providers.

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NANCY J. COTTERMAN CENTER – CRISIS INTERVENTION PROGRAMS

FUNDING REQUEST | \$406,000

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**SUPPORT** state funding of \$406,000 for the Nancy J. Cotterman Center (NJCC) in FY 2023, which 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.

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PUBLIC WORKS APPROPRIATIONS REQUEST

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BROWARD COUNTY FORENSIC SCIENCE CENTER

FUNDING REQUEST | \$1,000,000

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**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 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 the community by answering the difficult questions that follow death and criminal activity.

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NW 23<sup>RD</sup> AVENUE ENVIRONMENTAL RESTORATION

FUNDING REQUEST | \$435,885

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**SUPPORT** state funding of \$435,885 in FY 2023 to fund 50 percent of the environmental remediation of publicly owned land located at NW 23rd Avenue in the City of Fort Lauderdale.

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RESILIENT ENVIRONMENT DEPARTMENT APPROPRIATIONS REQUEST

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VULNERABILITY ASSESSMENT AND RESILIENCE PLAN

FUNDING REQUEST | \$1,000,000

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Broward County has completed vulnerability assessments in a first order evaluation of flood risk. However, this work is not compliant with the new F.S. 380.093 requirements released this year. The County will use F.S. 380.093 as the guiding document to update the vulnerability assessment and investigate all county-owned critical and regionally significant assets within the county to address their vulnerabilities and develop adaptation plans for future climate impacts.

## WATER AND WASTEWATER SERVICES APPROPRIATIONS REQUEST

### CANAL INFRASTRUCTURE RESILIENCE IMPROVEMENTS

#### FUNDING REQUEST | \$550,000

**SUPPORT** state funding of \$550,000 in FY 2023 for a new pump station that will provide enhanced flood protection and water supply resiliency improvements. The funding request has a local 50/50 match for a total project cost of 50 percent of \$1,100,000.

## 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

**SUPPORT** a minimum of \$50 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 the organization's 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 childcare.

### 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.

**SUPPORT** Florida Public Transportation Association (FPTA) 2023 Legislative Program unless specific issues conflict with Broward County positions.

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## 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.

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## 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.

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## 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.

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## 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.

As of September 21, 2022, there were 100,762 Floridians languishing on the Department of Elder Affairs Assessed Prioritized Consumer List, of which 6,250 are Broward County residents, which has doubled since last year. 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.

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### 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 \$750,000, annually. Funds are utilized for housing navigation, as it is a priority identified in the updated CoC plan.

**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.

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### LIBRARY AND CULTURAL GRANTS FUNDING

**SUPPORT** the Florida Cultural Alliance’s Legislative Platform that calls for maintaining current levels of funding for all Division of Arts and Culture 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.

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### MEDICAID EXPANSION

**SUPPORT** a state implemented Medicaid expansion to provide affordable healthcare coverage for uninsured Floridians.

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### NATIONAL SUICIDE AND CRISIS LIFELINE

**SUPPORT** the Department of Children and Families (DCF) legislative budget request (LBR) for FY 2023 to authorize the transfer of \$8.5 million from the CSMH federal block grant to fund the budget shortfall for 988 call centers across Florida. Additionally, **SUPPORT** at least \$525,000 in specific state funding for Broward Behavioral Health Center (BBHC) to ensure 2-1-1 Broward, the county’s local 988 operator, has adequate funding to implement 988 countywide.

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### 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., which improves the County’s ability to prevent homelessness for Individuals and Families facing eviction and/or foreclosure.

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### VOLUNTARY PREKINDERGARTEN

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