

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: LEGISLATIVE BRIEFING

DEPARTMENT: County Manager's Office **DIVISION** _____

Steve Lee EXT. 5741

AUTHORIZED BY: Kevin Grace **Contact:** Sally A. Sherman EXT. 7224

Agenda Date 02/08/05 **Regular** **Consent** **Work Session** **Briefing**
Public Hearing – 1:30 **Public Hearing – 7:00**

Top Legislative Priorities

1. Support Deferred Compensation Plan –

On the Senate side, Senator Constantine's office has sent a proposal to bill drafting, however, it has not been filed. On the House side, Representative Mealor has agreed to sponsor the deferred compensation bill allowing counties to piggyback the state deferred comp program.

2. Car Rental Surcharge – Support adoption of a new per diem charge as a local option (including a referendum requirement, if necessary, in order to secure passage of the bill).

No proposed bill to date. There will probably not be a separate bill on this subject. Tallahassee lobbyists for Orange County, MetroPlan and Seminole County will meet in the near future to discuss joint strategy.

3. Support inclusion of a Local Sources First Policy in Florida Statutes, Chapter 373 – Oppose any amendment to Florida's Water Resource Policy which allows, encourages, or promotes water transfers.

No proposed bill to date.

4. Oppose any attempts at shifting the costs of Government services and programs from the state to counties, such as:

Department of Juvenile Justice (DJJ) Cost - SB 4A- by Justice Appropriations Committee Senators Christ, Lynn, and Villalobos.

The Senate Committee on Criminal Justice hosted the first of three policy Workshops on the cost shift on Wednesday, January 26, 2005. Committee Chairman Stephen Wise (R-Jacksonville) and Committee members (Crist, Haridopolos, King, Klein, Lynn and Smith) committed to looking at the policy

behind the cost shift, which is harmonious with Senate President Tom Lee's (R-Brandon) special session commitment to revisit this issue. Prior to hearing from stakeholders at the meeting, Chairman Wise announced that any conclusions the Committee agreed to would be considered as part of the Senate's budget process; thus allowing members to focus on the policy behind the cost shift.

FAC staff, the Governor's Office and the Department of Juvenile Justice presented their respective positions. The Committee deliberated on a host of issues, with many of the counties' concerns being voiced by Senator Rod Smith (D-Gainesville). Chairman Wise and Senator Lynn also weighed in from the counties' perspective during the meeting, noting that a DJJ cost shift may not have been the best policy. FAC staff will issue an update when the next workshop is announced and will continue to work with committee members throughout the process.

5. FEMA Hurricane Related Issues

- a) Reimbursement for debris removal in gated subdivisions and on private roads.
- b) Timing of reimbursements to offset impact on local budget.

Congressional Delegation Meeting – Hurricane Debris on February 16, 2005 at 11:00 am in the Rayburn House Office Building, Washington, DC.

6. **Other Items of Interest**

- A. **Wekiva Parkway & Protection Act - S908 by Constantine - Wekiva Parkway & Protection Act**; clarifies that requirements for local government to develop master stormwater management plan & wastewater facility plan apply only to that portion of local government located within the Wekiva Study Area; requires local governments hosting interchange on said parkway to adopt interchange land use plan within 1 year after interchange location is established, etc. Amends 369.319,.320,.321,.324. 01/26/05 SENATE Filed. (Attachment A)
- B. **Wireless Emergency Telephone System - H305 by Littlefield Companion Bill SB 620 by Bennett** - removes annual audit of Wireless Emergency Telephone System Fund from duties of Auditor General; revises fee schedules for providers of interexchange telecommunications services; provides standards for local governments to follow when regulating placement, construction, or modification of wireless

communications facility; directs how county may use funds derived from E911 fee, etc. (Bill previously provided)

- C. **Growth Management** - Sen. Bennett has filed a shell bill (SB 360)
The proposal for the shell bill includes changes to Florida's growth management laws/rules. First, the Department of Community Affairs has issued two draft documents: one addressing general growth management issues under Ch. 163 and Rule 9J-5, while the other addresses changes in the Development of Regional Impact (DRI) process under Ch. 380, F.S. (Bill previously provided)
- D. **Private Fire Hydrants** – Sen. Miller S748 companion HB0267 by Carroll requires owners of private fire hydrants to test hydrants in accordance with national standards and to contract with licensed professionals or local fire-control authorities to inspect & service such hydrants; authorizes local fire officials to contract with said owners to maintain such hydrants; provides fines for noncompliance. (Bill previously provided)

Eric Thorn has worked out a proposal to clarify that the County has the authority to require testing of public and private hydrants and submitted it to Rep. Carroll.

- E. **Trauma Care & Rape Crisis Centers** – Sen. Lynn filed (SB 258) which authorizes DOH to adopt and enforce rules necessary to administer provisions re: trauma services; establishes task force on distribution of funds for trauma centers; provides additional civil penalties for certain traffic infractions and for such penalties to be used to fund trauma services; requires that funds credited to Rape Crisis Program TF include moneys appropriated by Legislature and grants from public and private entities, etc. (Bill previously provided)
- F. Seminole County Legislative Day – February 15th – Meetings with Legislators Followed by dinner 7:00 PM at the Silver Slipper. February 16th - Meetings with Legislators.

7. ***Funding Request – Community Budget Request for 2005***

- a) I-4/Greenway Interchange - Construction Cost \$4,000,000
Senate Sponsor – Baker / House Sponsor Hayes
- b) State Road 415 – Expand to 4-Lanes - Construction Cost \$2,500,000
Senate Sponsor – Baker / House Sponsor Simmons
- c) State Road 46 – Expand to 4-Lanes - Design Cost \$ 2,000,000
Senate Sponsor – Baker / House Sponsor Adams
- d) State Road 46 and I-4 - - ROW Cost \$10,000,000
Senate Sponsor – Baker / House Sponsor Hayes

e) State Road 434 and Interstate 4 Interchange – Interchange Reconstruction - Design Cost Senate Sponsor – Constantine/ House Sponsor Meador	\$3,500,000
f) Middle St. John's River Basin Initiative- Senate Sponsor – Baker / House Sponsor Meador	\$4,000,000
g) Regional Alternative Water Supply Testing Program - Senate Sponsor – Baker / House Sponsor Meador	\$2,400,000
h) Historical Museum Complex Expansion Project - Senate Sponsor – Baker / House Sponsor Hayes	\$300,000
TOTAL	\$28,700,000

Senate Bill sb0908

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Florida Senate - 2005

SB 908

By Senator Constantine

22-855-05

1 A bill to be entitled
2 An act relating to the Wekiva Parkway and
3 Protection Act; amending ss. 369.319 and
4 369.320, F.S.; clarifying that requirements for
5 a local government to develop a master
6 stormwater management plan and a wastewater
7 facility plan apply only to that portion of the
8 local government located within the Wekiva
9 Study Area; amending s. 369.321, F.S.;
10 requiring local governments hosting an
11 interchange on the Wekiva Parkway to adopt an
12 interchange land use plan within 1 year after
13 the interchange location is established;
14 exempting interchanges located on Interstate 4
15 from the requirement for an interchange land
16 use plan; revising the date local governments
17 are required to adopt a 10-year water supply
18 facility work plan; clarifying that the
19 Department of Community Affairs reviews
20 comprehensive plan amendments for the Wekiva
21 Study Area under ch. 163, F.S.; amending s.

22 369.324, F.S.; correcting a reference to the
23 East Central Florida Regional Planning Council;
24 providing an effective date.

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26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Section 369.319, Florida Statutes, is
29 amended to read:

30 369.319 Master stormwater management plan.--Each local
31 government within the Wekiva Study Area shall develop a master

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1 stormwater management plan that: assesses existing problems
2 and deficiencies in the community; identifies projects to meet
3 long-range needs; establishes priorities to address existing
4 deficiencies; establishes measures to address redevelopment;
5 establishes a schedule to complete needed improvements;
6 evaluates the feasibility of stormwater reuse; and includes
7 requirements for inspection and maintenance of facilities. The
8 plan shall also identify a funding source, such as a
9 stormwater utility fee, to fund implementation of the plan and
10 maintenance program. In addition, the local government shall
11 establish a water reuse and irrigation program that allows for

12 reuse of stormwater on a site basis for development over a
13 size threshold to be determined by the local government or on
14 a jurisdiction-wide basis to minimize pumpage of groundwater
15 for nonpotable usage. For those local governments located
16 partially within the Wekiva Study Area, this section applies
17 only to that portion located within the Wekiva Study Area.

18 Section 2. Subsection (3) is added to section 369.320,
19 Florida Statutes, to read:

20 369.320 Wastewater facility plan.--

21 (3) For those local governments located partially
22 within the Wekiva Study Area, this section applies only to
23 that portion located within the Wekiva Study Area.

24 Section 3. Section 369.321, Florida Statutes, is
25 amended to read:

26 369.321 Comprehensive plan amendments.--Except as
27 otherwise expressly provided, by January 1, 2006, each local
28 government within the Wekiva Study Area shall amend its local
29 government comprehensive plan to include the following:

30 (1) Within 1 year after the establishment of the
31 interchange locations, local governments hosting an

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1 interchange on the Wekiva Parkway shall adopt an interchange

2 land use plan into their comprehensive plans. Each interchange
3 land use plan shall address: appropriate land uses and
4 compatible development; secondary road access; access
5 management; right-of-way protection; vegetation protection and
6 water conserving landscaping; and the height and appearance of
7 structures and signage. Local governments within which the
8 Wekiva Parkway is planned shall amend their local government
9 comprehensive plan to include the Wekiva Parkway. Interchanges
10 located on Interstate 4 are exempt from this subsection.

11 (2) Local governments shall amend the appropriate
12 elements of the comprehensive plan, including the capital
13 improvements element, to ensure implementation of the master
14 stormwater management plan.

15 (3) Local governments shall amend their comprehensive
16 plans to establish land use strategies that optimize open
17 space and promote a pattern of development on a
18 jurisdiction-wide basis that protects the most effective
19 recharge areas, karst features, and sensitive natural habitats
20 including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak
21 Scrub. Such strategies shall recognize property rights and the
22 varying circumstances within the Wekiva Study Area, including
23 rural and urban land use patterns. Local comprehensive plans
24 shall map, using best available data from the St. Johns River
25 Water Management District and the Fish and Wildlife
26 Conservation Commission, recharge areas and sensitive upland
27 habitats for this purpose. Local governments shall have
28 flexibility to achieve this objective through comprehensive
29 plan strategies that may include, but are not limited to:

30 (a) Coordinated greenway plans;

31 (b) Dedication of conservation easements;

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1 (c) Land acquisition;

2 (d) Clustering of development;

3 (e) Density credits and density incentives which

4 result in permanent protection of open space; and

5 (f) Low to very low density development.

6 (4) By December 1, 2006, an up-to-date 10-year water
7 supply facility work plan for building potable water
8 facilities necessary to serve existing and new development and
9 for which the local government is responsible as required by
10 s. 163.3177(6)(c).

11 (5) Comprehensive plans and comprehensive plan
12 amendments adopted by the local governments to implement this
13 section shall be reviewed by the Department of Community
14 Affairs pursuant to s. 163.3184, and shall be exempt from the
15 provisions of s. 163.3187(1).

16 (6) Implementing land development regulations shall be
17 adopted no later than January 1, 2007.

18 (7) During the period prior to the adoption of the
19 comprehensive plan amendments required by this act, any local
20 comprehensive plan amendment adopted by a city or county that

21 applies to land located within the Wekiva Study Area shall
22 protect surface and groundwater resources and be reviewed by
23 the Department of Community Affairs, pursuant to chapter 163
24 and chapter 9J-5, Florida Administrative Code, using best
25 available data, including the information presented to the
26 Wekiva River Basin Coordinating Committee.

27 Section 4. Subsection (4) of section 369.324, Florida
28 Statutes, is amended to read:

29 369.324 Wekiva River Basin Commission.--

30 (4) To assist the commission in its mission, the East
31 Central Florida ~~Coast~~ Regional Planning Council, in

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1 coordination with the applicable regional and state agencies,
2 shall serve as a clearinghouse of baseline or specialized
3 studies through modeling and simulation, including collecting
4 and disseminating data on the demographics, economics, and the
5 environment of the Wekiva Study Area including the changing
6 conditions of the Wekiva River surface and groundwater basin
7 and associated influence on the Wekiva River and the Wekiva
8 Springs.

9 Section 5. This act shall take effect upon becoming a
10 law.

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SENATE SUMMARY

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Adds clarification to the Wekiva Parkway and Protection Act. Specifies that provisions requiring a local government to develop a master stormwater management plan and a wastewater facility plan apply only to that portion of the local government located within the Wekiva Study Area. Requires local governments hosting an interchange on the Wekiva Parkway to adopt an interchange land use plan within 1 year after the location for the interchange is established. Exempts interchanges on Interstate 4 from the requirement. Requires local governments to adopt a 10-year water supply facility work plan by December 1, 2006.

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