



2019 State Legislative Agenda Appropriations

- **High Tech Economic Development Infrastructure Funding Request**
Support funding \$10,000,000 for public infrastructure improvements at Daytona International Airport to attract high tech companies with high paying jobs.
- **Library Funding**
Increase state aid to public libraries to \$33,000,000 to be consistent with historic levels.
- **Sadowski Trust fund and SHIP Funding**
Increase SHIP funding for affordable housing assistance.
- **Early Learning Coalition Funding**
Protect current funding rules for Early Learning Coalition.
- **Water Quality Improvements**
Support additional funding to improve surface and ground water quality.

NOTE: As the legislative and executive branches identify spending priorities, county staff may recommend to council additional appropriations requests.



High Tech Economic Development Infrastructure Funding Request **Support \$10 million project**

Volusia County requests funding *support* for public infrastructure to bring high tech development to the area.

Current Situation

The annual average wage in Volusia County of \$39,060 is 24% lower than the state average, and 29% lower than the national average (U.S. Bureau of Labor Statistics for jobs covered by unemployment insurance). Volusia County's economic development strategy includes an intentional focus on attracting private-sector aviation or aerospace companies that bring high-wage job opportunities for local university graduates, including those from Embry-Riddle Aeronautical University.

The county owns approximately 300 acres of commercially zoned land located near ERAU and its newly developed research park. The property is located near the intersection of Interstate 95 and Interstate 4, on and adjacent to county owned and operated Daytona Beach International Airport (DAB), making it ideally suited as a regional employment center in the aviation and aerospace industry. The property is not related to DAB's daily operation but current environmental and engineering constraints have made this property non-competitive for commercial development in recent proposals. This has led the interested companies to consider other states that offer sites without these impediments to development.

Project

The county is pursuing \$10 million in funding to design, engineer and construct needed infrastructure so that the property can be made "shovel ready" for consideration by one or more large regional employers. The project will be comprised of infrastructure improvements that include:

- Surveys and Mapping
- Environmental Assessment and Mitigation
- Flood Plain Modeling and Compensatory Storage
- Wetland Permitting and Mitigation
- Internal Roadway Design and Construction
- Regional Stormwater System Design and Construction

Community Impact and Benefits

This project will:

- Provide "shovel-ready" sites for potential large aviation and aerospace industries
- Create opportunities to bring high paying, high-tech jobs thereby retaining the talent graduating from the area's universities
- Diversity the local tourist-based economy and raise the standard of living in the region
- Compliment the research park at Embry-Riddle Aeronautical University

Contact for more information

Rick Karl, Director of Aviation and Economic Resources at (386) 248-8030 or RKarl@volusia.org.



Library Funding
Increase State Aid to Public Libraries

Current Situation

Public libraries that receive State Aid to Public Libraries funding invest approximately \$518 million annually in delivering library services to the public. The State's investment of \$20.5 million in 2018 was a \$2.5 million decrease from 2017. This decrease represents 4% of the total amount local governments invest in overall library expenditures. The estimated reduction in State Aid to Public Libraries funding in fiscal year 2018-19 of \$69,016 for Volusia County will reduce the amount of funding available to purchase resources to meet the educational and informational needs of citizens.

Possible Changes

The Florida Library Association seeks to restore State Aid in funding levels to at least \$33 million. Volusia County supports this request.

Analysis

Restoration of State Aid to Public Libraries funding levels to at least \$33 million would bring the State's support for library services consistent with historic levels.

Contact for more information: Dona Butler, Community Services Director, at 386-943-7029 or [ddbutler@volusia.org](mailto:dabutler@volusia.org).



Sadowski Trust Fund and SHIP Funding *Increase Affordable Housing Assistance*

Current Situation

The Sadowski Act passed in 1992, increasing the doc stamp tax paid on all real estate transactions and placing these monies in a dedicated state and local housing trust fund. Using funding provided by this trust, the Florida Housing Finance Corporation administers the State Housing Initiatives Partnership program (SHIP), which provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The program was designed to serve very low, low and moderate income families. SHIP funds are distributed on an entitlement basis.

Since 2000, Volusia County has invested a combined total of over \$53 million in SHIP funds which has been locally invested to produce or preserve homeownership and rental housing units – the last three years of funding have leveraged other financing at an average rate of one dollar of SHIP funds to every \$4.00 of other funding. Over the past three years, more than \$1.6 million has assisted 117 first-time homebuyers, repaired 83 homes, and provided insurance deductible reimbursement to 145 families impacted by Hurricane Matthew.

In 2016, 20 percent of Volusia County households faced severe housing cost burdens – an estimated 44,367 local families paid more than 50% of their monthly household income on housing related costs.

Since 2016, SHIP funding provided to local governments for housing assistance has decreased annually due to the “sweeping” of the housing trust fund for other purposes. In 2017, the SHIP funding provided to Volusia County decreased 32%, with a second year over year reduction in 2018 of 65%. The combined loss of SHIP funds since the 2016 funding level is \$2,439,120. This reduction has resulted in a loss of SHIP funds allocated to multifamily housing, and at least a 50% reduction of funds available to repair homes or assist first-time homebuyers.

Proposed Changes

Volusia County respectfully requests funding restored to 2016 levels.

Analysis

Restoration of SHIP funding to 2016 levels will make it possible for Volusia to continue to support our citizens in need of housing assistance.

Contact for more information: Dona Butler, Community Services Director, at 386-943-7029 or [ddbutler@volusia.org](mailto:dabutler@volusia.org).



Early Learning Coalition Funding *Protect Current Funding Rules*

Current Situation

The Office of Early Learning administers state child care grants across the state. These nonprofit organizations leverage this state funding with local, private and public partnerships to meet children's needs, including day care, school readiness programs and VPK assessments.

Last year, language was added as a proviso in the conference report on the budget in the House. This language would have increased local Early Learning Coalition's (ELC) funding match from six percent to eight percent. In addition there would be a fiscal penalty for local entities not meeting the match requirement. The penalties have not been defined as of yet. This language was removed last year, but there are strong concerns that similar language could be proposed.

Proposed Changes

Volusia County respectfully requests no changes to current funding rules.

Analysis

Continuation of the current rules regarding Early Learning Coalition funding will make it possible for Volusia to continue to support the needs of our children. If the previous language is again included, the potential cost to Volusia County is approximately \$145,000.

Contact for more information: Dona Butler, Community Services Director, at 386-943-7029 or ddbutter@volusia.org.



Water Quality Improvements

Support Additional Funding for Surface and Ground Water Quality

The County of Volusia *supports* legislation that provides additional funding to improve surface and ground water quality.

Current Situation

Several water bodies in Volusia County have been, or are in the process of being, identified as impaired for nutrients and/or bacteria. Volusia County has identified four primary ways to improve water quality: 1) Eliminating septic tanks in watersheds/springheds of priority water bodies; 2) Improving stormwater conveyance and treatment systems to reduce nutrient pollution; and 3) Developing meaningful education and outreach programs to inform citizens about water quality, and (4) Reducing nutrients from wastewater plant discharges to surface or ground water.

The Volusia County Health Department estimates that there are approximately 100,000 on-site sewage disposal systems (septic tanks) in the county. Septic tanks discharge liquid waste, high in nutrients, bacteria, and other harmful substances, into the soil through a drainfield. Septic tanks are documented to contribute to nutrient and bacteria pollution of our groundwater and surface waters.

Stormwater systems control and treat rainfall for flood control and pollution reduction. Modern stormwater systems rarely remove more than 50% of the nutrients. The remaining nutrients are added to the groundwater or discharged downstream.

Individual citizens make important decisions every day that impact water quality. Educating citizens about their choices, particularly related to the use of fertilizer, yard waste and reclaimed water, is an important component of water quality improvement.

Surface water discharges by several cities in Volusia County are contributing to the degradation of the Halifax/Mosquito Lagoon estuary. West Volusia utilities are discharging wastewater into groundwater within the Blue Spring springshed. Reclaimed water used for irrigation with fertilizer is also adding to the groundwater nutrient load.

Possible Changes

Volusia County has identified priority areas for extension of sewer service, stormwater improvements, and a public outreach campaign, designed to protect and improve water quality. Water quality is a regional and state issue, and local governments need funding partnerships to implement costly infrastructure improvements.

Analysis

Legislation that provides assistance to homeowners and local government to fund important water quality improvement projects may preserve ecosystems and protect human health in our surface and groundwater.

Contact for more information: Ginger Adair, Environmental Management Director, at 386-736-5927 or gadair@volusia.org.



2019 State Legislative Agenda Policy Priorities

- **Home Rule Authority**

Oppose preemption of local government authority, e.g., Transportation Planning Organization membership requirements, dates for elections, customary right of use of beaches, etc.

- **Index Gas Taxes**

Support indexing all fuel taxes based on the Consumer Price Index (CPI), to be consistent with the state's fuel tax.

- **Water Quality Improvements**

Support legislation to improve surface and ground water quality, including to remove local preemption of fertilizer sales.

- **Preservation of Trees**

Oppose preemption of local government authority related to preservation of trees on private property.

- **Unfunded Mandates**

Oppose codifying state budget shortfalls through cost shifts to local governments.

- **Indian River Lagoon Council**

Support the Indian River Lagoon Council Legislative Program, absent conflicts.

- **Florida Association of Counties**

Support the Florida Association of Counties (FAC) Legislative Program, absent conflicts.

NOTE: As legislators file bills, county staff may recommend to council additions to this list.



Home Rule Authority
Oppose Preemption of Local Government Authority

Current Situation

Local authority is a key part of self-government.

It has long been said that the best government is the one closest to the people, supported by state and federal governments. The Florida Legislature enacted the Home Rule Powers Act in 1973, enshrining the concept of home rule in the Florida Constitution. The act codified that the governing body of a county has the power to carry on county government to the extent not inconsistent with general or special law. However, it remains up to the Legislature to determine what exceptions are “provided by law.”

Possible Changes

Legislation is often filed to preempt local government’s authority to govern in the manner most effective and efficient to its specific needs. For example, in 2018, legislation was filed to require certain numbers of Transportation Planning Organization board members. Other legislation would have required all local elections be held at the same time as statewide and federal elections. Bills were also filed to preempt local ordinances related to the public’s use of beaches, tree trimming, and others.

Impact

Any preemption of local authority to determine what is best for its specific community has a detrimental effect on the ultimate quality of life.

Contact for more information: George Recktenwald, Interim County Manager, at 386-822-5060 or grecktenwald@volusia.org



Index Gas Taxes

Support Indexing All Gas Taxes to Be Consistent with State Gas Tax

The County of Volusia *supports* indexing all fuel taxes based on the Consumer Price Index (CPI), to be consistent with the state's fuel tax.

Current Situation

Many of the current transportation revenue sources have not been adjusted since the 1940's and only the state's motor fuel tax is indexed based on the CPI. The purchasing power of a majority of the current transportation revenue sources has not kept up with inflation. Mandated increased vehicle fuel mileage goals, alternate fuels and electric cars will ultimately impact conventional revenue sources.

Proposed Changes

In 2013, the Florida Metropolitan Planning Organization (MPO) Advisory Council (AC) determined, among other things, that indexing all fuel taxes to the CPI would increase transportation funding. The Florida MPOAC Revenue Study found that \$12.1 billion in additional investment in transportation would be needed to match the level of investment the state made in FY 1999-2000.

Impact Analysis

Current Volusia County transportation funding is at a level that does not allow adequate maintenance of our infrastructure. Funding for future roads and capacity improvement is minimal. Volusia County has enacted all the available local option fuel taxes. Failure to fund transportation maintenance and new construction for capacity will result in a steady decline in the quality of our infrastructure and a loss of our investment. Supporting this legislation would allow local elected officials to choose options that are currently not available to them to increase transportation funding without using additional MSD/General Fund dollars.

Contact for more information: John Angiulli, Volusia County Public Works Director, at 386-736-5965 or jangiulli@volusia.org



Water Quality Improvements

Support Legislation that Protects and Restores Water Quality

The County of Volusia *supports* legislation that protects and restores surface and ground water quality.

Current Situation

Surface and ground waters in Volusia County are vulnerable to nutrient pollution. Volusia County has multiple Basin Management Action Plans (BMAP) requiring reduction of nitrogen and phosphorous from sources including wastewater treatment plant discharge, septic tank effluent, fertilizers, and others. Volusia County and our municipal and state partners are investing significantly in projects to reduce these nutrients, however additional legislative actions could provide other avenues for improvement.

In 2011, the legislature approved changes to Florida Statute 576.181 (CS/CS/HB 7215) which preempted the sale of fertilizer to the state. Volusia County and many other counties have successfully adopted fertilizer restrictions to protect water quality, however we no longer have the authority to require retailers to remove non-compliant fertilizer from their shelves. The widespread availability of fertilizer that does not meet local ordinance requirements has significantly hindered the ability of local governments to realize reductions in nutrients entering water bodies, which have been mandated by the Department of Environmental Protection (DEP).

The land application of wastewater treatment plant residuals (biosolids) and septage contributes significant amounts of nutrients to watersheds and springsheds. This application is regulated by the DEP, however the standards are not robust and research continues to point to these sources as large contributors.

The Volusia County Health Department estimates that there are approximately 100,000 on-site sewage disposal systems (septic systems) in the county. Research has documented that traditional septic systems contribute to nitrogen pollution. BMAPs for springs require the elimination of these systems in vulnerable areas in favor of nutrient reducing systems that are now available. This is an important step, however traditional nitrogen polluting septic systems are still permitted in high numbers by the Department of Health.

Possible Changes

Allowing local government to regulate the sale of fertilizer would be an inexpensive solution to nitrogen pollution compared with the hundreds of millions of dollars needed to reduce septic system and waste water plant discharge. Additional regulation and oversight of land application of biosolids and septage is needed to realize required nutrient reductions. Additional limitations on the installation of traditional nitrogen polluting septic systems could be extended to all vulnerable areas to help local governments meet pollution reduction mandates.

Analysis

Legislation that limits the use of traditional septic systems, reduces the impacts of biosolids and septage, or the sale and application of nutrient rich fertilizer would protect water bodies from additional degradation.

Contact for more information: Ginger Adair, Environmental Management Director, at 386-736-5927 or gadair@volusia.org.



Preservation of Trees ***Oppose Preemption of Local Government Authority***

The County of Volusia ***opposes*** legislation that would preempt local regulations related to preservation of trees on private property.

Current Situation

Volusia County Council adopted minimum standards for the preservation of trees in 1988, pursuant to the county charter, codified in Chapter 50, Division 4, Code of Ordinances, County of Volusia ("Tree Ordinance"). The adopted minimum standards apply countywide in both the unincorporated portion and in all sixteen municipalities situated within the county. The adopted minimum standards require preservation of existing trees on new and existing development sites, and include trees deemed "historic." In adopting the Tree Ordinance, the county council determined that "*it is in the best interest of the public health, safety and welfare to protect, preserve trees and enhance tree cover in the county.*"

Possible Legislation

In 2018, legislation was introduced that would have prohibited local government regulation of the trimming, removal, or harvesting of trees on private property, the requirement to mitigate tree removals through planting or payment of a fee, and the burial of vegetative debris on lots larger than 2.4 acres. Similar legislation may be filed in 2019.

Impact to Volusia

These types of bills preempt the authority granted to Volusia County through its charter. The community will be impacted due to reduction of the urban tree canopy and air quality, exacerbation of stormwater issues, an increase in urban temperatures, elimination of important wildlife habitat, and reduction of the quality of life for Volusia County citizens.

Additionally such legislation will conflict with the local zoning regulations that govern the location of land clearing debris facilities.

Local governments are the most equipped to regulate preservation of trees as part of a holistic approach to natural resources. Local officials have knowledge of the ecological systems in their communities, as well as the desires of their citizens to protect resources.

Contact for more information

Ginger Adair, Environmental Management Director, at (386) 736-5927 or gadair@volusia.org



Unfunded Mandates

Oppose Codifying State Budget Shortfalls through Cost Shifts to Local Governments

Current Situation

In 1990, the Florida Constitution was amended to add provisions governing the passage of laws that affect the revenues and expenditures of local governments. This section of the constitution provides general guidance on the legal interpretation of a mandate. State mandates are defined in Article VII, section 18 of the Florida Constitution as laws requiring counties to spend funds or to take an action requiring the expenditure of funds, laws reducing the authority to raise revenue, or laws reducing the percentage of a state tax shared with counties. A state directive that compels local governments to provide a service, program, or benefit without providing the appropriate monies or a funding source is regarded as an unfunded mandate. County officials recognize that some state-funded mandates are justified because they achieve agreed-upon statewide policy goals. However, many, if not most, mandates on counties are imposed without the consensus of local governments or the resources for implementation. Mandates drain the financial lifeblood from county governments and impede their ability to adequately deliver the fundamental services required by law. Mandates also compromise a county's ability to provide discretionary services requested by the local community.

Possible Changes

Legislation may be introduced in 2019 to shift costs to local governments. Unless a designated corresponding funding source is shifted down, any cost would have a negative impact on the budget. Any shift of costs would require service level changes or a corresponding increase in the tax rate.

Analysis

Currently Volusia County appropriates funding for many items where a designated funding source was not filtered down to local levels. Some of these programs include: Medicaid nursing home costs, court related functions, and juvenile justice.

Contact for more information: Donna DePeyster, Volusia County Deputy County Manager, at 386-736-5933 or ddepeyster@volusia.org



2019 State Legislative Agenda Monitor

- **Consultants' Competitive Negotiation Act**
Support increasing continuing contract limits.
- **Fracking**
Oppose high pressure well stimulation, commonly known as hydraulic fracturing or fracking, and the preemption of local control thereof.
- **Certificate of Public Convenience and Necessity**
Oppose dilution of county authority relating to issuance of COPCN for emergency medical service providers.
- **Cancer presumption**
Oppose creation of presumption for firefighters, paramedics, and/or law enforcement officers that cancer is incurred in the line of duty.
- **Worker's Compensation**
Support increase in attorney fees allowable for workers' compensation claims.
- **Public Records Exemption**
Support exemption from public records requirements for individual assessment data provided by individuals to emergency management agencies for the purpose of damage assessment and providing an exemption for information revealing the identity of persons registering for emergency sheltering.
- **Submerged Lands**
Support protection of sovereign submerged lands, e.g., trash dumping prohibition.
- **Small Wireless Cells**
Support local input for efficient and effective compliance with current law for implementation of 5G network.

NOTE: As proposed legislation is filed, additional issues may be added to this list. If any start moving through the system that would impact Volusia, staff may recommend or council may direct that one or more issues be moved to the priority list for active lobbying efforts.