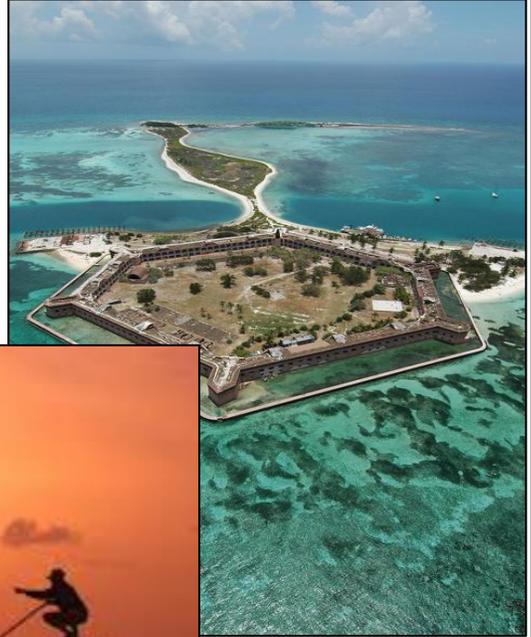




MONROE COUNTY BOARD OF COUNTY COMMISSIONERS STATE LEGISLATIVE AGENDA

2024



MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
Office of Legislative Affairs
October 2023

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Mayor Craig Cates, District 1

Mayor Pro Tem Holly Merrill Raschein, District 5

Commissioner Michelle Lincoln, District 2

Commissioner Jim Scholl, District 3

Commissioner David Rice, District 4

COUNTY ADMINISTRATOR

County Administrator Roman Gastesi

LEGISLATIVE DISTRICTS

House District 120: Representative Jim Mooney

Senate District 39: Senator Ana Maria Rodriguez

MEMBERSHIPS IN LEGISLATIVE ALLIANCES

Florida Association of Counties

Small County Coalition

Southeast Florida Regional Climate Change Compact

South Florida Regional Planning Association

National Association of Counties

Gulf States Counties and Parishes Caucus



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REPORT AND DISCUSSION

LEGISLATIVE AGENDA DEVELOPMENT

Staff is seeking Board approval of the issues presented herein to be included in the County's 2024 State Legislative Program. Upon Board approval, staff and the contract lobbying teams will pursue all the legislative issues approved by the Board, and in so doing, place appropriate priority on the issues that the Board directs to receive a special level of attention in 2024.

Annually, the Board reviews legislative priorities and gives direction on and approval of priority legislative issues to guide the County's lobbying efforts at both the State and federal level. Typically, the County identifies as priorities only its most pressing issues and then supports the Florida Association of Counties (FAC) and the Small County Coalition (SCC) in achieving their broader substantive initiatives. As a member of the Southeast Florida Regional Climate Compact, Monroe County collaborates on the Compact's annual legislative program.

Each year, the BOCC and staff evaluate the trends and issues affecting all County programs and services to identify potential policy or substantive legislative issues. Included herein are the substantive priorities and general issues to be pursued and supported during the 2024 State Legislative session.

LEGISLATIVE PRIORITIES

The County's legislative efforts are incremental and focused on issues that are built upon throughout several sessions, such as funding for water quality infrastructure and land acquisition and protecting Citizen's wind insurance affordability; others are new, prompted by recent legislation or newly identified needs. The County's priorities for the 2024 session include:

- The County's number one priority is to **secure a \$25M appropriation as authorized by the Florida Keys Stewardship Act**, of which \$20M is to fund water quality projects and \$5M is for land acquisition. The County utilizes its share of Stewardship funding for the canal restoration program.
- An important additional goal is to have **the Florida Keys Stewardship Act included as a funded project in State's Land Acquisition Trust Fund**. The Land Acquisition Trust Fund ("LATF") is funded with documentary stamp taxes directed there by Amendment 1. Projects currently funded in the LATF include some of the State's highest environmental priorities, such as Everglades Restoration and springs restoration. Inclusion of the Keys' Stewardship Act into the LATF would elevate our Stewardship Act to Statewide importance and help secure annual funding.
- The Florida Keys Stewardship Act also authorizes an **annual \$5M set-aside of Florida Forever funding** for the next ten years, dedicated specifically to enable Florida Department of Environmental Protection to renew an aggressive land acquisition program in the Florida Keys. As the universe of development permits shrinks, and the County reaches "build out," there is a need to keep our state legislators mindful about the impacts and consequences of Monroe County's challenge of protecting both environmentally sensitive lands while balancing private property rights. The State of Florida, having designated the Florida Keys as an Area of Critical State Concern, is a partner with Monroe County in this challenge and we continue to work closely with the State's ACSC oversight agency, the Department of Economic Opportunity (DEO) on these issues, and the State's main environmental regulatory agency, the Department of Environmental Preservation.
- **Wind insurance affordability** (and more recently flood insurance) is yet another perennial priority though this year there is increased urgency. Most wind policies in Monroe are with state-backed Citizens Property Insurance Company ("insurer of last resort.") Thanks to the spiraling property insurance crisis, Citizens' policy numbers have soared past 1.4M because it is the default insurer for policy holders from the private

sector insurance companies that have failed or left the State. Lawmakers continue to pressure Citizens to shed policies by forcing insureds into take out companies with higher premiums, and by limiting eligibility. Preserving affordable wind insurance requires regular advocacy with Citizens, legislators, and the Office of Insurance Regulation to oppose efforts to increase premiums, eliminate the cap on annual increases, reduce coverage, and reduce eligibility.

To make matters worse, **recent state legislation now requires flood insurance** to be carried by all Citizens' policy holders – even for homes not at risk for flood. The cost for flood insurance is increasing because of Risk Rating 2.0, FEMA's new pricing scheme for National Flood Insurance program policies. Risk Rating 2.0 also eliminates the Preferred Risk Policies that were once offered very inexpensively for homes not at risk of flood.

Lawmakers having passed significant insurance legislation this past year are unlikely to revisit the issue in any type of comprehensive way, nevertheless we will work with our delegation and with Monroe's insurance advocacy group, FIRM, to press for some reforms that may help to reduce costs.

- A potential new legislative priority may be the **consolidation of the State's judicial circuits**. Currently the Florida Supreme Court is evaluating this issue and will make a formal recommendation to the Legislature by December 1. The Legislature may then choose to pursue legislation enacting those recommendations. For Monroe, consolidation will mean joining its 16th Circuit (the smallest circuit in the State) to Miami-Dade's 11th Circuit (the largest in the State.) The County Commission has already expressed its opposition to judicial consolidation, and specifically to the consolidation of Monroe and Miami-Dade's circuits, and we will represent that opposition to any such legislation that is introduced.
- Another top priority is to continue to secure **funding for road elevation projects** from the State's Resilient Florida Grant Program. Increasingly however, the program's **50% match requirement** will hamper our efforts. The County's legislative team will advocate to lower the match requirement.
- **Workforce housing** remains an ongoing concern. Monroe has identified several additional legislative measures that will help local efforts:
 - **Land Authority**: The Monroe County Land Authority is authorized to utilize its funds to promote affordable housing. To assist with new home ownership projects, it requires a statutory change allowing it to qualify buyers only at the time of purchase for homeownership units, in addition to tools to protect its funding and the future affordability of homeownership units that use its funds.
 - **Tourist Development Tax**: Monroe seeks the ability to use a portion of the proceeds from TDT funds for affordable/workforce housing for employees in tourism-related businesses. This is a potential revenue source for workforce housing for tourism sector workers, but this use will require a statutory change. Monroe County's tourism industry is a critical component of our economy, generating \$1.9B in visitor-generated revenue. It also employs 20,000 jobs (4 out of every 10 workers in the County). (Monroe County TDC, 2019).
 - **SHIP formula change**: Monroe also requires greater flexibility in the use of SHIP funds. Currently we are mandated to use 30% of our SHIP allocation for very low income (50%AMI) and 30% for low income (80% AMI). The remaining 40% may be used for moderate income (140% AMI.) The stark reality of today's housing prices challenges our ability to qualify families in very low- and low-income categories. If we cannot qualify families in those categories, then those SHIP funds go unutilized. Up to 60% of our SHIP allocation may have to be forfeited. Instead, Monroe seeks temporary (sunsets after 14 years) flexibility that will enable us to use the funds across all categories (very low, low, and moderate without specific category restrictions), enabling us to utilize our full allocation of SHIP funds to assist additional families.
 - **Ad Valorem tax relief**: To incentivize long-term rental housing over short-term/vacation rental, or vacancy, we would seek authority to grant ad valorem tax relief to privately owned residential properties that voluntarily rent affordably.

- Building on the progress of the past few years, will continue seek State assistance to bring online new mooring fields. Last year we secured an appropriation to design, engineer and implement 140 new moorings in two mooring fields (in the Wisteria Island and Boca Chica areas.) This year we will request **legislative funding for the development of shore side facility** for the Boca Chica mooring field. The new mooring fields promise to help reduce vessel dereliction enhancing boater safety and resource protection. Additionally, improvements are sought to the **State's Derelict Vessel Grant Program**. While the County appreciates the State funding to help remove derelict vessels, it is essential that we find ways to reduce the program's inordinately long removal processing times.
- On behalf of the County's hundreds of small contractors and tradespeople, Monroe will continue to pursue the **repeal of the local occupational licensing preemption** passed by the Legislature in 2021. In the 2023 session legislators delayed the implementation of the prohibition for one year, and carved Monroe out of the preemption. This year we will seek **clarifying language for Monroe's carve out**. and work in tandem with FAC to once again repeal or significantly amend the preemption. Local licensing programs help, not harm, small contractors, and tradespeople, as well as protect consumers.
- **Local government preemptions** have proliferated over recent legislative sessions, such as those related to vacation rentals, term limits for local elected officials, contractor licensing, home-based businesses, cruise ship activity in local ports, single use plastic bags, business regulation, use of county rights of way, and local referenda represent a significant challenge to home rule. We expect these State legislative efforts to continue. Recent State legislation seeks to advance agricultural development and affordable housing development via preemptions and incentives. Monroe County seeks to ensure that these types of legislative efforts do not override our **local comprehensive plan and Rate of Growth Ordinance regulations**.

LOBBYING CONTRACTS

The County utilizes contract lobbying services at the State level to further Monroe County's legislative goals and to secure vital appropriations. Monroe County currently contracts with Robert Reyes with Capital Group, Frank Bernardino and Edgar Fernandez with Anfield Consulting, Dean Cannon, Ryan Matthews and Angela Drzewiecki of Gray-Robinson, Nick Iarossi and Andrew Ketchal with Capital City Consulting and Noah Valenstein with Brightwater Strategies Group. These firms provide a daily presence in Tallahassee and advocate for the County's legislative priorities. Staff works closely with the County's State lobbying team communicating frequently on session activities, legislation, State policy, regulatory, and budget issues. In addition to weekly team conference calls during session, and weekly issues tracking, lobbyists also submit monthly reports, and formally report annually to the Board of County Commissioners.

KEY DATES

2024 Legislative Session Dates:

- October 18: Approval of BOCC Legislative Agenda
- October-December: Interim Committee Weeks
- November 2: Local Delegation Meeting
- November 15-17: FAC Legislative Conference
- January 9: First Day of Regular Session
- January 17: Florida Association of Counties Legislative Day
- ~~February 22~~ January 25: Keys Day
- February 27: Last Day for Committee meetings
- March 8: Last Day of Regular Session

LEGISLATIVE PRIORITIES

FLORIDA KEYS STEWARDSHIP: WATER QUALITY PROTECTION

CHALLENGES:

- **Unique Ecosystem:** The Florida Keys lie within the waters of the Florida Keys National Marine Sanctuary. This fragile and complex marine ecosystem of the Florida Keys is one of the unique ecosystems in the world. It is home to the **only living coral reef** in the continental U.S. and the third largest barrier reef in the world, the largest sea grass meadow in the hemisphere, and 6,000 species of marine life. Cesspits, runoff, and degraded canal waters pollute the nearshores waters of the Sanctuary and threaten the ecosystem.
- **Unrivaled Economic Impact:** This ecosystem is the lifeblood of the Keys' marine-based tourism and fisheries economy that is unrivaled in the State of Florida generating over **\$5.7B in economic activity**, enabling the Keys to generate over **\$257M in sales tax revenue** for the State.
- **Federal State Water Quality Mandates:** The implementation of Advanced Wastewater Treatment standards, storm water management and canal water restoration in the Florida Keys are all pursuant to and in furtherance of the Federal Water Quality Protection Program mandates that apply to all the waters surrounding the Florida Keys. Congress created the Florida Keys National Marine Sanctuary in 1990, and directed US EPA and the State to develop a Water Quality Protection Program to protect water quality.
- **Wastewater Implementation:** The State mandated that The Florida Keys Area of Critical Concern construct a centralized wastewater treatment system in compliance with FS 381 and 403 across the span of the 100+ mile archipelago. This has cost the local governments of the Florida Keys \$900M. The State has invested \$100M in that system. These wastewater treatment system improvements have been completed.
- **Stewardship Act:** In 2016 in recognition of the importance of preserving the quality of waters surrounding the Keys, the National Marine Sanctuary, the coral reef, and the unique and marine ecosystem, the Legislature enacted the Florida Keys Stewardship Act authorizing state funding for environmental water quality restoration projects. To date, we have secured \$90M in State legislative appropriations.
- **Canal Restoration Program:** Water quality restoration in our canals is an important part of preserving our marine ecosystem because stormwater runoff into canals, and poor water quality within canals leach into the nearshore waters of the Sanctuary. After extensive environmental testing most canals in the Keys were found to have poor or fair water quality. Monroe County's Canal Restoration Plan ranks 96 canals in unincorporated Monroe County with poor or fair water quality ratings that do not meet minimum state standards for water quality. In 2020, the State added Canal Restoration as a mandated component to Monroe County's ACSC annual work plan. The cost of this work is in the hundreds of millions. State Stewardship Act funding is critical to this effort.
- **Recurring State Funding:** Inclusion of the Stewardship Act into the State's Land Acquisition Trust Fund and thereby securing annual, recurring Stewardship funding, would significantly enhance local water quality restoration efforts.
- **LOCAL PROGRESS AND COMMITMENT:**
 - Canals Restored: To date, the County has or is in the process of restoring 25 canals.
 - County Funds: The Monroe County Board of County Commissioners expended **\$7M in local funds** to develop a Restoration Work Plan and to conduct a Restoration Pilot Program, wherein we implemented different restoration technologies to determine the costs and benefits of each technique.
 - RESTORE Act funds: Monroe has committed all its RESTORE Act **\$20M** to Canal Restoration.
 - Federal Funds: The County secured a **\$45M** federal Natural Resources Conservation Service grant in 2018 to remove hurricane-related debris from almost 200 canals.

REQUESTED ACTIONS:

- ✓ **SUPPORT** a \$20M appropriation for the implementation of The Florida Keys Stewardship Act.
- ✓ **SUPPORT** inclusion of the Florida Keys Stewardship Act in the State’s Land and Water Trust Fund.
- ✓ **SUPPORT** creation of a recurring five-year water-related work plan (like the FDOT five-year work plan model) for the distribution of State funding for local water-related infrastructure projects and support increased State funding for local water infrastructure projects.

FLORIDA KEYS STEWARDSHIP ACT: LAND ACQUISITION

CHALLENGES:

- **Area of Critical State Concern:** The State of Florida designated the Florida Keys an Area of Critical State Concern, in recognition of its unique and significant environmental resources, and through the Administration Commission, the State maintains oversight of the growth and development issues in the Florida Keys.
- **Hurricane Evacuation:** State law limits residential housing growth in the Keys so that permanent residents can be safely evacuated within 24 hours. U.S. 1 has limited capacity for cars on the road, which limits the number of people that can live here. The State accomplishes this through an annual rationing of building permits, until we reach a cap or “build out.”
- **Development Permits:** The State caps the total number of new building permits in the Keys. In 2013 that cap was set at 3,550. Each year, for the next ten years, the State allocates 355 permits to the Keys. We will reach build out in 2026, after which there will be no more permits, and no further development will be permitted.
- **Property Rights/Legal Liability:** After we apply for all the available permits (3,550), there will still be approximately 6,000 privately owned, undeveloped parcels, potentially with no ability to develop. The deficit of permits could trigger property rights lawsuits against the local governments and the State from owners who may have been denied the ability to build a home on their property. The total value of the remaining 6,000 parcels, and the liability of potential takings claims, is conservatively estimated at **\$627M** (2022 data). The County and the State have been named as co-defendants in property rights suits filed because of ACSC regulations, and jointly defended those suits.
- **Conservation and Non-Conservation Lands:** Florida Forever provides a programmatic funding source through which the State can acquire lands to retire development rights, if those properties are conservation lands within the Florida Forever project boundaries. Of the 6,000 privately-owned, undeveloped properties that could be left without permits *approximately 3,500 lies within the Florida Forever project boundaries*. In 2018, we secured legislative changes that authorize the State to acquire non-conservation lands in ACSC to retire development rights. However, this type of acquisition requires a state funding source.
- **Military Base Buffering:** The Keys are home to the U.S. Naval Air Station Key West. Approximately 500 of the 6,000 privately-owned, undeveloped parcels lie within NASKW’s military buffer areas. In 2018, we secured legislative changes that prioritized NASKW within the State’s military buffer lands program, but the program requires greater State funding to acquire more base buffer land.
- **Voluntary Home Buyout Program:** This is another program that assists in land acquisition. The State program, run by the Department of Economic Opportunity, is designed to help reduce the impact of future disasters in high-risk flood areas. Monroe County was allocated \$15M which it uses to purchase the property and home of voluntary sellers who were impacted by Hurricane Irma. After buyout, the home is demolished, the land preserved in perpetuity for open space (or, when deemed necessary the land may be used for recreational or stormwater purposes), and the development rights are retired.

LOCAL COMMITMENT: Since July 1, 2016, through August 31, 2023, Monroe County (the Board of County Commissioners and the Land Authority) has expended a total of \$30.8 M in local funds to reduce this liability by acquiring land and retiring the development rights. The County has an additional \$19.5 M budgeted for fiscal year 2024. DEP has expended \$8.7 M and DEO has expended \$8.3 M. During this period, 488 development rights have been retired (332.6 by the County, 138.5 by DEP, and 17 by DEO).

REQUESTED ACTIONS:

- ✓ **SUPPORT** appropriation of \$5M within Florida Forever as authorized in The Florida Keys Stewardship Act for land acquisition within the Florida Keys that will both conserve environmentally sensitive land and retire development rights to mitigate future takings liability.
- ✓ **SUPPORT** continued partnership with FDEP and DEO to fund and implement an aggressive, long-term land acquisition strategy aimed at reducing the total inventory of privately owned vacant land to curtail the threat of significant future takings liability.

JUDICIAL CONSOLIDATION

CHALLENGE:

The Florida Supreme Court was requested by the Legislature to evaluate the merit/need to consolidate Florida’s judicial circuit courts based on criteria such as effectiveness, efficiency, access, and public trust. The Supreme Court convened a statewide Judicial Assessment Committee to collect data, survey stakeholders hold public hearings, and solicit public comment. The Supreme Court is charged with issuing its findings and recommendations to the Legislature by December 1, 2023. The Legislature may then choose to act legislatively on those recommendations during the 2024 session.

For Monroe County consolidation would mean joining its 16th Circuit (the smallest in the State) with Miami-Dade’s 11th Circuit (the State’s largest circuit), likely resulting in *less* effectiveness, efficiency, access, and public trust, for Monroe’s residents, not *more*. This potential consolidation would be detrimental to Monroe for several reasons:

- Monroe County’s unique geography presents a significant accessibility to courts issue, as a long chain of islands exceeding 120 miles in length, which is why the 16th Judicial Circuit has a Lower, Middle and Upper Keys Courthouse to address and improve accessibility. Consolidation with Miami-Dade would further burden Keys’ citizens to have meaningful access to court and court services consistent with due process afforded under our current system.
- Current robust local focus on the Keys’ unique natural resource protection and coordination of efforts between local law enforcement and State Attorney would likely not be prioritized in a circuit serving a large, urbanized county where law enforcement, prosecutorial and judicial resources are focused on other criminal activity.
- A less robustly protected environment and diminished enforcement of resource violations will inevitably translate into economic losses.
- Voter registration numbers dispel any argument that Monroe voters will have a meaningful voice in electing their State Attorney.

REQUESTED ACTIONS:

- ✓ **OPPOSE** legislative effort to consolidate judicial circuits, specifically the consolidation of the 16th and 11th circuits.

ENHANCING MONROE COUNTY'S FLOODING RESILIENCE

CHALLENGES:

- Severe and persistent road flooding is impacting many communities affecting public safety, commerce, property values and quality of life.
- Estimated Costs: In 2018, Monroe County embarked on a comprehensive study to examine the impacts of sea level rise, King Tides, and storm inundation on the County's Road system. This study, completed in 2021, produced initial **cost estimates of \$1.8B to elevate roads and otherwise mitigate flooding impacts.** (This estimate does not include roadways within the Keys' municipalities.)
- The County is charting a course to pursue all available funding streams to assist with this comprehensive effort, including federal and state grants, Congressional appropriations, special assessments, and local **funding.**
- **Resilient Florida Grant Program:** The County has already secured significant funding thru the new Resilient Florida ("RF") Grant Program, created by the Legislature in 2020 to allow local governments to apply for grants to address resilience needs. However, the **50% required match** will limit the County's ability to continue to secure funds through this program if we cannot also secure match sources.
- **Federal Activity:** Monroe County's residential communities and privately owned housing stock also require resilience investment. In partnership with Monroe County, the Army Corp of Engineers conducted a study of the Florida Keys and within unincorporated Monroe County alone there are over 1,800 residential structures at risk for flooding and recommended for elevation. This **\$1.8B Florida Keys Coastal Resilience program** was Congressionally authorized in 2022. The authorization allows for future Congressional appropriations to the Army Corp for flood mitigation to homes, businesses, and US 1 in the Florida Keys. Monroe also secured a **\$5M federal appropriation** for resilience.
- **Hazard Mitigation Grant Program:** Currently, the County is currently in the process of securing significant funding through the federal-state Hazard Mitigation Grant Program (HMGP), a program that enables local governments to facilitate rebuilding their communities to be flood resistant and eliminate flood risk. Programs like this are vital to the changing climate and risks associated with flooding related to storms and sea level rise; they also require significant staff expertise and time.
- In 2022, the County secured an expansion of powers and responsibilities of the **Monroe County Land Authority to enable it to assist the County in activities related to enhancing residential resiliency** to flooding and sea level rise, including seeking and administering grants to the County to elevate/rebuild/buyout flood-vulnerable homes.

REQUESTED ACTIONS:

- ✓ **SUPPORT** funding for projects submitted to DEP through the Resilient Florida grant program for road elevation/flood mitigation projects.
- ✓ **SUPPORT** continued robust State investment in local resilience efforts, including full funding for the Statewide Resilient Florida Grant program.
- ✓ **SUPPORT** an elimination or reduction in the match requirement.
- ✓ **SUPPORT** funding for projects submitted to DEM through FEMA-funded HMGP and FMA grant programs for residential home elevations, buyouts and demolition/rebuild.

WIND INSURANCE AND FLOOD INSURANCE

CHALLENGES:

- **Importance of wind insurance and Citizens Property Insurance Company (“Citizens”):** Most wind policies in Monroe are with state-backed Citizens, the “insurer of last resort.” Preserving affordable wind insurance requires working with Citizens, the Office of Insurance Regulation, and legislators to oppose efforts to increase premiums, eliminate the cap on annual increases, reduce coverage, and reduce eligibility.
- **Current Property Insurance Crisis in Florida:** Citizens is under increasing pressure, as the crisis in the State’s broader property insurance market grows worse. As the “insurer of last resort” Citizens continues to have to pick up the policyholders from the private sector insurance companies that have dropped policies, and in some cases gone insolvent, amid financial losses. After years of actively trying to reduce its number of policies, Citizens’ policies now exceed 1.4M. This is a significant concern, as is the rising cost of property insurance in general.
- **Wind insurance rates:** Monroe’s residential and commercial Citizens’ wind insurance rates are the highest in the State. Monroe’s premium rate 175% higher than the median coastal rate. High costs and limited coverage negatively affect our citizens, our workforce, our property values, and our economy.
- **Monroe’s building standards:** Monroe County’s building standards are among the most rigorous in the State, yet this is not reflected in Citizens’ rate calculations for Monroe.
- **Premiums vs. Claims:** Premiums charged by Citizens are not commensurate with actual risk.
 - From 2004-present Monroe paid in total more than a half billion dollars in premiums over claims.
- **Affordability and Annual Glide path:** Monroe’s already high rates are compounded with annual 10% increases. These costs exacerbate the County’s housing cost crisis. Property insurance affordability is a key component in preserving the Keys’ strong local economy. The legislature recognized the importance of affordable property insurance, but Citizens has failed to apply an “affordability” definition or standard (beyond capping annual increases to 10%.)

Citizens Property Insurance Corporation statute reads: ***“The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the State. The State therefore has a compelling public interest and a public purpose to assist in assuring that property in the State is insured and that it is insured at affordable rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the State, and to the revenues of the State and local governments which are needed to provide for the public welfare.”***

- During the 2021 Legislative session, lawmakers increased the annual rate cap in Citizens’ premiums 1% each year for the next 5 years. Citizens and lawmakers continue to discuss raising Citizens’ rates and eliminating the rate cap altogether.
- During the 2023 Special Session, the Legislature implemented new requirements for Citizens’ policy holders, namely that they carry flood insurance (even if they are not at risk of flood), and that the new flood insurance policies be identical to their Citizens’ policies. The State’s new mandate compounds the impacts of Risk Rating 2.0, FEMA’s new pricing program that has vastly increased flood insurance premiums. **Citizens’ insureds are now facing higher than ever wind AND flood insurance costs.**

REQUESTED ACTIONS:

- ✓ **SUPPORT** legislation that restores the 10% rate cap for Monroe County, recognizing Monroe’s unique housing affordability issues and strong building codes.
- ✓ **SUPPORT** legislation that increases Citizens’ coverage cap to \$1.5M.

- ✓ **SUPPORT** legislation that rolls back requirement for flood insurance for Citizens' insureds that are not in the flood zone.
- ✓ **SUPPORT** legislation that rolls back the requirement that Citizens insureds' policies be identical to flood insurance policies (allow for lower or no contents coverage under flood insurance).
- ✓ **SUPPORT** legislation to help lower premiums and annual rate increases by requiring Citizens to:
 - Apply mitigation credits that account for Monroe's rigorous building standards.
 - Apply an affordability definition or standard, per the statutory language mandating affordability.
- ✓ **OPPOSE** legislation that limits the availability of Citizens' coverage (particularly in areas such as Monroe, where there is no reasonable degree of competition for windstorm insurance.)
- ✓ **SUPPORT** the legislative efforts of Fair Insurance Rates for Monroe (FIRM) related to both wind and flood insurance affordability and availability for Monroe County.

WORKFORCE/AFFORDABLE HOUSING

CHALLENGE: In the Florida Keys, our unique development restrictions, lack of available land, and the expense of construction significantly add to the cost of workforce housing development.

Affordable housing is a complex issue that impacts most communities in the state of Florida. It is a particularly acute challenge in Monroe County due to astronomical land values combined with land that is limited by significant environmental protections and supply that is limited by our Rate of Growth Ordinance permit restrictions. Rents and home prices have dramatically increased, making it increasingly more difficult for employers to recruit and retain employees, especially within the tourism industry's lower paying service sector.

Meeting the affordable housing challenge requires a myriad of local and state (and federal) funding sources, incentives, and strategies. Locally, Monroe County and the Monroe County Land Authority provide development incentives and funding to promote affordable housing. State funding is critical to local efforts. Yet additional local revenue sources and/or greater flexibility with existing revenue sources continue to be necessary. New strategies like providing local property tax relief for residential multifamily property-owners that rent units affordably should be encouraged.

The State's Florida Housing Finance Corporation's awards of Tax Credits and SAIL funding, as well other State funding and incentives for preserving and developing new workforce/affordable housing are critical to local affordable housing development efforts. The County also receives approximately \$800,000 per year in SHIP funding, which we use to help income eligible families move into homeownership.

State policies that include creative strategies like steering affordable housing development to commercial areas and robust state funding, as SB 102 does, are encouraging. Broader state policies that control property insurance costs and limit the proliferation of short-term rentals would also be helpful.

Monroe has identified several additional measures that will help local efforts:

- **Land Authority:** The Monroe County Land Authority is authorized to utilize its funds to promote affordable housing. To assist with new home ownership projects, it requires a statutory change allowing it to qualify buyers only at the time of purchase for homeownership units, in addition to tools to protect its funding and the future affordability of homeownership units that use its funds.
- **Tourist Development Tax:** Monroe seeks the ability to use a portion of the proceeds from TDT funds for affordable/workforce housing for employees in tourism-related businesses. This is a potential revenue source for workforce housing for tourism sector workers, but this use will require a statutory change. Monroe County currently levies a 4% (in addition to a 1% Tourist Impact Tax). It is charged to visitors for overnight accommodations in the Florida Keys (i.e., why it's called a "bed tax".) The revenues

from these funds are directed to the TDC for marketing and promotion of the Keys as a tourist destination. TDT funds are also allowed to be used for capital projects and public facilities related to tourism. Monroe County's tourism industry is a critical component of our economy, generating \$1.9B in visitor-generated revenue. It also employs 20,000 jobs (4 out of every 10 workers in the County). (Monroe County TDC, 2019).

- **SHIP formula change:** Monroe also requires greater flexibility in the use of SHIP funds. Currently we are mandated to use 30% of our SHIP allocation for very low income (50%AMI) and 30% for low income (80% AMI). The remaining 40% may be used for moderate income (140% AMI.) The stark reality of today's housing prices challenges our ability to qualify families in very low- and low-income categories. If we cannot qualify families in those categories, then those SHIP funds go unutilized. Up to 60% of our SHIP allocation may have to be forfeited. Instead, Monroe seeks temporary (sunsets after 5 years) flexibility that will enable us to use the funds across all categories (very low, low, and moderate without specific category restrictions), enabling us to utilize our full allocation of SHIP funds to assist additional families.
- **Ad Valorem tax relief:** To incentivize long-term rental housing over short-term/vacation rental, or vacancy, we would seek authority to grant ad valorem tax relief to privately owned residential properties that voluntarily rent affordably.

REQUESTED ACTIONS:

- ✓ **SUPPORT** expansion of eligible uses of **Tourist Development Tax** to include workforce housing for tourism-sector workers.
- ✓ **SUPPORT** changes to the Monroe County Land Authority to enable it to perform compliance **with income qualification only at time of purchase for home ownership** projects using LA funds, to protect its funding for future qualified buyers via recordable, perpetual **deed restrictions**, and to clarify that its funding **will not be subordinate to the primary lender** (but will subordinate to other governmental program funding if those programs require it.)
- ✓ **SUPPORT** legislation that would authorize local governments to adopt ordinances to grant **ad valorem tax relief** to residential properties voluntarily used for the public purpose of providing affordable/workforce rental housing.
- ✓ **SUPPORT** legislation that allows **flexibility in the mandated distribution of SHIP** funds to ensure that we can utilize the County's full allocation.
- ✓ **SUPPORT** award of Tax Credits to Monroe County, and protection of the Florida Keys set-aside.
- ✓ **SUPPORT** award of SAIL funding to Monroe County.
- ✓ **MONITOR** state legislation related to affordable housing development to ensure that Monroe County's **comprehensive plan regulations, including our Rate of Growth Ordinance regulations are not superseded.**

VACATION RENTAL IMPACTS ON WORKFORCE HOUSING

CHALLENGE: Vacation rentals exacerbate Monroe County's affordable housing crisis by depleting the County's already limited rental housing stock for its workforce and driving up rental prices.

In the Florida Keys residential development – both market rate and affordable – is severely restricted. With only a single transportation egress, and to ensure a 24-hour evacuation time prior to a major storm event, the number of building permits allowed for Monroe County is limited by the State.

As we cannot build new housing units as needed, the proliferation of short-term vacation rentals has a particularly severe impact. With each new vacation rental, we lose an existing, irreplaceable housing unit once available for long-term workforce rental housing.

To maintain our workforce, which is critical to our tourism-based local economy, Monroe County must be able to protect its rental housing stock and limit its conversion/loss to vacation rentals.

Monroe County has some regulatory authority that has been “grandfathered”, but it is not sufficient to contain the conversion of housing units to short-term rentals.

REQUESTED ACTIONS:

- ✓ **SUPPORT** legislation that provides a “carve out” for Monroe County from preemptive vacation rental regulations via the County’s status as an Area of Critical State Concern to enable the County to amend/update our vacation rental regulations to preserve/increase supply of workforce housing.
- ✓ **SUPPORT** legislation that protects Monroe County’s grandfathered vacation rental ordinance and that would allow local governments with grandfathered ordinances to amend and update their regulations without losing their grandfathered status.
- ✓ **SUPPORT** legislation that enhances Monroe County’s ability to enforce local vacation rental regulations, including allowing for higher penalties for violations.
- ✓ **SUPPORT** legislation that restores authority to local communities for the regulation of vacation rentals, as necessary for quality of life, public safety and preservation of a traditional residential communities and accessible and affordable permanent and long-term rental housing stock.

PROTECTING ROGO FROM LAND USE/ DEVELOPMENT PREEMPTIONS

Challenge: Recent State legislation seeks to advance agricultural development and affordable housing development via preemptions and incentives. Monroe County seeks to ensure that these types of legislative efforts do not override our local comprehensive plan and Rate of Growth Ordinance regulations.

Recent agriculture-related legislation preempts local governments from adopting any ordinance, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation or limits an agritourism activity on land classified as agricultural land where such activity is regulated through implemented best management practices or interim measures developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or water management districts as part of a statewide or regional program.

As such, this law allows for a property that is classified as agricultural to be exempted from building regulations, allowing for the construction of structures/uses if they are non-residential, and further allowing for the clearing protected hammock; for example, erecting barns to be used as wedding venues.

Additionally, new State laws seek to aggressively incentivize the development of affordable housing. While we support such efforts, it is critical that these efforts do not override local comprehensive plan regulations, including specifically, Monroe’s Rate of Growth Ordinance regulations.

REQUESTED ACTION:

- ✓ **SUPPORT** legislation to exempt Areas of Critical State Concern from legislative development preemptions, or to clarify that the use/structure on any private property is not exempt from state and federal environmental regulations.
- ✓ **SUPPORT** legislation that ensures that legislative efforts to incentivize the development of affordable housing do not override Monroe County’s ROGO ordinance requirements.

MARINE PROTECTION: MOORING FIELD DEVELOPMENT, DERELICT VESSEL REMOVAL FUNDING, AND PUMP-OUT PROGRAM

CHALLENGE: Balancing the preservation of our marine environment while supporting a robust boating community.

The protection of our marine environment and water quality is of utmost importance to Monroe County. Our marine environment is the lifeblood of our economy and a cultural touchstone. Monroe has a robust boating community ranging from recreational boaters to commercial and charter fishing boats, to live-aboard boaters.

The high number of boaters that visit and live on our waters unfortunately generates undesirable impact. Monroe County has the highest number of derelict vessels in the State. The Florida Legislature and the Florida Fish and Wildlife Conservation Commission (FWC) have recognized the proliferation of derelict vessels (DVs) around the State, and the significant navigational safety and environmental impacts they pose. The costs of their removal are an unnecessary financial burden for taxpayers.

Monroe County supports regulations and services that mitigate vessel dereliction like anchoring limits and mooring fields. Additionally, compliance with No Discharge Zone regulations requires continuous vigilance along with the provision of a no-charge vessel pump out service.

- 1) Mooring Fields: Mooring fields are an important strategy for promoting responsible anchoring and reducing dangerous and costly vessel dereliction. To facilitate and encourage responsible anchoring, the County has embarked on the development of additional mooring fields.**

Long-term anchorage contributes to vessel dereliction. Most derelict vessels result from having been anchored out, sedentary, and neglected for extended periods. The vessel's physical condition degrades, eventually becoming inoperable. Often, the vessel is abandoned. The vessels often become "at-risk," "pre-derelict," and/or eventually "derelict". Anchoring limits reduce the number of days that a vessel may be anchored in one place without moving; they require the vessel to be moved, which requires that the vessel be maintained in an operable condition, reducing its chances of becoming derelict.

About half of the long-term anchored vessels surrounding the waters of Key West are stored vessels, with the other areas throughout Keys' waters also containing numerous stored vessels; these are the greatest generator of derelict vessels. Stored vessel owners commonly choose to store their vessel at anchor as an alternative to paying the high prices for shore side dockage; or, they have the intent to abandon the vessels to avoid the costs associated with proper disposal.

In 2021, the Legislature recognized the issue of long-term storage, and enacted a new 90-day anchoring limit. It also required that 300 new public mooring balls be placed in the waters around the City of Key West before the new limit can be enforced in Keys' waters. This requirement is difficult if not impossible to meet, and therefore precludes the new law's use and benefit. In 2022, the requirement for 300 new moorings was lowered to 100 new moorings.

With the completion of a comprehensive feasibility study and a \$1.6M legislative appropriation, the County has begun design, engineering, and implementation of a new 100- mooring ball mooring field in the Wisteria Island area and an additional 40-ball mooring field in the Boca Chica area.

REQUESTED ACTIONS:

- ✓ **SUPPORT** legislative appropriation to enable development of mooring field shore side facilities, a state requirement for mooring fields.

2) **Costs of Derelict Vessel Removal: Monroe County has the highest number of derelict vessels in the State. State funding assistance for DV removal costs is critical.**

Monroe County has the **highest number** of derelict vessels in the State. Derelict vessels pose **significant navigational safety and environmental impacts**. Prevention of derelict vessels and funding process for expeditious removal of derelict vessels are significant needs.

The County’s Marine Resources Office works cooperatively with FWC and other law enforcement partners to remove derelict vessels. When all attempts to locate and hold the boat owner responsible fail, the vessel is referred to the Marine Resources office for removal. Each year, the Marine Resources Office removes an average of **65-85 derelict vessels** utilizing pre-qualified marine contractors that competitively bid each job. In the last five years, removal of these vessels represents **more than \$450,000** in annual expenses.

State Derelict Vessel Removal Grant Program (DVGP): State assistance with the costs of vessel removal is critical to Monroe County. Prior to 2019, the State assisted with DV removal costs by distributing to each individual county an annual allotment of statewide vessel registration, which worked well. In 2019, the Florida Legislature changed the process for DV removal funding to counties, by directing 30% of vessel registration fees into a derelict vessel removal trust fund and authorizing FWC to administer a grant program through which counties must first apply for and obtain approval to remove a DV before receiving DV removal funding.

DVGP Challenges: The merits of the grant program are worthy, however the overly-bureaucratic process negatively affects our DV removal operations by increasing the removal timeline by up to 6 months due to the restrictive guidelines (cannot remove a vessel prior to the execution of a grant agreement), increases our administrative costs to prepare, submit and administer the numerous associated grant agreements (23 since program inception; hundreds of hours), and requires our staff to make subjective determinations about which vessels may or may not cause additional harm while awaiting the life cycle of the grant (especially problematic during hurricane season). Since the implementation of this law, Monroe County’s portion of the revenues has decreased by approximately \$70,000 a year, while operational challenges have increased.

County-funded vs DVGP grant-funded average DV removal time January 2021-August 2023:

	<i>Number of Vessels Removed</i>	<i>Average Removal Time</i>
<i>County Funded</i>	58	63 days
<i>DV Grant Funded</i>	144	161 days

These challenges have resulted in increased boating safety issues, unnecessary environmental impacts, and additional removal costs for Monroe County. For example, a number of these vessels have gone missing, relocated, or sunk while awaiting the grant approval timeline.

Furthermore, because these revenues are part of a statewide trust fund, the annual budgetary approval and spending authority for funding distribution is determined by the state legislature. As a result, FWC has been challenged with inconsistent and/or significantly reduced spending authorization for this program.

In addition, FWC has utilized these funds in response to hurricane-related derelict vessels rather than distribution through the grant program. We do not believe the intent of this funding was to address natural disaster response for derelict vessels. Both issues have created unpredictable and unreliable funding availability for local governments to address this critical issue.

In response, Monroe has repeatedly requested that FWC consider rulemaking changes to its Derelict Vessel Grant Program Guidelines to include the following recommendations:

- b) Authorize pre-award costs for removal operations.
- c) Authorize pre-agreement cost reimbursement for vessels that become an 'imminent threat to public safety' in the time between application submittal and contract execution.

REQUESTED ACTIONS:

- ✓ **SUPPORT legislative changes in F.S. 823.11(4)** to the Derelict Vessel Grant Program per the above staff recommendations.

3) Environmental Impact of Migrant Vessels: Monroe County has the highest number of migrant vessel landings in the State. State assistance with removal of migrant vessels has been critical.

Illegal migrants use unregistered, undocumented, and often rustic, homemade vessels to attempt to illegally enter the United States through the waters surrounding Monroe County. Monroe County has the **highest number** of migrant vessel landings in the State. These vessels pose **significant navigational safety and environmental impacts** and are often filled with debris, human waste, and improper fuel/oil containers. Streamlining the process for expeditious removal of migrant vessels is a significant need.

Before Mass Migration EO 23-03, the County's Marine Resources Office collaborated with FWC and law enforcement partners to address migrant vessels. As these vessels legally qualify as vessels, law enforcement partners adhered to the derelict vessel investigation process, including a mandatory 21-day posting period under F.S. 705.103(2)(b), before permitting Monroe County to take action on the subject migrant vessel. These vessels, often homemade or aged, deteriorate rapidly and break down into numerous small fragments, which swiftly disperse into the environment. Moreover, most of these vessels contain multiple types of hazardous materials, such as fuel and oil, stored in leaking and unsafe containers.

In response, Monroe County is urging legislative amendments to F.S. 705.103 that would provide a **clear definition and classification** of migrant vessels, **allowing for their immediate removal and destruction**.

REQUESTED ACTIONS:

- ✓ **SUPPORT legislative changes in F.S. 705.103** per the above staff recommendation.

4) Funding and Management of Monroe County Vessel Pump-out Program: The pristine waters of the Florida Keys attract high numbers of boaters from all over the State and country. These waters are within the Florida Keys National Marine Sanctuary and are designated as a No Discharge Zone (NDZ) by DEP and the Sanctuary. In 2013, Monroe County implemented a large-scale Mobile Vessel Pump-out Program to assist boaters in complying with the NDZ. Monroe County is also launching implementation of a Marina Pump-out Initiative to expand the number of available shoreside pump-out facilities throughout the Keys.

Monroe County requires occupied vessels to provide a "proof of pump-out" and provides a free weekly mobile pump-out service. Combined, these measures have ensured nearly 100% compliance with NDZ regulations.

To date, the Mobile Vessel Pump-out Program has performed 171,000 pump outs and has captured over 2.4 million gallons of vessel sewage.

Monroe County has traditionally supported this program through its Boater Improvement Funds, Clean Vessel Act funding, and direct legislative appropriations. This funding makes it possible to provide the pump-out service at no charge, which is highly effective at incentivizing boaters to pump-out and ensuring water quality protection for public health and our marine environment.

In the 2021 session, the Legislature transferred the management and administration of the Pump-out Program to DEP. In late 2022, contract and funding issues at DEP led to a return of the program to Monroe

County for the duration of FY 2022. The Department of Environmental Protection and County staff have collaborated closely to ensure program continuity, proper management, and oversight of the program through these transitions.

Per Monroe's request last year, DEP included the funding, and program management, in its agency legislative budget request. We anticipate this to continue.

REQUESTED ACTIONS:

- ✓ **SUPPORT** continued DEP funding for and continued management of the pump out program.

OCCUPATIONAL LICENSING PREEMPTION

CHALLENGE: In 2021, the Legislature passed, and the Governor signed into law HB 735, enacting Chapter 2021-214, Laws of Florida preempting local governments' ability to issue new local contractors' licenses. Current licenses expire on July 1, 2023, after which time only State-licensed general contractors and homeowners will be able to obtain work permits. Without a local license, small specialty contractors may not obtain work permits, preventing them from being able to perform work in their trade.

During the past session, in an effort led by Rep. Mooney, Monroe was successful in securing language that exempts Monroe County from the preemption. Thanks to the efforts of Monroe, FAC and counties such as Miami-Dade and Broward, the bill also postponed the implementation of the preemption for one year. This coming session Monroe along with Miami-Dade, Broward and FAC will continue to press for a repeal or significant rollback of the preemption. Further, Monroe seeks amended language to clarify our exemption.

Monroe County has over 300 local contractors many of whom have spent years working only under their local specialty license, who may no longer pull permits as they have been doing their entire careers. The loss of this licensing threatens their livelihoods and businesses, and they are urging Monroe County to help them by asking state lawmakers to repeal this law.

Local licenses enable local contractors the ability to pull permits and perform work without having to obtain a state license that may require knowledge or skills that exceed the scope of specialty contractors. Some local contractors have been unable to qualify to test for a state specialty license because their experience is only local and not under a licensed state contractor, even if that experience is several decades.

Local licenses provide small contractors with a valuable marketing tool because they serve as an official, scrutinized demonstration of their backgrounds and qualifications, enabling them to differentiate themselves from contractors without that vetted experience.

Local licensing benefits small contractors' ability to be hired by licensed general contractors as sub-contractors. Because general contractors are required to carry insurance for themselves and subs, they prefer to hire sub-contractors that are already licensed and insured, to save them the cost of having to carry additional insurance.

Local licensing also exists to protect consumers by giving consumers a tool for differentiating between contractors with experience and qualifications from those without and ensuring qualified workmanship by contractors with sufficient insurance to protect homeowners and workers. Additionally, insured contractors protect homeowners who often are not properly informed that they are at risk of liability for any harm that befalls unlicensed, uninsured contractors working on their property.

Finally, the local licensing ensures compliance with federal regulations by requiring that contractors have knowledge of unique local environmental regulations, like federal floodplain or Endangered Species Act requirements. For example, fence installations in Key Deer habitat are a violation of federal law. An unlicensed contractor may not be aware of such regulations banning fences. Violations of federal laws leave the homeowner and the County liable.

REQUESTED ACTIONS:

- ✓ **SUPPORT** legislation repealing Chapter 2021-214, Laws of Florida, including all the created or amended statutory provisions presently in effect, such as s. 163.211, F.S., to allow counties to retain the authority to operate programs requiring the licensure, certification, or registration of local contractors, and other occupations as determined by each county's governing body by ordinance or resolution.
- ✓ **SUPPORT** clarifying the language that exempts Monroe County as an Area of Critical State Concern.
- ✓ **SUPPORT** amending the law to remove the expiration date of local government occupational licensing requirements and programs existing on or before the effective date of Chapter 2021-214, Laws of Florida, to ensure the health, safety and welfare of county residents and businesses.

ROADS/TRANSPORTATION

CHALLENGE: The Florida Keys is dependent upon safe, resilient, sustainable, and efficient access and travel along US 1. Traffic congestion and safety issues along this singular highway that connects the 112-mile-long chain of islands affects the health, safety, welfare, economic sustainability, and quality of life of residents, businesses, and visitors.

In 2020, the Commission approved its U.S. 1 Transportation Master Plan (TMP) that provides a set of recommendations and developed a ranked list of 36 Keys-wide projects (such as bus stops, intersection improvements, turn lanes, signage, and increased public transit) and transmitted that list to FDOT for inclusion in our work plan. A project of particular importance is the intersection of US 1, near MM 106, a significant and costly project. Continued FDOT attention to these projects and inclusion of them in FDOT's five-year work plan is a priority.

Monroe County is coordinating with FDOT to program \$0.56 million for design of six revetments along US 1. This funding is to meet the match requirement for federal funding secured through the Army Corps of Engineers Keys Coastal Resilience Program.

Staff continues to collaborate with District 6 staff regarding the start of the PDE for the Card Sound Bridge replacement. The County makes effective use of SCOP funds including the design for the milling, resurfacing and safety upgrades of Card Sound Road.

In a local effort to reduce congestion on US 1, the County has embarked on a new countywide transit initiative.

Monroe also supports efforts to improve safety on our roads for drivers, bicyclists, and pedestrians. Drivers distracted by their phones account for 34% of crashes in Florida (representing 86,760 crashes, 732 deaths, and 55,247 injuries) and the problem is only growing. In Florida, screen interaction time increased by 5 seconds per hour from 2021 to 2022. This seemingly minor increase caused an estimated 3,500 additional crashes which cost an additional \$84 million and many lives.

In Monroe County from 2020-2023, there were 3,631 crashes from distracted driving, including 17 fatal crashes, 571 injury crashes and 2,911 property damage crashes.

REQUESTED ACTIONS:

- ✓ **SUPPORT** FDOT's inclusion of prioritized projects into Monroe County's work plan.
- ✓ **SUPPORT** funding from FDOT and FDEP for the Florida Keys' Coastal Resilience Project to match the funding provided by the US Army Corp of Engineers to stabilize six locations along US 1 identified as vulnerable to surge and sea level rise.

- ✓ **SUPPORT** continuing enhanced State funding for the Small County Outreach Program (SCOP). This funding is critical to Monroe County, which is a small county with major bridge and local road responsibilities.
- ✓ **SUPPORT** increased critical state funding for the Small County Road Assistance program (SCRAP).
- ✓ **SUPPORT** funding for all modes of the state and local transportation infrastructure network.
- ✓ **SUPPORT** more robust laws addressing phone use during driving.

HOME RULE

CHALLENGE: The State Legislature frequently and consistently pursues local government preemption legislation that violates local home rule powers. Home rule, conferred to Florida counties by Article VIII, section 1(f) and 1(g) of the Florida Constitution (1968), and by section 125.01, Florida Statutes, is the principle that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. The preservation of this concept is essential to the operation of county governments in Florida, which allows counties to develop and implement county-based solutions to local problems.

Commonly recognized preemptions include vacation rentals, local occupational licensing, single-use plastic bags, sunblock, home-based businesses, seaports/cruise ships, tree-trimming. But they also include a wider range relating to agricultural, utilities infrastructure, environmental, fees/taxation, and land use.

Anticipated for 2024: Term limits for local elected officials. Legislation has been introduced to limit the terms of county commissioners to 8 years, applying retroactively to terms that began November 8, 2022. The Florida Association opposes this measure as an intrusion of home rule.

Unfunded Mandates: The State Legislature frequently passes legislation that compels local governments to provide a service, program, or benefit without providing the appropriate funding. Local governments face the burden of using local tax dollars to finance functions that they have little control over and compromising local governments' ability to provide services requested by our local communities.

Cost shifts: The State Legislature frequently passes legislation that passes along the costs or increases local share requirements for services traditionally funded by the State, such as but not limited to County Health Departments, Courts, Clerks' offices, Juvenile Justice, and mental health services.

Restrictions of County Revenue Sources: At the same time the State Legislation imposes more mandates and costs, it often pursues legislation reducing, restricting, or eliminating sources of revenue for county services, such as the Local Business Tax, Communication Services Tax, impact fees, transportation concurrency fees, State Park admission fees, and sales taxes.

REQUESTED ACTIONS:

- ✓ **OPPOSE** legislation that would revise current law in a manner that reduces or eliminates current local government-related revenues or preempts home rule authority.
- ✓ **OPPOSE** legislation that limits the terms of local elected officials including county commissioners and constitutional officers.
- ✓ **OPPOSE** efforts to shift cost of services, implement unfunded mandates, reduce State funding for infrastructure, programs and services, or other legislation that is costly and limits Monroe County's ability to serve the needs of its citizens.
- ✓ **OPPOSE** legislation that preempts the legislative and policy-making powers of counties used to regulate land use and implement local zoning controls.

GENERAL LEGISLATIVE ISSUES

ENVIRONMENT

REQUESTED ACTIONS:

- ✓ **SUPPORT** legislation and funding to support continued implementation of the Comprehensive Everglades Restoration Plan.
- ✓ **SUPPORT** legislation and funding that protects and preserves Florida's coral reef tract.
- ✓ **SUPPORT** the continued designation of the Florida Keys as an Area of Critical State Concern.
- ✓ **OPPOSE** legislation that prevents counties from having local environmental protection programs that are stricter in nature than State or federal regulatory programs.
- ✓ **OPPOSE** any legislation that restricts State, county, and city government purchases of conservation land, and which would effectively eliminate land conservation efforts in the Florida Keys.
- ✓ **SUPPORT** legislative efforts that strengthen the existing roles and home rule powers of local governments to implement comprehensive planning programs that guide future development and encourage the most appropriate use of land and natural resources.
- ✓ **SUPPORT** county home rule authority, and current statutory provisions, which allow counties to retain their current transportation concurrency systems, and impact fees, as adopted by local ordinance.
- ✓ **SUPPORT** the development and maintenance of dedicated funding of the Florida Forever Grant Program and Florida Communities Trust that provide recreational opportunities for parks, open space, greenways trails and conservation to help meet growth challenges and protect natural resources.
- ✓ **SUPPORT** state legislation to prohibit new well stimulation activities, including hydraulic fracturing (fracking).
- ✓ **OPPOSE** efforts to increase offshore drilling activities.
- ✓ **SUPPORT** streamlining the permitting and regulatory processes for solar product manufacturers, installers, and consumers, and further supports reducing burdensome regulations that hinder solar market penetration.
- ✓ **SUPPORT** policies that provide appropriate resources and incentives to local governments to achieve statewide recycling goals, and further supports comprehensive recycling initiatives that encourage increased participation of the residential, commercial, and industrial sectors.
- ✓ **OPPOSE** legislation that preempts local communities from banning single use plastic bags, particularly coastal communities where plastic bags are not only an environmental pollutant but also pose a danger to ocean and coastal wildlife.

EMERGENCY MANAGEMENT

REQUESTED ACTIONS:

- ✓ **SUPPORT** continued state funding for county EOCs to ensure each can meet the minimum structural survivability and operational space criteria established by the state and federal government.
- ✓ **SUPPORT** assistance for building/identifying an Out of County Shelter for residents of Monroe County in cases of mandatory evacuation during storm-related events and other emergencies.
- ✓ **SUPPORT** increased funding to county base grant funding.

- ✓ **SUPPORT** policies that bolster funding of the Emergency Management Preparation and Assistance Trust Fund (EMPA), which is to serve as a funding source for State and local emergency management, preparedness, communication, and training, and opposing legislative sweeps of these trust fund monies.

HEALTH, MENTAL HEALTH, SOCIAL SERVICES, AND EMERGENCY MEDICAL SERVICES

REQUESTED ACTIONS:

- ✓ **SUPPORT** increased state general revenue funding for County Health Departments (CHDs), any State reductions to the County Health Department Trust Funds.
- ✓ **SUPPORT policies that** preserve and strengthen the ability of CHDs to provide primary care and direct patient care services, particularly in communities without adequate substitutes or alternative providers for these services and maintain a coordinated system of county health departments (CHDs) that is centrally housed within the Department of Health (DOH).
- ✓ **SUPPORT** increased funding for core and crisis mental health and substance abuse services.
- ✓ **SUPPORT** efforts to increase supportive housing, employment, and education initiatives for people with behavioral health issues and/or disabilities.
- ✓ **SUPPORT** state funding for the provision of Baker Act *juvenile* services and facilities in the communities in which the juvenile and his/her family lives.
- ✓ **SUPPORT** funding for the Florida Healthy Start and Healthy Families program.
- ✓ **SUPPORT** increased state funding and policies that reduce food insecurity, to 1) increase the health and productivity of those currently without consistent access to healthy food, 2) consequently reduce the demand for public health and human services, 3) improve the financial security of those in need.
- ✓ **SUPPORT** the continuation of a coordinated Transportation Disadvantaged (TD) system, and appropriate and dedicated State funding for the TD program; protect the TD trust fund.
- ✓ **OPPOSE** policies that further shift state Medicaid costs to counties, and the continued evaluation of the county-state cost share arrangement.
- ✓ **SUPPORT** State legislation drawing down federal funds made available to Florida under the PPACA to expand health care coverage to certain individuals who earn up to 138 percent of the federal poverty level, if such a program does not further shift Medicaid costs to counties.
- ✓ **SUPPORT** policies that protect the ability of counties to provide coordinated, countywide systems of emergency medical services, and not limit the ability of county EMS transportation providers to be reimbursed for their services.
- ✓ **SUPPORT** maintaining a countywide regulatory system for EMS through the current Certificate of Public Convenience and Necessity (COPCN) process.

VETERANS

REQUESTED ACTIONS:

- ✓ **SUPPORT** policies that allocate state funds to hire County Veterans Offices in counties to increase services and federal benefits for Florida veterans.

CLERKS FUNDING/JUDGESHIPS

REQUESTED ACTIONS:

- ✓ **SUPPORT** continued attention to the adequate funding for the functions of the clerks of court, including an allocation process that results in a fair and sufficient distribution of court generated revenue.
- ✓ **OPPOSE** the decertification of any Monroe County Court judgeships and any reductions to the local judiciary.
- ✓ **OPPOSE** consolidation of judicial circuits.

FLORIDA RETIREMENT SYSTEM

REQUESTED ACTIONS:

- ✓ **OPPOSE** any benefit changes that result in an increase in the FRS county and county employee contribution rates.
- ✓ **SUPPORT** requiring all legislation that potentially results in an increase in the FRS contribution rate or the closing of the traditional pension plan to new employees to be analyzed and evaluated to determine the direct fiscal impact of proposed changes to all local and State government to be eligible for consideration.

LIBRARIES

REQUESTED ACTIONS:

- ✓ **SUPPORT** recurring and non-recurring funding of State Aid to Public Libraries Grant Program, Library Cooperative Grant Program, Public Library Construction Grant, and Career Online High School program.

COUNTY JAILS, INMATE MEDICAL COSTS, JUVENILE JUSTICE

REQUESTED ACTIONS:

- ✓ **SUPPORT** policies that provide Medicaid eligibility for persons incarcerated in county jails while waiting disposition of their cases and to ensure that existing Medicaid benefits are not terminated during incarceration.
- ✓ **SUPPORT** policies and initiatives which reduce juvenile detention through prevention, civil citation, treatment, and rehabilitation services.
- ✓ **SUPPORT** policies that ensure adequate safety supervision and facility maintenance at juvenile residential assessment centers and secure detention facilities.
- ✓ **SUPPORT** state investments in juvenile facilities to improve the conditions of secure confinement for detained youth without such costs being shifted to the counties.
- ✓ **OPPOSE** sentencing of State inmates to county jails, but support counties' ability to contract with the Department of Corrections for housing State inmates.

HOMELESSNESS

REQUESTED ACTIONS:

- ✓ **SUPPORT** legislation that creates a dedicated State funding source for homelessness programs and services.
- ✓ **SUPPORT** continued coordination with the State's homeless planning council, specifically as it recommends policies in support of the Federal Strategic Plan to End Homelessness.
- ✓ **SUPPORT** the development of policies that would allow local governments to work with the State and federal government to serve target populations: the chronically homeless, Veterans and Families and children, with particular emphasis on children aging out of the foster care system.
- ✓ **SUPPORT** a process that would waive the fees related to obtaining personal identification from the State for persons identified as homeless.

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