

Regular Workshop – September 22, 2011
Agenda Item 20

Agenda Item: Legislative Priorities

Presenter: Town Manager

Summary: Each year Sarasota and Manatee Counties host legislative delegation meetings to identify issues of local importance for the upcoming legislative sessions. This item is placed on the Town Commission workshop agenda to provide an opportunity to discuss and forward items of interest to Longboat Key to the County Legislative Delegations as well as to the ManaSota League of Cities.

Attachments: 9-12-11 Memo, Manager to Commission;
Sarasota County Legislative Delegation Meeting
Announcement;
ManaSota League of Cities Advocacy Report.

Recommended

Action: Pending discussion, provide direction to Manager.

M E M O R A N D U M

Date: September 12, 2011

TO: Town Commission

FROM: Bruce St. Denis, Town Manager

SUBJECT: Legislative Priorities

Each year the legislative delegations for Manatee and Sarasota Counties ask the community for input regarding the legislative issues for the upcoming year. In the past these issues have been decided by the Town Commission at a workshop meeting.

The County-sponsored Legislative Delegation Meetings are not the only opportunity the Town has to present information to the legislative delegation. In fact, if the Town has a serious concern about any particular issue it is recommended that a more directed lobbying effort be made.

This year the ManaSota League has asked that the Town forward legislative priorities by October 13th for consideration at their October Meeting. A preliminary list, based on past Commission action, was provided to the ManaSota League in August. A complete packet of the submittals, including the Town's, to the ManaSota League is attached for your reference.

Sarasota County Legislative Delegation Meeting is scheduled for November 7, 2011 from 9:00 AM – 12:00PM (announcement attached). Manatee County has not confirmed the date for their Legislative Delegation Meeting at this time. Staff will provide Commissioners with details of the Manatee County meeting as soon as it is scheduled.

Please don't hesitate to contact me if you have any questions.



Sarasota County Legislative Delegation



Delegation Chair Contact Info:
8486 S. Tamiami Trail
Sarasota, FL 34238
(941) 918-4028 Fax: (941) 918-4030

204 House Office Building
Tallahassee, Florida 32399-1300
(850) 488-1171

Chairman:
Representative Doug Holder
Vice Chairman:
Senator Nancy Detert

Delegation Members:
Sen. Michael Bennett
Sen. Nancy Detert
Rep. Doug Holder
Rep. Ray Pilon
Rep. Kenneth Roberson
Rep. Darryl Rouson
Rep. Greg Steube

Sarasota County Legislative Delegation Hearing November 7, 2011 9:00 a.m. to 12:00 p.m.

North Port City Hall
4970 City Hall Blvd, North Port, FL 34286

Please join us for the 2011 annual Sarasota County Legislative Delegation Hearing on November 7, 2011. Sarasota County Representatives and Senators will gather for the purpose of hearing community concerns and proposed local legislation in preparation for the 2012 Florida Legislative Session.

If you wish to address the delegation, please return the attached participant request form to my office via e-mail or fax by Monday, October 24, 2011.

According to the rules of the Sarasota County Legislative Delegation, presentation materials and handouts must be made available to members of the delegation prior to the meeting. This is to provide individual members with adequate time to review your material and prepare any questions.

In order to meet this deadline, please ensure that your handouts or presentation materials (20 copies, 3 - hole punched) are received in my office at 8486 S. Tamiami Trail, Sarasota FL 34238, no later than 5:00 p.m. on Monday, October 24, 2011 so they may be included in the delegation notebooks.

Individuals and groups who do not submit a participant request form by the deadline will still be welcome to speak at the end of the completed agenda, time permitting. In order to ensure that all interested parties are able to participate, presentations and remarks will be limited to three minutes.

If my staff can assist you with any questions, please do not hesitate to call my office at 941-918-4028.

I look forward to seeing you on Monday, November 7th!

Representative Doug Holder
Chairman, Sarasota County Legislative Delegation

Advocacy Report

Manasota League of Cities

September 8th 2011– Advocacy Chair– North Port City Commissioner Tom Jones

Activities:

- 1) Attended FLC 85th Annual Conference
 - a) Attended Finance and Taxation Committee Meeting
 - b) Attended Regional League Roundtable and breakfast meetings
 - c) Attended General Sessions and Business Meeting

FLC passed 9 resolutions – List of Resolutions and workshops available on FLC website

2012 Legislative Contacts

- 1) Meeting with Senator Nancy Detert – her Venice office
- 2) Meeting with Rep. Ken Roberson – his Murdock office
- 3) Phone contact Diana McGee – Senator Bill Nelson's SW Regional Rep.
- 4) Attended Redistricting Meeting Sarasota

2012 Legislative Priorities have been submitted by two member cities - attached with agenda

City of Longboat Key- Commissioner Jack Duncan

City of Sarasota- Commissioner Paul Caragiulo



TOWN OF LONGBOAT KEY

Incorporated November 14, 1955

Town Hall
501 Bay Isles Road
Longboat Key, Florida 34228-3196
(941) 316-1999
SUNCOM 516-2760
Fax (941) 316-1656
www.longboatkey.org

August 9, 2011

ManaSota League of Cities
c/o Pamela Nadalini, City Auditor and Clerk
City of Sarasota
P.O. Box 1058
Sarasota, FL 34230

Dear Ms. Nadalini,

Per the request of Vice-President Jones at the July 14, 2011 ManaSota League of Cities Meeting I am providing a preliminary list of the Town of Longboat Key's legislative priorities for consideration. Please note that this list is *preliminary* as the Town of Longboat Key has not taken formal action regarding legislative issues for the 2011-12 legislative session.

The first issue is directly related to legislation signed into law during the 2010-11 legislative session.

The Town of Longboat Key has a Charter provision enacted in 1985 that provides a density limitation based upon its 1984 Comprehensive Plan. Density can be increased by a vote of the electorate. This referenda process has happened successfully several times since its enactment.

HB 7207, signed into law by the Governor, provided a change in 163.3167(12) so that State law now prohibits a referenda process with regard to any local Comprehensive Plan. Under the Charter provision of the Town, the referenda process is used to liberalize density restrictions, not to limit them. It has functioned well to insure an orderly and predictable growth process and appears to have wide support within the Town.

Since it has functioned so well for so long, we ask that an amendment to 163.3167(12) be offered that would grandfather communities that have Charter provisions enacted prior to January 1, 2011, or some other reasonable date. Any assistance that you can provide in amending the Statute to allow the Town to retain its rights to place a referendum question before its voters would be greatly appreciated.

The Town typically develops and prioritizes legislative issues at Commission meetings held each Fall, prior to the Sarasota and Manatee County Legislative Delegation Hearings. Since the Town Commission will not have an opportunity to discuss, and take formal action, to develop our formal list of legislative issues prior to October 2011 I am forwarding the following list of priorities established at the November 1, 2010 Regular Meeting as enumerated below:

2010-2011 Town of Longboat Key Legislative Priorities
(Not in Order of Priority)

1. Oppose legislation that allows oil drilling off the West coast of Florida
2. Support State funding for research, control, and mitigation of Red Tide
3. Support State funding for Beach Renourishment
4. Support State authorization of other revenue sources beyond our present sources
5. Oppose unfunded mandates on local governments
6. Support reform on the method of tax assessments on non-homesteaded and commercial properties including capping annual increases
7. Support funding for Metropolitan Planning Organization (MPO) identified projects
8. Oppose legislation that erodes home rule powers of local governments
9. Support legislation to provide for the protection of sea grasses in Sarasota Bay
10. Support reasonable insurance premiums and limit State financial exposure
11. Oppose pre-emption of County and municipality authority to regulate the use of fertilizer
12. Support full funding of the Affordable Housing Program
13. Support the efforts of the Sarasota Bay Watch to establish Sister Keys as an aquatic preserve.
14. Support legislation to modify the appointment process relating to the composition of the Board of Trustees for the Firefighters' and Police Officers' Pension Funds to provide for local municipal Commissions/ Councils to appoint three Board members or place restrictions or provide additional authority to the sponsoring entity on the election and approval of the fifth (at-large) member of the Pension Board.

15. Support legislation to authorize governmental entities to utilize their publicly accessible websites for legally required advertisements and public notices in lieu of current requirements for notices to be placed in newspapers of daily circulation.

I look forward to participating in the September 8, 2011 ManaSota League Meeting for discussion of these and other issues that come forward from our other members.

My best regards,



Jack Duncan, Commissioner
Town of Longboat Key

cc: ManaSota League of Cities Vice-President Jones
Longboat Key Town Commission

SARASOTA COUNTY COMMISSION

2012 State Legislative Priorities

DRAFT Sept. 7

JOBs CREATION and ECONOMIC DEVELOPMENT: *Partner with local governments in investing in infrastructure, promoting sustainable economic development, building energy efficient communities and creating jobs*

- Provide tools for local governments to attract regional economic development, fund infrastructure, and create jobs
- Do not negatively impact local community economic recovery efforts by enacting policies and revenue restrictions that jeopardize local bond ratings
- Leverage state dollars by funding local ready-to-go projects including the Venice Bypass, River Road, non SIS state highways and arterial roads –Do not raid the State Transportation Trust Fund
- Develop a state energy strategy and enact policies that help local governments achieve job creation and economic development in the renewable energy, energy efficiency, green building, low impact development, and sustainable mobility sectors
- Develop a statewide transit strategy to ensure equity in allocation of revenues, guide major regional projects and help communities achieve goals to build livable communities and reduce carbon emissions
- Do not pursue offshore drilling in Florida Waters, preserve tourism economy by protecting our clean beaches/shores

FISCAL RESPONSIBILITY: *Avoid unintended consequences from budget cuts, ensure a fair, efficient fiscal and tax structure, and provide local flexibility to address needs*

- Retain local/community control for local revenues and budgets, and protect local bond ratings—no caps, no TABOR
- Do not address state budget shortfalls through cost shifts to local governments
- Property Tax Reform—Ensure any reforms establish a fair tax system for all taxpayers and preserve county ability to provide services
- Sales Tax Reform --expand the general revenue base by reducing the number of sales tax exemptions and collect sales tax on internet sales
- Online Travel Services –collect state and local taxes on the full retail cost of internet travel purchases
- Do not restrict local government ability to address community priorities through revenue and expenditure caps, an unfair taxing system, or limiting local ability to fund infrastructure

PUBLIC SAFETY: *Ensure local government flexibility and resources to protect the public*

- Retain local authority for pretrial release programs
- Provide equitable state funding for juvenile justice programs
- Reduce county jail overcrowding by modifying mandatory sentencing guidelines, and returning offenders that violate their conditions of probation to the state prisons from which they came
- Fund an additional magistrate in Sarasota County to handle significant case load backlogs and improve judicial system efficiency and management

PUBLIC HEALTH and ENVIRONMENT: *Ensure local government flexibility to provide health and environmental services essential to community health and prosperity*

- In implementing Medicaid Managed Care Program, proceed with caution, coordinate with counties to ensure adequacy of services and access, and do not increase costs to counties
- In making budget reductions, protect our most vulnerable citizens
- Maintain county authority to protect natural resources and public health
- partner with the county in funding the Phillippi Creek Septic Tank Replacement Program (from Ecosystem Management/Restoration TF)

COMMUNITY BASED GOVERNANCE: *Refrain from unfunded mandates, cost shifts or preemptions of local authority*

CITY OF VENICE STATE LEGISLATIVE PRIORITIES

The City of Venice wishes to express its gratitude to the Florida State Legislative body for its work to provide the best and highest quality of life for residents of the state and especially, residents of Venice. We are greatly thankful for previous support of beach renourishment, the U.S. 41 Bypass Project and other actions for the benefit of our citizens. We ask that you continue to keep in mind the following priorities as you make your deliberations this year:

1. **Transportation** is essential in this community to facilitate tourism and other business. The City is planning for opportunities to improve **U.S. 41 Bypass**. The project has been selected for implementation this year. We ask that you do all you can to protect the funding for this project.
2. The City of Venice wishes the Florida Legislature to recognize the advantage to the state's economy to ensure **beach renourishment** projects maintain established schedules.
3. The City of Venice supports state efforts to assist residents whose homes were built using **tainted Chinese drywall**, and whose health and welfare are now affected by those conditions.
4. The City of Venice encourages that provides comprehensive and fair **property tax and insurance reform** while retaining the Home Rule authority of cities and counties to make decisions which reflect the unique needs of the local community and the wishes of its citizens.
5. The City of Venice continues to **oppose oil drilling** in the Gulf of Mexico. As we have seen, even the hint of a possibility of oil on our beaches has a tremendous impact on tourism and the local economy.
6. The City of Venice encourages the Florida Legislature to provide any incentives possible to encourage citizens to retrofit their homes with **energy-efficient and alternative energy** products.
7. The City of Venice encourages the Florida Legislature to **support red tide research** that will enable scientists to reach a better understanding of how it develops and how to eliminate or reduce it.



CITY OF SARASOTA 2012 LEGISLATIVE PRIORITIES

The City Commission of the City of Sarasota submits the following major legislative priorities for consideration by the Sarasota County Legislative Delegation:

ECONOMIC DEVELOPMENT

- Support legislation that promotes industry and commerce to strengthen and diversify Florida's economy (SUPPORT)
- Support legislation that creates jobs through transportation and infrastructure projects, tourism and hospitality, alternative energy, industry and commerce and Health Care Services (SUPPORT)

FINANCIAL

- No new revenue/expenditure caps on local governments
 - Taxpayer Bill of Rights (TABOR) (OPPOSE)
- Legislature identify and utilize new State revenue sources (SUPPORT)
 - Impose Internet sales tax
 - Reduction of sales tax exemptions

BEACHES AND TOURISM

Protect and maintain bays and beaches to sustain environmental quality and economic prosperity for the State's tourism and fishing industries

- Near-shore Oil Drilling (OPPOSE)

PUBLIC PENSION REFORM

- Adoption of legislation to amend Chapter 175 and 185 that allows flexibility on how insurance premium taxes may be spent (SUPPORT)

ENERGY

- Support funding for the Sustainable and Renewable Energy Policy Trust Fund (SUPPORT)
- Enact a long and short term Florida Energy Policy (SUPPORT)
- Establish a Florida Renewable Portfolio Standard (SUPPORT)
- Adopt Feed-In Tariff legislation (SUPPORT)

PUBLIC INVOLVEMENT IN GOVERNMENT

Strategic Lawsuits Against Public Participation (SLAPP)

- Protect public participation in government by expanding the Florida Statutes, Chapter 2000-174, to include "neighborhood associations." (SUPPORT)

TRAFFIC ENFORCEMENT

- Any proposed legislation that would repeal local governmental authority to enable the use of red light cameras (OPPOSE)
- Legislation to correct any infirmities found by the Supreme Court of Florida in Florida Statute §316.3045 – Operation of radios or other mechanical soundmaking devices or instruments in vehicles. (SUPPORT)

FEDERAL ISSUES

- Support continued funding for Community Development Block Grants (SUPPORT)
- Support continued funding for COPS (Community Oriented Police Services) and Byrne Justice Assistance Grant (Byrne JAG) Programs (SUPPORT)

2012 LEGISLATIVE PRIORITIES DETAIL SUMMARIES

Economic Development

Economic Development and Jobs: SUPPORT legislation that would attract businesses for relocation and/or expansion in Florida by enacting measures that will promote Florida as a nationally recognized leader in favorable business tax climates; fund urban public infrastructure projects through various means, such as leveraging of private investments through state tax credits; establish public/private partnerships to promote redevelopment and encourage infill development, preservation and reuse in Florida cities.

State and Local Government Revenue

TABOR and 1.35 Cap Legislation: OPPOSE any legislation that will further limit local government revenue and expenditures by establishing caps. Local government must not be restricted from addressing community priorities through revenue and expenditure caps or changes to the property tax system which would magnify inequities.

State Revenue Sources: SUPPORT the Legislature identifying and utilizing new State revenue sources. The State budget must be balanced in 2011 without having the benefit of federal stimulus dollars. New revenue sources must be identified and considered such as imposing an internet sales tax and reducing the number of sales tax exemptions.

Beaches and Tourism

Offshore Drilling: SUPPORT a ban on offshore oil exploration and drilling within a thirty mile limit off Florida's coastline.

Public Pension Reform

Insurance Premium Taxes for Public Safety Pension Benefits: SUPPORT legislation that provides for flexibility in the existing statutory restrictions on the use of Chapters 175 & 185, Florida Statutes, revenues (Insurance Premium Tax). Presently municipalities are limited in the use of premium tax revenues in that the funds can only be used for "extra benefits" above a frozen amount established by legislation in 1999.

Energy

Sustainable and Renewable Energy Policy Trust Fund: SUPPORT legislation creating the Sustainable and Renewable Energy Policy Trust Fund within the Florida Energy Office of the Department of Environmental Protection; providing for sources of funds and purposes; providing for annual carry forward of funds; providing for the future review and termination or re-creation of the trust fund; providing a contingent effective date.

Florida Energy Policy: SUPPORT legislation that incentivizes the development and implementation of a meaningful statewide renewable and alternative energy policy, encourages development of new technologies, establishes a renewable energy minimum standard, and provides tax incentives for the use of renewable energy sources. This policy should encourage the use of a variety of renewable sources such as biomass, solar thermal and photovoltaic, hydro, ocean and wind and establish procedures to enhance competitive procurement by public entities of all renewable energy supplies and ensure the ability of Florida municipalities to obtain and use renewable energy while creating new jobs and industries in Florida. The policy should be designed to encourage mass transit, transit-oriented development policies and other transportation-related energy efficiency practices and to provide technical assistance and funding sources for local governments to assist in the development and implementation of state energy policies including public education programs, sustainable building, contaminant emission reduction strategies, and other policies as part of a comprehensive sustainable statewide energy policy.

Renewable Portfolio Standard and Feed-In Tariff: SUPPORT the establishment of a Renewable Portfolio Standard and the adoption of Feed-In Tariff legislation.

Renewable Portfolio Standard (RPS): The objective of the RPS is to implement a commitment for the use of renewable and alternative energy as the best way to reduce the dependence on fossil fuel and reduce the trade deficit in foreign oil. The establishment of the RPS, in conjunction with Feed-in-Tariffs, will rapidly expand the renewable energy industry creating new long term jobs and promote substantial investment opportunities in green and alternative energy.

Feed-In Tariff (FIT): A feed-in tariff is an incentive structure to encourage the adoption of renewable energy government legislation. The regional or national electricity utilities are obligated to buy renewable electricity (electricity generated from renewable sources, such as solar thermal power, wind power, biomass, hydropower and geothermal power) at above-market rates set by the government. Responsible FIT policies assure the return on investment in renewables, allowing investors of all sizes to seek loans and expand our economy at a time when it is most needed. Additionally, the diverse capacity provided by these investments will add security to the electrical grid in case of emergency. It offers small-scale producers of solar energy long-term contracts for the electricity they sell. By offering a long-term guaranteed profit, feed-in tariff programs help make renewable energy generation a stable and attractive investment.

Protection of Public Involvement in Government

Strategic Lawsuits Against Public Participation (SLAPP): SUPPORT legislation that amends Sections 702.304(4), Florida Statutes, to extend coverage to "persons" acting on behalf of "neighborhood associations" in the same manner as offered to persons acting on behalf of homeowner's associations and condominium associations.

The term "strategic lawsuit against public participation," or SLAPP, describes a civil claim or counterclaim in which the asserted injury to the filer arises from the other party's act of petitioning government or speaking out on a matter of public concern. One scenario could involve a person speaking out against a development project at a governmental regulatory meeting. A proponent of the project might sue for defamation or interference with a business advantage in an effort to silence the person or entangle him or her in lengthy litigation. Because a lawsuit is expensive to defend, the person opposing the project may capitulate. Concern that these lawsuits may have an effect on free speech has led many states to enact anti-SLAPP legislation.

Florida has an anti-SLAPP statute relating solely to governmental plaintiffs. The Citizen Participation in Government Act prohibits a governmental entity from filing a lawsuit without merit and solely because a person has exercised the right to assemble and the right to petition for redress of grievances before a governmental entity. Florida also has anti-SLAPP provisions relating to homeowners' associations and condominium associations which prohibit certain lawsuits that are filed solely because a parcel owner or unit owner has addressed a governmental entity. The prohibitions against filing the lawsuits in the homeowners' association or condominium association context apply to business organizations and individuals, as well as to governmental entities.

A "neighborhood association" is a voluntary organization that represents residents in a neighborhood, and operates through an open, democratic process to improve or maintain the overall quality of life for individuals within the boundaries of a neighborhood. Officers or assigned representatives of the association will sometimes address a governmental entity regarding a development project or other matters that they believe would affect the preservation, needs or enhancement of a neighborhood.

Extending the anti-SLAPP provisions to include "neighborhood associations" will guarantee the same protection to neighborhood association members as is guaranteed by law to homeowners' associations and condominium association members. The protection of public participation in government must be protected and no citizen should feel reluctant to exercise his or her right to speak in a public hearing for fear of being sued.

Traffic Enforcement

Red Light Cameras: OPPOSE any proposed legislation that would repeal local governmental authority to enable the use of red light cameras. In 2010 the Legislature enacted a law authorizing the use of traffic infraction detectors at intersections. In the 2011 Legislative session bills were filed to repeal that law. The City would oppose any legislation that would repeal the ability of local governments to utilize traffic infraction detectors for traffic enforcement purposes.

Regulation of Radios and Other Soundmaking Devices: SUPPORT legislation that would correct any flaws found by the Supreme Court of Florida in Florida Statute §316.3045. Florida Statute §316.3045, which regulates the operation of radios or other mechanical soundmaking devices or instruments in vehicles, was recently declared unconstitutional by the Second District Court of Appeal. That ruling has been appealed to the Supreme Court of Florida and is currently pending. Should the Supreme Court find that the Statute is unconstitutionally vague, overbroad, arbitrarily enforceable or impinging on free speech rights, the City would support correcting the language so that it could withstand future constitutional challenges.

Federal Issues

Community Development Block Grants: SUPPORT continued funding for the Community Development Block Grant program which funds local community development activities such as affordable housing, anti-poverty programs, and infrastructure development. CDBG, like other block grant programs, differ from categorical grants, made for specific purposes, in that they are subject to less federal oversight and are largely used at the discretion of the state and local governments and their sub grantees

Community Oriented Policing Services (COPS): SUPPORT continued funding for the Office of Community Oriented Policing Services in the office of the U.S. Department of Justice that advances the practice of community policing in America's state, local and tribal law enforcement agencies. COPS does its work principally by sharing information and making grants to police departments around the United States. COPS is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Board of County Commissioners Top 2011 Legislative Priorities

| | | |
|---------------------------------------|--|--|
| Taxation ** | Manatee County SUPPORTS a requirement for all remote vendors (including Internet retailers) to collect and remit Florida's state and local option sales taxes. Manatee Council of Governments also SUPPORTS a thorough review of Florida sales tax exemptions and | exclusions and OPPOSES revenue and expenditure caps (TABOR-like proposals) that impose legislative or constitutional restrictions on local authority to determine the local tax burden or local financial requirements to services and quality of life. |
| Technical Institute Funding ** | Manatee County SUPPORTS a performance-based funding formula and appropriations for technical institute allocations. Technical training and job employment during these recessionary times is paramount. Manatee Technical Institute and other programs around the State continue to be funded at 60 percent or less of the | funding they earn programmatically. Other programs, including some larger Districts continue to receive funding in excess of 100 percent of what they earn programmatically. During these times of limited resources, this inequity must be eliminated. Available funding needs to be directed to the programs serving the students. |
| Juvenile Justice | Manatee County SUPPORTS the full implementation of F.S. 985.686(6) which stipulates that counties will provide input to the Department of Juvenile Justice regarding the counties' total costs for juvenile detention. Manatee County also SUPPORTS the | purpose of the JJDP State Advisory Group and respectfully requests a member of Circuit 12 Juvenile Justice Board be appointed to the Committee to represent the region. |
| Port Manatee/Transportation ** | Manatee County SUPPORTS acceleration of the Port Manatee Connector Road construction in order to better accommodate larger incoming shipments that will result from the Panama Canal expansion. Manatee County also SUPPORTS doubling Enterprise Florida's international budget and | ratiifying regional trade agreements (specifically for Port Manatee with Panama, Colombia and South Korea) in order to meet the goal of doubling international trade in the next five years. Manatee County OPPOSES raids of the Transportation Trust Fund to subsidize other areas of the state budget. |
| Beach Renourishment | Manatee County supports the continuation of a dedicated state funding source for beach renourishment at or above statutory levels. Manatee County supports legislation that protects the sovereign immunity of | counties with regard to beach mitigation liability where a county conducts beach renourishment according to federal and state regulatory requirements. |

Secondary Priorities

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|---|--|--|
| Library Funding ** | Manatee Council of Governments understands the dire fiscal constraints the state is facing, but OPPOSES further reductions to the public library system, which would | jeopardize the vital federal Library Services and Technology Act (LSTA) funds Florida receives annually |
| Department of Community Affairs ** | Manatee County SUPPORTS DCA's valuable role in guiding Florida's growth management policies. Manatee County also | SUPPORTS DCA's role as a technical resource and the prioritization of a DCA policy on urban growth. |
| Physician Immunity | Manatee County supports sovereign immunity for physicians treating patients in the emergency room. | |
| Vessels and Waterways ** | Manatee County SUPPORTS renewed state funding of derelict vessel removal. Manatee County SUPPORTS legislation that provides public access to waterways. Manatee County SUPPORTS continued state and local regulation of vessels, mooring fields, bulkheads and seawalls, floating vessel | platforms and sea grasses in order to protect water quality. Manatee County SUPPORTS greater county authority to regulate vessels in navigation outside of mooring fields. Manatee County OPPOSES further attempts to preempt local government authority to regulate vessels |
| Offshore Oil Drilling and Exploration ** | Manatee County OPPOSES all oil and gas drilling in the state waters in the Gulf of Mexico and SUPPORTS a constitutional amendment for the 2012 ballot that would ban oil drilling in Florida's near shore waters. | |

*** Indicates support from Manatee County Council of Governments which is comprised of Manatee School Board, the Township of Longboat Key and the Cities of Anna Maria, Bradenton, Bradenton Beach, Holmes Beach and Palmetto.*





85th Annual Conference

Proposed Resolutions

**Orlando World Center Marriott
8701 World Center Drive
Orlando, Florida**

Phone: (407) 239-4200

2011 RESOLUTIONS COMMITTEE

Chair: Mayor Patricia J. Bates, City of Altamonte Springs
First Vice President, Florida League of Cities

Vice Chair: Mayor Manny Marofio, City of Sweetwater
Second Vice President, Florida League of Cities

LOCAL AND REGIONAL LEAGUE REPRESENTATIVES

Louie Davis, Mayor, City of Waldo
Past President, Alachua County League of Cities

Ken Nelson, Vice Mayor, City of Panama City Beach
President, Bay County League of Cities

Debby Eisinger, Mayor, City of Cooper City
President, Broward County League of Cities

Brenda Brasher, Mayor Pro Tem, City of Mascotte
President, Lake County League of Cities

Patrick Roff, Vice Mayor, City of Bradenton
Secretary/Treasurer, ManaSota League of Cities

Juan Carlos Bermudez, Mayor, City of Doral
President, Miami/Dade County League of Cities

Stan Totman, Mayor, Town of Baldwin
President, Northeast Florida League of Cities

Charles Baugh, Jr., Council President, City of Crestview
First Vice President, Northwest Florida League of Cities

Sam Seevers, Mayor, City of Destin
Vice President, Okaloosa County League of Cities

Lisa Tropepe, Vice Mayor, Town of Palm Beach Shores
President, Palm Beach County League of Cities

Marlene Wagner, Mayor, Town of Lake Hamilton
Past President, Ridge League of Cities

Forrest Banks, Councilmember, City of Fort Myers
President, Southwest Florida League of Cities

Hal Rose, Mayor, City of West Melbourne
President, Space Coast League of Cities

Thom Barnhorn, Councilor, City of Seminole
President, Suncoast League of Cities

Shirley Clark, Councilwoman, Town of Branford
President, Suwannee River League of Cities

Richard H. Gillmor, Council Member, City of Sebastian
President, Treasure Coast League of Cities

Kathy Till, Commissioner, City of Apopka
President, Tri-County League of Cities

Jeff Allebach, Councilmember, City of Orange City
President, Volusia League of Cities

FLC POLICY COMMITTEE REPRESENTATIVE

Teresa Heitmann, Councilwoman, City of Naples
Chair, Energy and Environmental Quality Committee

Mike Borno, Mayor, City of Atlantic Beach
Chair, Finance and Taxation Committee

Jake Williams, Deputy Mayor, City of Cocoa
Chair, Urban Administration Committee

Melissa DeMarco, Mayor, City of Mount Dora
Chair, Growth Management and Transportation Committee

H. G. "Butch" Bundy, Commissioner, City of Longwood
Chair, Intergovernmental Relations Committee

Frank Ortis, Mayor, City of Pembroke Pines
Chair, Federal Action Strike Team

MUNICIPAL ASSOCIATION REPRESENTATIVES

Tom Allen, Building Official, City of Mount Dora,
President, Building Officials Association of Florida

Barbara Estep, Village Clerk, Village of Miami Shores
President, Florida Association of City Clerks

Jonathan Lewis, City Manager, City of North Port
President, Florida City and County Management Association

John Williamson, Fire Chief, Winter Garden Fire Department
President, Florida Fire Chiefs' Association

Donald T. Smallwood, City Attorney, City of Kissimmee
President, Florida Municipal Attorneys Association

Jeffrey Chudnow, Chief of Police, Oviedo Police Department
Board Member, Florida Police Chiefs' Association

Andy Brooks, Human Resources Manager, City of Casselberry
Representative, Florida Public Human Resources Association

Kurt Easton, Principal, Urban Networks
President, Florida Redevelopment Association

Christopher H. Lyons, Director of Finance, City of Sarasota
President, Florida Government Finance Officers Association

Michele I. Green, Employee and Labor Relations Manager, County of Sarasota
President, FL Public Employer Labor Relations Association

Brent Holladay, Chief Deputy, Information Resources, Lake County Clerk of Courts
Vice President, Florida Local Government Information Systems Association

AT LARGE MEMBERS

Gow Fields, Mayor, City of Lakeland

Lori Moseley, Mayor, City of Miramar

Jason Kennedy, Councilmember, Town of Bronson

Joe Durso, Mayor, City of Longwood

Tom Shelly, Commissioner, Town of Belleair

Margaret Bates, Commissioner, City of Lauderhill

Beverly Zimmern, Mayor, City of Gulf Breeze

P.C. Wu, Council Vice President, City of Pensacola

Bob Apgar, Mayor, City of DeLand

Carol McCormack, Mayor, Town of Palm Shores

Darell Bowen, Mayor, Village of Wellington

Procedures for Submitting Resolutions
Florida League of Cities' 85th Annual Conference
Orlando Marriott World Center, Orlando, FL
August 11 – 13, 2011

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 6, 2011, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy committees and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.

Cities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Proposed Florida League of Cities 2011 Resolutions

1. City of Hallandale Beach
2. City Government Week
3. Community Development Block Grant (CDBG)
4. Surface Transportation
5. Property Assessed Clean Energy (PACE)
6. Consumer Confidence Reports (CCRs)
7. PEG Channels/ CAP Act
8. Assessment Caps/Amendment 4
9. Forfeiture of Property

2011-01

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.
EXPRESSING APPRECIATION TO HALLANDALE BEACH,
FLORIDA, FOR ITS SUPPORT OF JOY COOPER AS PRESIDENT OF
THE FLORIDA LEAGUE OF CITIES.

WHEREAS, Joy Cooper, Mayor of Hallandale Beach, Florida, has served as the President of the Florida League of Cities, Inc. from 2010 through 2011; and

WHEREAS, the citizens, commissioners and staff of Hallandale Beach have been most understanding of the demands placed upon Mayor Cooper in her role as President of the League; and

WHEREAS, the membership and staff of the League recognize that the commitment of the City of Hallandale Beach to Mayor Cooper's presidency assured her active participation in League activities and unselfish service to the League, and permitted her to successfully promote the programs, projects and philosophy of the League during the past year; and

WHEREAS, the staff of the Florida League of Cities also wishes to recognize and personally thank Cary Santiago for her efforts in providing outstanding assistance to President Cooper and the Florida League of Cities' staff in coordinating President Cooper's duties with the city and with the Florida League of Cities. Cary went above and beyond the call of duty, and her outstanding contributions to this effort are applauded and greatly appreciated.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities' membership and staff do officially and personally appreciate the commitment Hallandale Beach's citizens, commission and staff made to President Cooper's presidency.

Section 2. That a copy of this resolution be presented to the Hallandale Beach City Commission.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Patricia J. Bates, First Vice President
Florida League of Cities, Inc.
Mayor, Altamonte Springs

ATTEST: _____

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2011-02

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC. ENDORSING A PROCLAMATION BY THE FLORIDA GOVERNOR AND CABINET DESIGNATING THE WEEK OF OCTOBER 16-22, 2011, AS "FLORIDA CITY GOVERNMENT WEEK," AND ENCOURAGING ALL FLORIDA CITY OFFICIALS TO SUPPORT THIS CELEBRATION BY PARTICIPATING IN THE "*MY CITY: I'M PART OF IT, I'M PROUD OF IT!*" ACTIVITIES.

WHEREAS, the Florida Governor and Cabinet have proclaimed the week of October 16-22, 2011, as Florida City Government Week; and

WHEREAS, city government is the government closest to the citizens, the one that is administered for and by its citizens, and the one that is most dependent upon the commitment to its citizens and their understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to impart their understanding of municipal service and its benefits to the public; and

WHEREAS, Florida City Government Week is an opportune time to recognize the important role played by city government in the lives of Florida's citizens; and

WHEREAS, the Florida League of Cities, Inc. and the Florida Institute of Government have joined together to teach students about municipal government through a project titled "*My City: I'm Part of It, I'm Proud of It!*"; and

WHEREAS, "*My City: I'm Part of It, I'm Proud of It!*" includes, among other things, a series of activities for students in grades K-12 that provides hands-on experience in elections, city administration and political decision making; and

WHEREAS, this project's success depends upon the participation of city and school officials, community leaders and others; and

WHEREAS, Florida City Government Week offers an important opportunity to convey to all the citizens of Florida that they can and do shape and influence government through their civic involvement.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc. encourages all city officials, school officials, city employees and citizens to participate in events that recognize Florida City Government Week and to celebrate it throughout Florida.

Section 2. That the Florida League of Cities, Inc. supports and encourages all city governments to promote, sponsor and participate in "*My City: I'm Part of It, I'm Proud of It!*"

Section 3. That a copy of this resolution be provided to Florida Governor Rick Scott, members of the Florida Cabinet, the Florida School Boards Association and other interested parties.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.
URGING CONGRESS TO MAINTAIN FUNDING FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
(CDBG).

WHEREAS, the Community Development Block Grant (CDBG) program was enacted and signed into law by President Gerald Ford as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, the CDBG program has as its primary objective "the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income," and

WHEREAS, the CDBG program has considerable flexibility to allow municipalities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and

WHEREAS, the National League of Cities, U.S. Conference of Mayors, National Association of Counties and other state and local government-sector associations are all in unison in their support of CDBG and the need to keep this program intact; and

WHEREAS, according to the U.S. Department of Housing and Urban Development, CDBG is most commonly used to support activities that improve the quality of life in communities; to promote energy conservation and renewable energy resources; for construction of and improvements to public infrastructure such as streets, sidewalks, and water and sewer facilities; and for small business assistance to spur economic development and job creation/retention; and

WHEREAS, when CDBG was fully funded in FY 2010, Florida's cities and towns received over \$170 million in CDBG grants to catalyze or support employment, housing, and neighborhood revitalization efforts; and

WHEREAS, nationally, every dollar of CDBG funding a city or town receives leverages an additional \$1.62 in non-CDBG funding that connects private sector growth to the revitalization of entire communities; and

WHEREAS, in an effort to reduce the federal deficit, several members of Congress are calling for significant cuts to the CDBG and other domestic spending programs that provide needed funding to municipalities for infrastructure, affordable housing, community development and other important programs.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC., THAT:

Section 1. That the Florida League of Cities, Inc. urges Congress to provide adequate funding for CDBG.

Section 2. That a copy of this resolution be sent to the Florida Congressional Delegation, the National League of Cities, and the Secretaries of the U.S. Department of Commerce and the Department of Housing and Urban Development.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff



Fact Sheet:

Community Development Block Grant (CDBG) Program

BACKGROUND

Community Development Block Grants were first awarded in 1975 and are administered by the U.S. Department of Housing and Urban Development (HUD).

By statute, CDBG must fund projects that serve at least one of three requirements:

- (1) Activities that principally benefit low- to moderate-income individuals;
- (2) Activities that prevent or eliminate slums and blight in neighborhoods; and
- (3) Activities to remedy urgent threats to the overall health or safety of communities.

USES

According to HUD, CDBG is most commonly used to support activities that improve quality of life in communities, including: acquisition of property; family relocation; rehabilitation of residential and community structures; efforts to support energy conservation and renewable energy resources; construction of and improvements to public infrastructure such as streets, sidewalks, and water and sewer facilities; and small business assistance to spur economic development and job creation/retention.

HUD has identified several activities as generally ineligible for CDBG funds, including: the acquisition, construction or rehabilitation of buildings for the general conduct of government; political activities; certain income support activities; or the construction of new housing undertaken by local governments.

REQUIREMENTS

All cities and towns are eligible to receive CDBG funds. 70 percent of annual CDBG funds are distributed by way of a formula directly to cities and towns that meet one of three criteria:

- (1) Principal city of a Metropolitan Statistical Area (MSA)
- (2) City with a population of at least 50,000
- (3) Urban county with a population of at least 200,000

The remaining 30 percent of annual CDBG funds are distributed to states, which are required to award that funding to cities with populations below 50,000.

Over twelve hundred cities qualify to receive CDBG funds directly from the federal government. When counting CDBG grants provided both directly from the federal government and through the states, CDBG reaches approximately 7,000 cities and towns each year.

Cities and towns are responsible for ensuring that CDBG-funded activities support community development functions and do not supplant local funds that provide for the operation of local government, even if those operations support community development.

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., URGING CONGRESS AND THE ADMINISTRATION TO RECOGNIZE THE CENTRAL ROLE TRANSPORTATION PLAYS IN LOCAL ECONOMIES AND TO ENACT A NATIONAL TRANSPORTATION PLAN THAT STRENGTHENS OUR INFRASTRUCTURE, CREATES JOBS, INCLUDES THE LOCAL VOICE IN PLANNING AND PROJECT SELECTION, AND CHOOSES THE BEST MIX OF TRANSPORTATION OPTIONS TO FIT THE NEEDS OF THE REGION.

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA-LU) and its predecessor programs, the Transportation Equity Act for the 21st Century (TEA-21) and the Intermodal Surface Transportation Efficiency Act (ISTEA), have historically provided funding to meet the various transportation needs of the State of Florida, including the mitigation of transit and traffic congestion; and

WHEREAS, SAFETEA-LU, which originally expired in September 2009 has been extended 7 times to date; and

WHEREAS, the lack of investment in Florida's transportation system continues to impact our economy and the cities which are the economic engine of our state; and

WHEREAS, a new federal approach to surface transportation must include all levels of government at the table in establishing an effective transportation network; and

WHEREAS, continued federal funding of a successor program to SAFETEA-LU and the need to provide flexibility to local governments to address local transportation needs are critical to Florida and its urban and rural communities.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc. strongly urges the U.S. Congress to create a new federal surface transportation program that provides adequate funding for federal transportation programs that support bridges, roads, highways and transit and provides funding for transportation programs that go directly to local governments.

Section 2. That that input from local municipal officials is taken into consideration as Congress contemplates the next federal surface transportation program.

Section 3. That the Florida League of Cities, Inc. strongly supports efforts to preserve and simplify local governments' program flexibility.

Section 4. That a copy of this resolution be provided to the Florida Congressional Delegation, Florida Governor Rick Scott, the Secretaries of the U.S. and Florida Departments of Transportation, the National League of Cities, and the Chairs of the U.S. Congressional Transportation Committees.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff



Florida League of Cities 2011 Federal Action Agenda

Economic Recovery

The Florida League of Cities believes strong cities are essential to building a stronger economy. Cities are the place where new jobs are created and opportunity flourishes.

The Florida League of Cities is committed to partnering with federal and state leaders to develop common-sense approaches to strengthening our economy without unnecessary and burdensome requirements.

Transportation Infrastructure

Our nation's transportation infrastructure is the backbone of the U.S. economy. The deterioration of Florida's transportation system continues to impact our economy and the cities that are the economic engine of our state. A new federal approach to surface transportation must include all levels of government at the table in establishing an effective transportation network.

If properly maintained and adequate to meet our needs, America's infrastructure will ensure the long-term vitality of our local, regional and national economies, while strengthening the nation's competitive position in world trade. However, if we continue to allow our infrastructure to deteriorate through lack of investment and proper maintenance, we put America's economic success — and the success of our hometowns — at risk.

Congestion and ineffective links between roads, airports and seaports create costly delays that affect workforce mobility, economic activity and the quality of life of residents. Congestion delays increase the amount of time commuters spend away from their families and the daily activities that create livable communities.

Like the rest of the nation, the funding that supports the growth and development of Florida's transportation system is declining. The economic recession and meeting the needs of our most vulnerable citizens limit our ability to replace these declining funds with other sources of state revenue. Addressing Florida's transportation needs requires targeted funding for the completion of existing projects, with an emphasis on projects that modernize our transportation system and maximize the use of committed federal funds.

The Florida League of Cities supports a national transportation plan that promotes a multimodal system that is more energy efficient and less reliant on foreign oil. A commitment to rebuilding our transportation infrastructure will create jobs and strengthen our economy. We support a plan that provides local government the flexibility to address local transportation needs that are critical to Florida and its urban and rural communities.

Request: The Florida League of Cities urges Congress and the administration to partner with local governments to meet America's pressing roads, highways, bridges and transit needs by authorizing a new federal surface transportation program that includes the local government perspective in the upcoming transportation authorization debate.

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.
URGING CONGRESS TO ADOPT LEGISLATION THAT REQUIRES
FEDERAL REGULATORS AND MORTGAGE LENDERS TO TREAT
PROPERTY ASSESSED CLEAN ENERGY (PACE) ASSESSMENTS
LIKE OTHERS AND TO UNDERWRITE MORTGAGES WITH PACE
ASSESSMENTS.

WHEREAS, in 2010, the Florida Legislature enacted legislation creating a program titled Property Assessed Clean Energy or PACE that allows local governments to make loans to property owners for the purpose of installing renewable energy devices on property and to collect payments on the loan through a special assessment; and

WHEREAS, the PACE program is a renewable energy policy that has been enacted in twenty two states across the U.S.; and

WHEREAS, investing in cost-effective energy efficiency and renewable energy improvements to homes and businesses can save energy, cut utility bills up to \$140 billion per year, create thousands of local jobs, reduce reliance on fossil fuels, and dramatically reduce greenhouse gas emissions; and

WHEREAS, PACE financing programs are an innovative local government solution to help property owners finance energy efficiency and renewable energy improvements – such as energy efficient boilers, upgraded insulation, new windows, solar installations, etc. – to their homes and businesses; and

WHEREAS, the PACE program removes many of the barriers of energy efficiency and renewable energy retrofits that otherwise exist for residential homeowners and businesses, particularly the high upfront cost of making such an investment and the long-term ability to reap the benefits of cost savings; and

WHEREAS, the White House and U.S. Department of Energy strongly support PACE, have dedicated \$150 million to assist in the development of local PACE programs and have issued guidelines to ensure that PACE programs meet safety and soundness requirements and adequately protect property owners, taxpayers, and investors in the bond and mortgage markets; and

WHEREAS, despite PACE's great potential, the Federal Housing Finance Agency and the Office of the Comptroller of the Currency issued statements last year that immediately forced existing PACE programs to halt operations and thus froze the development of dozens of PACE programs nationwide; and

WHEREAS, Representatives Nan Hayworth (R-NY), Dan Lungren (R-CA) and Mike Thompson (D-CA) will soon introduce legislation in the U.S. House of Representatives to support the Property Assessed Clean Energy (PACE) program and

reaffirm the right of state and local governments to use liens or assess special taxes to assist in the installation of renewable energy and energy efficient improvements by directing federal regulators to enforce underwriting standards consistent with the U.S. Department of Energy's PACE guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC., THAT:

Section 1. That the Florida League of Cities, Inc. urges Congress to support federal legislation supporting the PACE program so that cities use special assessments when offering loans to property owners who wish to install renewable energy and energy efficiency improvements on their property.

Section 2. That a copy of this resolution be sent to the Florida Congressional Delegation, the National League of Cities, and the Secretary of the U.S. Department of Energy and Florida Governor Rick Scott.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

Property Assessed Clean Energy

Innovation for Financing Energy Efficiency

PACE is **Property Assessed Clean Energy**, a bipartisan, local government initiative that allows property owners to finance energy efficiency and renewable energy projects for their homes and commercial buildings, simply and with no government subsidies.

PACE is **Voluntary**. Interested owners opt-in to receive financing that is repaid through an assessment on their property taxes for up to 20 years. This spreads the cost of energy improvements – weather-sealing, better insulation, more efficient heating and cooling systems, solar installations, etc. – over the expected life of the improvements and allows the repayment obligation to transfer automatically to the next property owner if the building is sold (along with the benefits of the improvements).

Federal Regulatory Over-reach, in a challenge to states' rights, has brought PACE to a standstill today. Last July, the Federal Housing Finance Agency told Fannie Mae and Freddie Mac to stop underwriting mortgages with PACE assessments. The FHFA claims PACE assessments are invalid, despite state and local laws that clearly establish their public purpose. Like all municipal assessments, PACE assessments *in arrears* have a senior lien to mortgages if property owners default. The FHFA claims PACE threatens the safety and soundness of the entire mortgage industry, even though *potential* losses from defaults are immaterial at less than \$200 per *participating home*.

Congress Must Act Now to save PACE from federal regulatory over-reach.

- State and local elected representatives have the right to define public purpose, not appointed federal regulators in Washington.
- PACE assessments are just as valid as other assessments that mortgage lenders have recognized for decades from over 37,000 land secured benefit districts nationwide.
- PACE benefits to our nation are potentially enormous while the risks are immaterial.

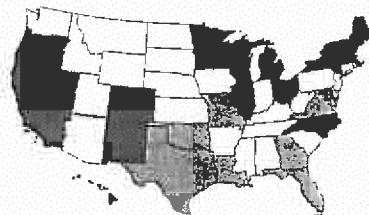
**Your support of bipartisan legislation can save
PACE**

PACENow is an independent advocacy group for property assessed clean energy, a private capital market solution to financing energy efficiency and renewable energy projects that does not require government subsidies or taxes.

Contact PACENow's Executive Director, David Gabrielson, at: david.pacenow@gmail.com <http://www.pacenow.org>

PACE is Unique

- **Creates permanent jobs** – nationwide and across a range of skills.
- **Uses private capital for funding** – requires NO taxes or government subsidies.
- **Voluntary** – only opt-in participants receive benefits and agree to pay assessments.
- **Promotes energy security** – without federal regulation or taxes that drive up energy costs.
- **Saves money and increases value** – efficiency and renewable projects make buildings more valuable.
- **No upfront cost** – PACE financing spreads costs over the life of improvements.
- **Assessment can transfer on sale** – new owner benefits from improvements that stay with the property.
- **Avoids costly power plants** – difficult to site.
- **Improves air quality** – makes communities healthier.



24 States have passed PACE legislation since 2008

Why PACE?

"PACE is a no-cost to taxpayers, no-mandate, consumer opt-in approach that brings clean energy technology to homeowners and businesses. PACE will help create jobs for Floridians at a critical time when we are working to get Florida's economy back on track." *Adam Hasner (R-FL) former Majority Leader, FL House of Representatives*

"PACE is already creating economic opportunity, energy savings, and environmental benefits through the retrofit of residential and commercial building stock." *Gov Bill Ritter (D-CO)*

"A New York City PACE program providing property owners with the upfront capital to make energy efficiency retrofits will create jobs and reduce energy costs for residents and businesses." *Mayor Michael Bloomberg (I-NYC)*

"I am honored to be one of our nation's first Mayors to support PACE. San Diego plans to derive strong long term advantages through PACE programs and we urge the rest of our nation, on a bipartisan basis, to join us." *Mayor Jerry Sanders (R-San Diego)*

"With PACE, we are providing homeowners and business owners with powerful tools to take control of their energy use and create jobs at the same time" *Gov Arnold Schwarzenegger (R-CA)*

PACE NOW

FEDERAL HOUSING FINANCE AGENCY



STATEMENT

For Immediate Release
July 6, 2010

Contact: Corinne Russell (202) 414-6921
Stefanie Mullin (202) 414-6376

FHFA Statement on Certain Energy Retrofit Loan Programs

After careful review and over a year of working with federal and state government agencies, the Federal Housing Finance Agency (FHFA) has determined that certain energy retrofit lending programs present significant safety and soundness concerns that must be addressed by Fannie Mae, Freddie Mac and the Federal Home Loan Banks. Specifically, programs denominated as Property Assessed Clean Energy (PACE) seek to foster lending for retrofits of residential or commercial properties through a county or city's tax assessment regime. Under most of these programs, such loans acquire a priority lien over existing mortgages, though certain states have chosen not to adopt such priority positions for their loans.

First liens established by PACE loans are unlike routine tax assessments and pose unusual and difficult risk management challenges for lenders, servicers and mortgage securities investors. The size and duration of PACE loans exceed typical local tax programs and do not have the traditional community benefits associated with taxing initiatives.

FHFA urged state and local governments to reconsider these programs and continues to call for a pause in such programs so concerns can be addressed. First liens for such loans represent a key alteration of traditional mortgage lending practice. They present significant risk to lenders and secondary market entities, may alter valuations for mortgage-backed securities and are not essential for successful programs to spur energy conservation.

While the first lien position offered in most PACE programs minimizes credit risk for investors funding the programs, it alters traditional lending priorities. Underwriting for PACE programs results in collateral-based lending rather than lending based upon ability-to-pay, the absence of Truth-in-Lending Act and other consumer protections, and uncertainty as to whether the home improvements actually produce meaningful reductions in energy consumption.

Efforts are just underway to develop underwriting and consumer protection standards as well as energy retrofit standards that are critical for homeowners and lenders to understand the risks and rewards of any energy retrofit lending program. However, first liens that disrupt a fragile housing finance market and long-standing lending priorities, the absence of robust underwriting standards to protect homeowners and the lack of energy retrofit standards to assist homeowners, appraisers, inspectors and lenders determine the value of retrofit products combine to raise safety and soundness concerns.

On May 5, 2010, Fannie Mae and Freddie Mac alerted their seller-servicers to gain an understanding of whether there are existing or prospective PACE or PACE-like programs in jurisdictions where they do business, to be aware that programs with first liens run contrary to the Fannie Mae-Freddie Mac Uniform Security Instrument and that the Enterprises would provide additional guidance should the programs move beyond the experimental stage. Those lender letters remain in effect.

Today, FHFA is directing Fannie Mae, Freddie Mac and the Federal Home Loan Banks to undertake the following prudential actions:

1. For any homeowner who obtained a PACE or PACE-like loan with a priority first lien prior to this date, FHFA is directing Fannie Mae and Freddie Mac to waive their Uniform Security Instrument prohibitions against such senior liens.
2. In addressing PACE programs with first liens, Fannie Mae and Freddie Mac should undertake actions that protect their safe and sound operations. These include, but are not limited to:
 - Adjusting loan-to-value ratios to reflect the maximum permissible PACE loan amount available to borrowers in PACE jurisdictions;
 - Ensuring that loan covenants require approval/consent for any PACE loan;
 - Tightening borrower debt-to-income ratios to account for additional obligations associated with possible future PACE loans;
 - Ensuring that mortgages on properties in a jurisdiction offering PACE-like programs satisfy all applicable federal and state lending regulations and guidance.

Fannie Mae and Freddie Mac should issue additional guidance as needed.

3. The Federal Home Loan Banks are directed to review their collateral policies in order to assure that pledged collateral is not adversely affected by energy retrofit programs that include first liens.

Nothing in this Statement affects the normal underwriting programs of the regulated entities or their dealings with PACE programs that do not have a senior lien priority. Further, nothing in these directions to the regulated entities affects in any way underwriting related to traditional tax programs, but is focused solely on senior lien PACE lending initiatives.

FHFA recognizes that PACE and PACE-like programs pose additional lending challenges, but also represent serious efforts to reduce energy consumption. FHFA remains committed to working with federal, state, and local government agencies to develop and implement energy retrofit lending programs with appropriate underwriting guidelines and consumer protection standards. FHFA will also continue to encourage the establishment of energy efficiency standards to support such programs.

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The Federal Housing Finance Agency regulates Fannie Mae, Freddie Mac and the 12 Federal Home Loan Banks. These government-sponsored enterprises provide more than \$5.9 trillion in funding for the U.S. mortgage markets and financial institutions.

2011-06

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC. SUPPORTING THE "END UNNECESSARY COSTS CAUSED BY REPORT MAILING ACT OF 2011" WHICH WOULD REMOVE THE FEDERAL REQUIREMENT THAT A CONSUMER CONFIDENCE REPORT BE MAILED ANNUALLY TO WATER CUSTOMERS WHEN THE WATER SYSTEM HAS TESTED SAFE FOR THE PAST YEAR.

WHEREAS, every year, approximately 53,000 water systems are required to produce a Consumer Confidence Report (CCR), which contains important information for consumers about the source and quality of their water; and

WHEREAS, federal law requires all water systems to mail the report to every household served by the water system; and

WHEREAS, local government budgets have been significantly strained during this economic downturn and the printing and mailing costs associated with the CCR are an additional cost to taxpayers when other more cost effective options are available; and

WHEREAS, H.R. 1340 by U.S. Representatives C.W. Bill Young (R-FL) and Gus Bilirakis (R-FL) is titled the End Unnecessary Costs Caused by Report Mailing Act and would remove the requirement that community water systems annually mail a CCR to all their customers; and

WHEREAS, H.R. 1340 would not stop the production of the CCR, but would remove the costly mailing requirement; and

WHEREAS, H.R. 1340 would allow water systems that tested safe for the past year to make the annual CCR available on the system's website or by mail upon request; and

WHEREAS, H.R. 1340 would still require water systems that tested unsafe to continue mailing the CCR to their customers.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC., THAT:

Section 1. That the Florida League of Cities, Inc. urges Congress to support H.R. 1340 and thus eliminate s a wasteful federal mandate that unnecessarily strains local government budgets and wastes taxpayer dollars.

Section 2. That a copy of this resolution be sent to the Florida Congressional Delegation, the National League of Cities, the Administrator of the U.S. Environmental Protection Agency, the Secretary of the Florida Department of Environmental Protection and Florida's municipalities.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: City of Dunedin
City of Pinellas Park
Mayors Council of Pinellas County

*City of Pinellas Park
Post Office Box 1100
Pinellas Park, Florida 33780-1100*

*Phone: (727) 541-0707
Fax: (727) 544-7448
Suncom: 969-1011*

April 12, 2011

Ms. Joy Cooper, President
Florida League of Cities, Inc.
301 S. Bronough Street, Suite 300
Tallahassee, FL 32301

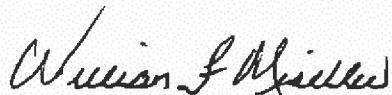
Dear Ms. Cooper:

I would like to share some information that I believe should be of interest to your members and ask for your assistance in spreading the word.

On April 4, 2011 Florida Congressmen C. W. Bill Young and Gus Bilirakis introduced H.R. 1340, the End Unnecessary Costs Caused by Report Mailing Act, legislation intended to save local governments thousands of dollars per year. Specifically, H.R. 1340 will remove the requirement that community water systems annually mail a Consumer Confidence Report (CCR) to all customers in their system. H.R. 1340 was created after several of Young's constituents, including the Mayor's Council of Pinellas County, brought the mailing requirement to his attention.

As the Mayor of Pinellas Park I am grateful for the response that we have received from Congressman Young and I would like to encourage everyone affected by the needless cost of mailing CCR's to contact their representatives in Congress and encourage them to sign-on to H.R. 1340 and support its passage. Attached are copies of H.R. 1340 and the Congressional Record from April 4, 2011 with Congressman Young's comments for your review. Thanks for your continued support of local government.

Sincerely,



William F. Bill Mischler
Mayor



.....
(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R. 1340

To amend the Safe Drinking Water Act with respect to consumer confidence reports by community water systems.

IN THE HOUSE OF REPRESENTATIVES

Mr. YOUNG of Florida introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Safe Drinking Water Act with respect to consumer confidence reports by community water systems.

1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

2 **SECTION 1. SHORT TITLE.**

3 This Act may be cited as the “End Unnecessary
4 Costs Caused by Report Mailing Act of 2011”.

1 SEC. 2. CONSUMER CONFIDENCE REPORTS BY COMMUNITY

2 WATER SYSTEMS.

3 (a) METHOD OF DELIVERING REPORT.—Subpara-
4 graph (A) of section 1414(c)(4) of the Safe Drinking
5 Water Act (42 U.S.C. 300g-3(c)(4)) is amended—

6 (1) in subparagraph (A), by striking “The Ad-
7 ministrator, in consultation” and inserting the fol-
8 lowing:

9 “(i) IN GENERAL.—The Adminis-
10 trator, in consultation”;

11 (2) by striking “to mail to each customer” and
12 inserting “to provide in accordance with the mailing
13 requirement of clause (ii) or (iii), as applicable, to
14 each customer”; and

15 (3) by adding at the end the following:

16 “(ii) MAILING REQUIREMENT IN CASE
17 OF VIOLATION OF MCL.—In the case of a
18 community water system for which there
19 has been a violation of the maximum con-
20 taminant level for any regulated contami-
21 nant during the year concerned, the regu-
22 lations under clause (i) shall require each
23 report to be mailed.

24 “(iii) MAILING REQUIREMENT ABSENT
25 ANY VIOLATION OF MCL.—In the case of a
26 community water system for which there

1 was no such violation during the year con-
2 cerned, the regulations under clause (i)
3 shall require the system to comply with one
4 of the following (to be selected by the sys-
5 tem):

6 " (I) Mail each report.

1 requirement of this subparagraph refer to
2 the requirements of clauses (ii) and (iii).".

(b) CONTENT OF REPORT.—Clause (iii) of section 1414(c)(4)(B) of the Safe Drinking Water Act (42 U.S.C. 300g-3(c)(4)(B)) is amended by striking “(IV) for any regulated” and all that follows through the period at the end of the clause and inserting “(IV) for any regulated contaminant in such water system for which there has been a violation of the maximum contaminant level during the year concerned, the brief statement in plain language regarding the health concerns that resulted in regulation of such contaminant (as provided by the Administrator in regulations under subparagraph (A)), a description in plain language of the specific contaminant measurements which caused the violation and the possible effects on health and welfare, a description in plain language of the actions being taken to correct the violation so as to be in compliance with this Act, and a statement of the date by which compliance will be attained.”.

20 (c) APPLICATION; ADMINISTRATIVE ACTIONS.—The
21 amendments made by this section apply beginning on the
22 day that is 90 days after the date of the enactment of
23 this Act. Not later than such day, the Administrator of
24 the Environmental Protection Agency shall promulgate re-
25 vised regulations and take such other actions as may be

1 necessary to carry out the amendments made by this sec-
2 tion.

U.S. Rep. C. W. Bill Young Introduces Legislation to Help Save Local Governments Money

For release: April 5, 2011

Contact: Harry Glenn 202-225-5961

Washington - U.S. Rep. C.W. Bill Young (R-FL) and Gus Bilirakis (R-FL) have introduced H.R. 1340, the End Unnecessary Costs Caused by Report Mailing Act, legislation intended to save local governments thousands of dollars per year. H.R. 1340 will remove the requirement that community water systems annually mail a Consumer Confidence Report (CCR) to all the customers in their system and was created after several of Young's constituents, including the Mayors' Council of Pinellas County, brought the mailing requirement to his attention.

In a statement upon introducing the bill in the House, Young stated:

"Every year approximately 53,000 water systems are required to produce a CCR, which contains important information for consumers about the source and quality of their water. However, while the report itself contains important information that should be available, federal law also requires all water systems to mail the report to every household. The exact cost of printing and mailing these reports vary depending on the number of customers in the system and, in 2009, printing and mailing the CCR cost one water system in my district \$30,565 and another \$6,785.

"At a time when local government budgets are already strained, it is unnecessary to require that our local water systems mail the report to every household when advancements in technology have provided alternative formats to distribute this information," Young said.

Bilirakis said "Local governments are already struggling financially, so we must eliminate these types of wasteful federal mandates that continue to strain their budgets and consume taxpayer dollars."

Young's legislation would not stop the production of the CCR, it would simply target the costly mailing requirement. Instead of having to mail the report to every customer, water systems that tested safe for the past year could choose to notify their customers of that fact on their monthly bill, while making the full CCR available on their website or by mail upon request. Water systems where the water tested unsafe would still have to mail the CCR to their customers.

2011 Congressional Youth Advisory Council (CYAC) from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the community service project.

This year 46 students from public, private, and home schools in grades 10 through 12 made their voices heard by joining CYAC. As the Third District's young ambassadors to Congress, these bright high school students met with me on a quarterly basis to discuss current events and public policy. These impressive young people recognize an important truth: the heart of public service is found when giving back to the community. CYAC students volunteered their time and talents with over 30 organizations including Adopt-A-Highway, Habitat for Humanity, Meals on Wheels, Teen Court, and the USO, to name a few. As one student shared, "CYAC in the Community has allowed me to realize my calling to serve those in the U.S. Armed Forces." I am beyond thrilled that CYAC has helped students unleash their full potential and chase their dreams.

President George H.W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this Nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

I volunteered at Dallas ramps in Dallas, TX in late October. I served with YMSL or Young Men's Service League. This was my 5th time to do Dallas Ramps. I liked this because I was able to build something with my hands and help my community at the same time. I built a ramp up to the building code in about 6 hours with the help of only four other people. We used pressure treated wood so it would last and spent much time building the ramp. The excitement of the recipient was incredible to watch. It makes their life so much easier. Usually these people can barely walk or are confined to a wheelchair. Now instead of struggling to climb up and down stairs or to be carried they have a nice non-steep ramp they can easily walk down or up. This helps the low income people of our society that are also handicap.

—Jake Lofman

RECOGNIZING THOSE WITH TOURETTE SYNDROME ON THE OCCASION OF THE TOURETTE SYNDROME ASSOCIATION'S ANNUAL ADVOCACY DAY

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. ISRAEL. Mr. Speaker, I rise today to recognize those with Tourette Syndrome on

the occasion of the Tourette Syndrome Association's annual National Advocacy Day, which was Thursday, March 31, 2011.

Tourette Syndrome is a neurobiological disorder characterized by involuntary tics. It often goes undiagnosed, but the Association estimates that some 200,000 people in the United States are known to have the disorder. No definite cause has been found, but research points to abnormal metabolism of a key brain hormone, spurred by a gene that is likely inherited. There is about a 50% chance of a parent with Tourette Syndrome passing it along to their child and sons are three times more likely than daughters to exhibit symptoms of Tourette Syndrome.

On Thursday I met with a young man from my district, Jared Bloch, who passed along a letter written by his brother Tyler, who suffers from Tourette Syndrome. Below is the text of the letter, but I wanted to quote one part: "I love myself no matter who I am. Tourette's is an obstacle I can overcome and it helped me become a much better person." Tyler is wise beyond his 12 years. I hope he can serve as a role model for those with Tourette Syndrome and I hope his family can serve as an inspiration for all of those who know someone with Tourette Syndrome.

Hello. My name is Tyler Bloch, I am 12 years old, and my brother (Jared Bloch) is one of the ambassadors you talked or will talk to. I was diagnosed with Tourette's syndrome in 2nd grade and currently I am in the 7th grade. The main reason I am writing this letter is because I wanted to tell you how TS affects my life and how it affects others.

Throughout elementary school and middle school I was always questioned. "Why do you do that?" "Why do you twitch like that?" The only response I could say was, "I don't know." I was always afraid to tell people about my condition because I thought people would laugh. Although TS does not affect my academics, it affects my self control. I would always have the urge to rant at the top of my lungs, but I couldn't. Every day I had to wait until I return home to get my energies and tics out.

My family has a tough time coping with all the mayhem in the house, but they try their best to ignore my loudness and annoyingness. Once a week I would see a psychiatrist and/or a psychologist to try to help me. It is very hard to try to find a local and experienced psychologist that could help me. My mom always tries her best to find one. I would never really want to go, but I had to in order to help my family and me. I always feel horrible for my family because I tend to be very annoying. I clap loudly; yell loudly, get distracted, worry, and all these things are very harsh on my family.

I never mean any of these annoying behaviors, but that was the way I was built. Nothing can stop it. On the bright side, Tourette's eventually goes away, but for now I will have to try to do my best.

This program means a lot to me and I appreciate all your hard work and dedication to the TSA. Thank you so much and you have no idea how this makes me feel. It shows that there is hope and that other people care. I could not ask for a better family. They love me, always try their best to help me, make me laugh, and that is the perfect combination of a well-rounded family. I love myself no matter who I am. Tourette's is an obstacle I can overcome and it helped me become a much better person. Without TS I would not be the person I am today so this condition makes me myself and there is nothing I would change about that.

Sincerely,

TYLER S. BLOCH.

END UNNECESSARY COSTS CAUSED BY REPORT MAILING ACT

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Mr. YOUNG of Florida. Mr. Speaker, every year federal law requires community water systems to spend thousands of dollars mailing a Consumer Confidence Report (CCR) few people actually read. Last week, thanks to the Mayors' Council of Pinellas County, Florida and several of my constituents, I introduced H.R. 1340, the End Unnecessary Costs Caused by Report Mailing Act, which would end the mailing requirement, saving our local communities money in this tough economic climate.

During the last reauthorization of the Safe Drinking Water Act, a provision was included requiring each water system to annually produce a CCR, which contains information on the source and quality of water within a water system. This report is important so that consumers are routinely informed about the safety of their water. Every year approximately 53,000 water systems are required to produce a CCR. However, while the report itself contains important information that should be available, federal law also requires all water systems mail the report to every household.

Water systems in my district have received numerous complaints since the requirement was implemented, including that mailing these reports is a waste of money and that it would be more effective to have a simple statement on their bill that their water is certified safe. While the costs of printing and mailing these reports vary depending on the number of customers in the system, in 2009, printing and mailing the CCR cost one water system in my district \$30,565 and another \$6,785.

My legislation would not stop the production of the CCR, it would simply target the costly mailing requirement. Instead of having to mail the report to every customer, water systems that tested safe for the past year could choose to notify their customers of that fact on their monthly bill, while making the full CCR available on their website or by mail upon request. Water systems where the water tested unsafe would still have to mail the CCR to their customers.

Mr. Speaker, at a time when local government budgets are already strained, it is unnecessary to require that our local water systems mail the report to every household when advancements in technology have provided alternative formats to distribute this information. H.R. 1340 seeks to remove this burdensome regulation and I urge my colleagues to support this measure.

HONORING THE LIFE OF CHARLES McGLASHAN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, April 4, 2011

Ms. WOOLSEY. Mr. Speaker, I rise with a heavy heart today to honor my friend, Marin County Supervisor Charles McGlashan, who passed away suddenly on March 27 at the

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC. URGING CONGRESS TO SUPPORT H.R. 1746, THE COMMUNITY ACCESS PRESERVATION ACT, WHICH ADDRESSES CRITICAL AND IMMEDIATE THREATS TO LOCAL EDUCATIONAL AND GOVERNMENT ACCESS CHANNELS.

WHEREAS, public, educational and government (PEG) access channels are one of the last surviving sources for local television programming across the country and play a significant role for Florida municipalities; and

WHEREAS, PEG channels are a unique and valuable resource for local information and discourse for the residents of Florida; and

WHEREAS, PEG channels televise local government meetings, including city commission, planning commission, county and school board meetings, so that citizens are informed about the actions taken by local officials; and

WHEREAS, PEG channels are also utilized to communicate with citizens on municipal events and services and to provide emergency advisories and preparation directions to citizens; and

WHEREAS, PEG channels provide a window through which residents can view the diversity of cultures, educational information, recreational activities and artistic endeavors in their local community; and

WHEREAS, PEG channels reflect the unique identity of the communities they serve; and

WHEREAS, it is important to preserve PEG channels and funding for PEG channels, and to assure the channels continue to be available to the entire community to serve the citizens of Florida municipalities; and

WHEREAS, H.R. 1746, the Community Access Preservation (CAP) Act, addresses critical and immediate threats to PEG by removing use restrictions on PEG access fees, restoring PEG revenue streams, and ending cable operators' discriminatory treatment of PEG channels; and

WHEREAS, the CAP Act would allow PEG fees to once again be used for any legitimate PEG expense, instead of restricting PEG fees to capital expenses only.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc. urges members of Florida's Congressional Delegation to take all actions in support of the immediate passage of H.R. 1746, including, but not limited to endorsing, co-sponsoring and voting for H.R. 1746.

Section 2. That a copy of this resolution be provided to the Florida Congressional Delegation and the National League of Cities.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13st Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff



The Community Access Preservation Act (the CAP Act)

H.R. 1746

Introduced by Congresswoman Tammy Baldwin (D-WI)

Co-Sponsored by Congressman Steven LaTourette (R-OH)

1. It removes the distinction between "capital" and "operating" in PEG support fees.

PEG support fees that are collected from subscribers by the cable operators can only be used for "capital and equipment" and not for operational overhead. The CAP Act will eliminate that part of the Telecommunications Act that prevents PEG centers from using PEG support for their operating expenses. Right now, access centers are closing their doors because even though they receive money for buildings and equipment, they do not have or are losing money for operations. The CAP Act will allow centers to spend the PEG support fees as they see fit to keep the centers open and keep the channels on the air. The CAP Act will save or create over 8,400 jobs nationwide.¹

2. Makes sure local governments can secure funding for PEG channels in exchange for cable operators' use of public rights-of-way and makes sure local government can have PEG channels.

For twenty-seven years, federal law has recognized the importance of allowing local government to ask cable operators for PEG channel funding in exchange for use of local rights of way. The CAP Act restores that ability to local government subdivisions in those states that passed statewide/state-issued franchising laws. The CAP Act provides that PEG channels will receive funding equal up to the historical support it received prior to the damaging statewide/state issued franchising laws²--OR--up to the amount that operators are required to pay under the new statewide/state issued franchising laws--OR up to 2% of the gross revenue of the cable operator--whichever is greater. It also makes sure local government can get a PEG channel if they do not have one, up to three.

3. It makes sure that cable operators transmit the PEG channels without charge to the local government.

This is an important point because in several places cable operators are claiming they can charge local governments for the transmission of the channels. Cable operators are demanding several thousand dollars per year per channel for transmission. This must stop!

4. It requires the FCC to undertake a study on PEG.

The FCC will be required to undertake a study within 180 days of the passage of CAP to analyze the effect of statewide/state issued franchise laws that have passed. It also requires an analysis of the impact of digital conversion on PEG. And it calls for the FCC to make recommendations for changes to the Telecommunications Act to preserve and advance PEG, broadband and localism.

¹ Jobs Survey conducted by ACT July 2010

² In states that have passed such laws since 2005.

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC. OPPOSING PROPOSED AMENDMENT 4 TO THE FLORIDA CONSTITUTION WHICH, IF ADOPTED, WOULD GRANT CERTAIN TAX BREAKS TO SOME TAXPAYERS AT THE EXPENSE OF OTHER TAXPAYERS.

WHEREAS, a proposed constitutional amendment sponsored by the Florida Legislature will be placed on the 2012 general election ballot as "Amendment 4"; and

WHEREAS, this proposed constitutional change reduces the current assessment limitation on non-homestead real property from 10 percent to 5 percent; and

WHEREAS, the proposed amendment grants first-time homesteaders an additional homestead exemption equal to 50 percent of just value of the property up to the county median home value; and

WHEREAS, the proposed amendment creates an "Anti-Recapture" provision that allows the Legislature by general law to prohibit increases in the assessed value of homestead property if the just value of the property decreases; and

WHEREAS, the non-homestead assessment cap reduction and the first-time homesteader provision only apply to non-school property taxes; and

WHEREAS, the Florida Revenue Estimating Conference estimates that the FY 2015-16 impact will be \$607 million, and of that, the non-homestead assessment cap will be \$430 million; and

WHEREAS, Amendment 4 shifts the tax burden to new or growing businesses, creating a competitive disadvantage for new businesses who would have to pay higher property taxes than their more established counterparts; and

WHEREAS, Amendment 4 creates inequities for non-homestead properties by allowing identical properties to be taxed differently; and Amendment 4 extends the sunset provision already in the Florida Constitution from 2019 to 2023, which allows these inequities to be in place longer; and

WHEREAS, over the last few years, several property tax initiatives, including additional homestead exemptions, Save Our Homes Portability, and statutory millage caps, have also contributed to the unequal treatment of Florida's taxpayers.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc. urges Floridians to carefully consider the potential adverse consequences of Amendment 4 before voting in the 2012 general election.

Section 2. That the Florida League of Cities, Inc. urges Florida's residents to vote no on Amendment 4 on the 2012 General Election ballot.

Section 3. That a copy of this resolution be provided to the membership of the Florida League of Cities, Inc. and other interested parties.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13st Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST: _____

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff



PROPERTY TAX LIMITATIONS; PROPERTY VALUE DECLINE; REDUCTION FOR NONHOMESTEAD ASSESSMENT INCREASES; DELAY OF SCHEDULED REPEAL

Reference:

ARTICLE VII, SECTIONS 4, 6 & ARTICLE XII, SECTIONS 27, 32, 33

Summary: [View Full Text \(pdf\)](#)

(1) This would amend Florida Constitution Article VII, Section 4 (Taxation; assessments) and Section 6 (Homestead exemptions). It also would amend Article XII, Section 27, and add Sections 32 and 33, relating to the Schedule for the amendments. (2) In certain circumstances, the law requires the assessed value of homestead and specified nonhomestead property to increase when the just value of the property decreases. Therefore, this amendment provides that the Legislature may, by general law, provide that the assessment of homestead and specified nonhomestead property may not increase if the just value of that property is less than the just value of the property on the preceding January 1, subject to any adjustment in the assessed value due to changes, additions, reductions, or improvements to such property which are assessed as provided for by general law. This amendment takes effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, shall take effect January 1, 2013. (3) This amendment reduces from 10 percent to 5 percent the limitation on annual changes in assessments of nonhomestead real property. This amendment takes effect upon approval of the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013. (4) This amendment also authorizes general law to provide, subject to conditions specified in such law, an additional homestead exemption to every person who establishes the right to receive the homestead exemption provided in the Florida Constitution within 1 year after purchasing the homestead property and who has not owned property in the previous 3 calendar years to which the Florida homestead exemption applied. The additional homestead exemption shall apply to all levies except school district levies. The additional exemption is an amount equal to 50 percent of the homestead property's just value on January 1 of the year the homestead is established. The additional homestead exemption may not exceed an amount equal to the median just value of all homestead property within the county where the property at issue is located for the calendar year immediately preceding January 1 of the year the homestead is established. The additional exemption shall apply for the shorter of 5 years or the year of sale of the property. The amount of the additional exemption shall be reduced in each subsequent year by an amount equal to 20 percent of the amount of the additional exemption received in the year the homestead was established or by an amount equal to the difference between the just value of the property and the assessed value of the property determined under Article VII, Section 4(d), whichever is greater. Not more than one such exemption shall be allowed per homestead property at one time. The additional exemption applies to property purchased on or after January 1, 2011, if approved by the voters at a special election held on the date of the 2012 presidential preference primary, or to property purchased on or after January 1, 2012, if approved by the voters at the 2012 general election. The additional exemption is not available in the sixth and subsequent years after it is first received. The amendment shall take effect upon approval by the voters. If approved at a special election held on the date of the 2012 presidential preference primary, it shall operate retroactively to January 1, 2012, or, if approved at the 2012 general election, takes effect January 1, 2013. (5) This amendment also delays until 2023, the repeal, currently scheduled to take effect in 2019, of constitutional amendments adopted in 2008 which limit annual

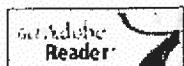
assessment increases for specified nonhomestead real property. This amendment delays until 2022 the submission of an amendment proposing the abrogation of such repeal to the voters.

Sponsor:

The Florida Legislature

Status: Active

| | |
|----------------|------------|
| Made Ballot: | 06/21/2011 |
| Ballot Number: | 4 |
| Election Year: | 2012 |



2011-09

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., ASKING THE FLORIDA LEGISLATURE TO ADOPT A PROPOSED AMENDMENT TO ARTICLE X, SECTION 4 OF THE FLORIDA CONSTITUTION THAT PROHIBITS THE APPLICATION OF THE PROVISION TO PROPERTY REPEATEDLY AND HABITUALLY USED FOR CRIMINAL ACTIVITIES.

WHEREAS, Section 4 of Article X of the Florida Constitution provides homestead property shall be exempt from forced sale under process of any court, and further provides no judgment, decree or execution shall be a lien on the property; and

WHEREAS, said provision contains certain exceptions to the exemption of homestead property from forced sale, including the failure to pay taxes and assessments on the property, the failure to pay for the property or for improvements or repairs to the property, and the failure to pay for labor performed on the property; and

WHEREAS, the Florida Contraband Forfeiture Act authorizes the forfeiture of property that is repeatedly and habitually used for criminal activity; and

WHEREAS, the courts have held Section 4 of Article X of the Florida Constitution prohibits the forfeiture of homestead property, regardless of the fact that it has been repeatedly and habitually used for criminal activities; and

WHEREAS, the courts' construction of the constitutional provision promotes the use of homestead property for criminal activities, prevents the equal application of the forfeiture laws to all properties, and undermines the ability of law enforcement to protect the health, safety and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED, BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities urges the Florida Legislature to adopt a proposed amendment to Section 4 of Article X of the Florida Constitution that prohibits the application of the provision to homesteaded property that is repeatedly and habitually used for criminal activities.

Section 2. That a copy of this resolution be provided to the membership of the Florida League of Cities, and other interested parties.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 85th Annual Conference, at the Orlando World Center Marriott, Orlando, Florida, this 13th Day of August 2011.

Joy Cooper, President
Florida League of Cities, Inc.
Mayor, Hallandale Beach

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: City of Fort Myers



City of Fort Myers
William P. Mitchell
City Manager

June 30, 2011

Michael Sittig, Executive Director
Florida League of Cities
P.O. Box 1757
Tallahassee, FL 32303-1757

Re: Resolution to Amend Article X, Section 4 of the State Constitution for Consideration by the Florida League of Cities Resolution Committee

Dear Mr. Sittig:

This letter is provided in response to the Florida League of Cities' request of May 19, 2011 for municipalities to submit proposed resolutions to the League by July 6, 2011. Please find attached the resolution and background memo to amend Article X, Section 4 of the State Constitution to support law enforcement efforts to abate criminal nuisance properties by providing an exception to homestead protecting to allow property forfeiture when a clear nexus exists between the property and criminal activity. The issue will be presented to the City Council for adoption at the August 1, 2011 City Council meeting as a component of the 2012 City Legislative Agenda.

The City requests the resolution and supporting materials be forwarded to the Resolutions Committee for consideration in its anticipation of the formal resolution.

In addition to the above resolution request, the City opposes Amendment 4 on the 2012 Referendum Ballot that limits local government taxation through the reduction of non-homestead assessment increases. This issue will be included in the 2012 City Legislative Agenda.

The City appreciates the continued efforts of the League and looks forward to a continued partnership to advance municipal issues.

Sincerely,

A handwritten signature in black ink that reads "William P. Mitchell".

William P. Mitchell
City Manager

WPM: MC

cc: Honorable Mayor and City Council
Mervin Collins, Assistant City Manager
Douglas E. Baker, Chief of Police
Rebecca O'Hare, Director Legislative Affairs and Communication Department

2200 Second Street • Fort Myers, Florida 33901 • (239) 321-7022 • Fax (239) 344-5909
Mailing Address: P.O. Box 2217 • Fort Myers, Florida 33902



**Chief Douglas E. Baker
Fort Myers Police Department
(239) 321-7727**

MEMORANDUM

TO: William P. Mitchell, City Manager

FROM: Chief Douglas E. Baker 

DATE: June 14, 2011

RE: Forfeiture of Real Property – Issue for 2012 Florida Legislative Session

Pursuant to your June 8, 2011 memo regarding issues to be added to the City of Fort Myers' 2012 Legislative Agenda, below is an issue that has become more prevalent in recent years that pertains to the forfeiture of real property.

The Florida Contraband Forfeiture Act, §§ 932.701-932-707 is the statutory authority for state asset forfeiture. Currently we have the ability to file a notice of seizure and an adversarial preliminary hearing for the purpose of finding probable cause is held. The City must establish a nexus between the seized property and the criminal activity by clear and convincing evidence. A home can be forfeited to the City when probable cause is found that illegal narcotics and contraband are occurring on the property and a public nuisance is being created.

However, the Court upheld in Butterworth v. Caggiano, 605 So. 2d 56 (Fla. 1992) that Article X, §§ 4 of the Florida Constitution prohibits the forfeiture of real property which is homestead property.

When this type of activity occurs, individuals are arrested although the activity may start-up again when they are released from jail or other individuals at the location continue to participate in the illegal activity. The ability to seize the property eliminates criminal activity from occurring at that location. However, when the property is homestead property we are unable to seize the property and put an end to the illegal activity. Not only is the illegal activity a concern, usually these types of properties are not maintained and cause additional issues for the City.

I believe this issue to be a concern and something that the City should pursue during the 2012 Legislative Session.

Please contact me if you have any questions.

DEB/dee

Municipal Police and Fire Pension Reform Proposals for 2012
August 12, 2011

Insurance Premium Tax Revenues

1. Change current Florida Statutes requiring the provision of new, "extra" pension benefits to police/fire, and allow pension benefit levels and the use of insurance premium tax revenues to be collectively bargained. (If there is no collective bargaining process, have these matters decided by the city.)
2. Change current Florida Statutes to allow cities to receive insurance premium tax revenues and unilaterally create "tiered" plans providing a different level of pension benefits or join the Florida Retirement System or establish a defined contribution retirement plan for police/fire hired after a specified date.
3. Change current Florida Statutes to provide if a city revokes its receipt of insurance premium tax revenues, the city's portion of the tax shall not continue to be imposed on insurance policies covering property within the city.

Pension Boards of Trustees/Fiscal Transparency

4. Change current Florida Statutes to require police/fire pension boards of trustees to provide detailed accounting reports, and adopt and operate under an administrative expense budget.
5. Change current Florida Statutes to require a majority of pension board of trustees for police/fire plans not to be pension plan members.

Overtime/Pension Calculations

6. Change current Florida Statutes to specify that police are not allowed to use a minimum of 300 hours of overtime compensation per calendar year for pension determination purposes.

Disability Presumptions

7. Repeal current Florida Statutes providing disability presumptions for health conditions related to hypertension or heart disease for police/fire claiming disability pension or workers' compensation benefits. (Task Force on Disability Presumptions should have recommendations before January 1, 2012.)

Minimum Pension Benefits

8. Change current Florida Statutes to allow cities to meet the minimum benefit requirements for police/fire plans by providing pension benefits that in the aggregate exceed the minimum statutory benefit levels.

Use of Insurance Premium Tax Revenues for Police and Firefighter Pensions under Chapters 175 and 185, Florida Statutes

Prior to 1999

Prior to 1999, cities were largely free to bargain with local police and fire unions, or provide for the non-unionized police and firefighters, the pension benefits that best fit the priorities and needs of the city and its police and firefighters. Cities were required to use insurance premium tax revenues for "extra pension benefits" for police and firefighter pension plans operating under chapters 175 and 185. "Extra pension benefit" was defined at that time to mean benefits in addition to or greater than those provided to general employees of the city. Therefore, prior to 1999, cities were restricted in using insurance premium tax revenues to pay for only the incremental cost of police and fire pension benefits that exceeded the pension benefit levels given to general employees of the city.

Police and firefighters pensions are funded from four primary sources: insurance premium tax revenues; employee contributions; earnings on pension fund investments; and employer contributions. By law, the city is ultimately responsible for all pension plan assets and liabilities, and is required to fund pension plans on a sound actuarial basis.

Also, prior to 1999, cities were not required to meet the minimum pension benefit levels established in chapters 175 and 185. A few cities operated what are known as "Chapter Plans," which provide pension benefits at the set minimum levels in chapters 175 and 185. However, the vast majority of cities participating in chapters 175 and 185 are known as "local law plans," and these plans provide various pension benefits with some benefits not meeting the minimum benefit levels and other benefits exceeding the minimum benefit levels. For example, prior to 1999, a city may have provided a 3% accrual rate rather than the minimum accrual rate of 2%; however, the city may not have met another chapter minimum such as a minimum retirement age of 52 with 25 years of service. Finally, prior to 1999, cities could use insurance premium tax revenues as a funding source for their police and firefighter pension plans even if those plans did not meet all of the minimum benefit provisions in chapters 175 and 185.

1999 Legislation

The 1999 law fundamentally changed how cities provide and pay for police and fire pensions under chapters 175 and 185. The law requires all plans operating under chapters 175 and 185, including "local law plans," to meet all the minimum pension benefit standards in chapters 175 and 185, regardless of if the pension benefits exceeded various minimum benefit levels.

The law also substantially revises how cities use insurance premium tax revenues in providing “extra pension benefits” to police and firefighters. While the 1999 legislation did not change the definition of “extra pension benefit” (pension benefits given to police/fire greater than pension benefits given to general employees), the Division of Retirement immediately imposed an interpretation that to be an “extra pension benefit” the benefit not only had to exceed the benefit level given to general employees but it also had to have been provided after March 12, 1999 (the effective date of the 1999 legislation).

The 1999 legislation made a distinction between insurance premium tax revenues generated prior to 1997 and those generated after 1997. The law defined a new term of “addition premium tax revenues” to mean insurance premium tax revenues received by a city that exceed the amount received for calendar year 1997. The law goes on to state that if a city police or fire pension plan did not meet the minimum pension benefit levels provided in chapters 175 and 185, “additional premium tax revenues” were to be used to incrementally fund the cost of complying with the minimum benefit requirements. (At that point in time a handful of cities did not meet all of the minimum pension benefit provisions of chapters 175 and 185.) Then, once the minimum pension benefit provisions were met, “additional premium tax revenues” were required to provide “extra pension benefits.” As noted above, an “extra pension benefit” must be a pension benefit in excess of a pension benefit provided to general city employees, and under the Division of Retirement’s interpretation, the “extra pension benefit” must have been provided after March 12, 1999. In 2004, the legislature amended the definition of “extra pension benefit” to include the Division of Retirement’s interpretation that to be an extra pension benefit the benefit has to have been provided after March 12, 1999.

The distribution of insurance premium tax revenues for the year 1997 amounted to approximately \$70 million. This amount is typically referred to as the “base year” amount, and represents an amount of money that cities may use to pay for the level of pension benefits in existence prior to March 12, 1999. Any amounts over the \$70 million generated in future years had to have been used under the law to meet any minimum pension benefit level that was not already met by the pension plan, and once all minimum pension benefit levels were met, any additional increases in premium tax revenues had to have been used to provide new, additional pension benefits to police and firefighters. (Please see the attached chart to see the amount of insurance premium tax revenues estimated to be used for “extra pension benefits.”)

Cities Attempting To Reduce Pension Benefit Levels

Due to severe budget constraints and rapidly increasing personnel costs, cities over the last few years have attempted to reduce pension costs for general employee, police and firefighter pensions. Numerous cities, including the cities of Miami Beach, Winter Park, and Naples, have considered reducing pension benefit levels for police and firefighters to levels below those in

effect on March 12, 1999 (the effective date of the 1999 legislation). The Division of Retirement has adopted a non-rule based policy that if a police or firefighter pension benefit is reduced to a level below those in effect on March 12, 1999, that pension plan will be in violation of either chapter 175 or 185, and the plan will forfeit all future insurance premium tax revenues. (The City of Miami was confronted with the Division's interpretation in actions taken by the City to reduce its police and firefighter pension benefits in October-November, 2010; however, in a letter dated January 28, 2011 the Division determined that the City of Miami's pension plan met a very narrow statutory exemption which deems any local law plan created by special act of the Legislature on or before May 23, 1939 to be in compliance with the provisions of chapters 175 and 185.) Unfortunately, practically all cities do not meet this narrow exemption, which may have application to just the cities of Jacksonville and Miami. Therefore, even if a city attempts to get police and firefighter pension costs under control, the city's actions are often subject to objection by the Division of Retirement.

**Historical Insurance Premium Tax Distributions
1982 – 2009**
Police and Fire – Combined

| Premium Tax Distribution | Estimated Amount Required for "Extra Benefits" | Annual Increase/(Decrease) | Percentage Increase/(Decrease) |
|---------------------------|--|----------------------------|--------------------------------|
| 1982 \$22,872,000 | | \$2,239,000 | 10.85% |
| 1983 \$25,453,000 | | \$2,581,000 | 11.28% |
| 1984 \$31,463,000 | | \$6,010,000 | 23.61% |
| 1985 \$36,713,000 | | \$5,250,000 | 16.69% |
| 1986 \$39,550,000 | | \$2,837,000 | 7.73% |
| 1987 \$41,066,000 | | \$1,516,000 | 3.83% |
| 1988 \$42,923,000 | | \$1,857,000 | 4.52% |
| 1989 \$43,689,000 | | \$766,000 | 1.78% |
| 1990 \$44,017,000 | | \$328,000 | 0.75% |
| 1991 \$44,309,000 | | \$292,000 | 0.66% |
| 1992 \$46,149,000 | | \$1,840,000 | 4.15% |
| 1993 \$47,229,000 | | \$1,080,000 | 2.34% |
| 1994 \$52,036,000 | | \$4,807,000 | 10.18% |
| 1995 \$58,349,000 | | \$6,313,000 | 12.13% |
| 1996 \$64,485,000 | | \$6,136,000 | 10.52% |
| 1997 \$67,871,000 | | \$3,386,000 | 5.25% |
| 1998 \$70,687,000 | | \$2,816,000 | 4.15% |
| 1999 \$72,220,000 | \$1,533,000 | \$1,533,000 | 2.17% |
| 2000 \$74,502,000 | \$3,815,000 | \$2,282,000 | 3.16% |
| 2001 \$83,417,000 | \$12,730,000 | \$8,915,000 | 11.97% |
| 2002 \$94,600,000 | \$23,913,000 | \$11,183,000 | 13.41% |
| 2003 \$106,276,000 | \$35,589,000 | \$11,676,000 | 12.34% |
| 2004 \$110,739,000 | \$40,052,000 | \$4,463,000 | 4.20% |
| 2005 \$117,786,000 | \$47,099,000 | \$7,047,000 | 6.36% |
| 2006 \$126,119,000 | \$55,432,000 | \$8,333,000 | 7.07% |
| 2007 \$135,290,000 | \$64,603,000 | \$9,171,000 | 7.27% |
| 2008 \$131,111,000 | \$60,424,000 | | |
| 2009 \$129,956,000 | \$59,269,000 | | |

TOTAL ESTIMATED AMOUNT OF \$404,459,000 REQUIRED FOR "EXTRA BENEFITS"

Source: Department of Management Services, Division of Retirement, Municipal Police Officers and Firefighters' Retirement Trust Funds Office