

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: LEGISLATIVE BRIEFING ITEMS

DEPARTMENT: _____ **DIVISION:** _____

Steve Lee EXT. 5741

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

Agenda Date <u>03/09/04</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input type="checkbox"/>
Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>

A. On February 13, 2004, the County received a letter from Congressman John Mica requesting a listing of potential projects Seminole County may have for the FY 2005 Federal Budget. Attached for your consideration is the Proposed Request for Federal Budget – Fiscal Year 2005 for submission.

B. Transportation Investment Policy Changes Proposed by FDOT through Legislative Action. This topic will be discussed at MetroPlan on March 10th, therefore, staff is seeking board direction.

C. HB 1167 - Proposal will place new construction into the "rolled-back rate" calculation. A small group of property appraisers are seeking bill sponsors to file a bill that would cause new construction to be included into the calculation of the "rolled-back rate" pursuant to the Truth In Millage law (TRIM). Additional information will be provided at the Board meeting. Staff is seeking direction.

DRAFT

March 9, 2004

The Honorable John L. Mica
Congressman
Maitland District Office
668 North Orlando Avenue, Suite 208
Maitland, FL 32751

RE: Project Request for Federal Budget - Fiscal Year 2005

Dear Congressman Mica:

Thank you for your letter dated February 13, 2004, requesting input on any potential projects Seminole County may have for the FY 2005 Federal Budget. Outlined below are Seminole's preliminary requests for 2005 appropriations.

<i>Project Name</i>	<i>Project Description</i>	<i>Project Status</i>	<i>Cost Est.</i>
Pedestrian Overpass at US Highway 17/92 and General Hutchinson Boulevard	Provides critical linkage along a 38-mile trail system for Seminole County.	Preliminary planning	\$1.5 Million
Monroe Basin I-4 Borrow Pit Regional Stormwater Facility	Regional Flood Attenuation/ Water Quality Retrofit that includes the area East of I-4 from SR46, south along Smith Canal	Design 60%, Permit Submitted SJRWMD	\$1.4 Million
Midway Basin-Brisson Ave. Regional Stormwater Facility	Regional Flood Attenuation / Water Quality Retrofit that includes drainage Prelim Design From Seminole County, Orlando/Sanford Airport and City of Sanford	Complete	\$1.6 Million
Midway Basin-IFAS/Celery Ave. Regional Stormwater Facility	Regional Flood Attenuation/Water Quality Retrofit that includes the Midway Area also the proposed Seminole County School Site for Midway Elementary and Trail Head	Design Complete Awaiting SJRWMD Permit pending FDEP Cleanup	\$3.6 Million

Lake Howell Basin-Deer Run Regional Stormwater Facility	Regional Flood Attenuation/Water Quality Retrofit that includes City of Casselberry, Seminole County and Public Access to Lake Howell	Property Acquisition underway	\$2.2 Million
Lake Howell Basin-Cassel Creek Regional Stormwater Facility	Regional Flood Attenuation/Water Quality Retrofit to include "State of the Art "Treatment for Stormwater , Project team includes FDEP, SJRWMD, Seminole County and UCF Stormwater Academy	Prelim Design underway	\$4.6 Million
Regional Alternative Water Supply Testing Program	For completion of test and monitoring wells, and necessary permitting for Phase I of a regional Alternative Water Supply for potable water	Preliminary planning; completed presentations to participating Seminole County partners	\$2.4 Million

As you have demonstrated so often in the past, your continual support for this project will hopefully bring this overpass to fruition in our County. If you have any questions, please feel free to contact my office at 407-665-7209.

Sincerely,

Darryl McLain, Chairman
SEMINOLE COUNTY

Chairman
DGM/JM/dr

- c: Board of County Commissioners
- J. Kevin Grace, County Manager
- Sally A. Sherman, Deputy County Manager
- Robert Frank, Deputy County Manager
- Stephen Lee, Deputy County Attorney
- Jerry McCollum, County Engineer

Congress of the United States
House of Representatives
Washington, DC 20515-0907

RECEIVED
FEB 17 2004
SEMINOLE COUNTY
COUNTY MANAGER

February 13, 2004

Mr. J. Kevin Grace
County Manager
Seminole County
1101 East First Street
Sanford, FL 32771-1468

Dear Kevin:

Congress has begun work on 13 annual appropriations bills that will fund the Federal Government's budget for Fiscal Year 2005, which begins on October 1, 2004. Projects that have local or state funding partners may be eligible to receive federal support through one of these spending measures. Depending on when Congress completes each appropriations bill, the earliest that federal funds could be available is at the start of the new fiscal year.

The deadline for submitting any project requests for your community is 5:00 pm, Friday, March 12, 2004. Because of continued delays in delivering mail to the U.S. Capitol, it will be necessary for you to deliver requests and any associated materials to my Maitland District Office, located at 668 N Orlando Ave, Ste 208, Maitland, FL 32751.

While we continue to make progress on a six-year federal highway bill that will replace TEA-21 (the Transportation Efficiency Act), its passage has been delayed for several months. This legislation will set surface transportation policies and will authorize major highway and mass transit projects, and is scheduled for consideration in the House at the beginning of March. Funding authorizations for several major infrastructure projects in your area have been requested and it is my hope Congress will soon complete this important reauthorization measure.

Should you have questions or concerns, please do not hesitate to contact me or my Legislative Director, Gary Burns, at (202) 225-4035.

With my regards and best wishes, I remain

Sincerely,


John L. Mica
Member of Congress

**Transportation Investment Policy Changes
Proposed by FDOT
Through Legislative Action**

FDOT is proposing changes to the Statutes dealing with funding of interstates, state arterials and “off-system” roadways (roadways owned and maintained by local governments). These are primarily changes to Section 339, Florida Statutes. Below is a list of existing and proposed funding scheme and concerns Seminole County staff have identified.

1. Beginning in FY 04-05, new money anticipated from Safe-TEA (new money, i.e., from greater amount of federal gas tax coming back to the state) would be redirected:

Existing Allocations
50% to FIHS/SIS
(interstates primarily)

50% to Arterials

Proposed Allocations
75% to SIS/Emerging SIS

25% to new category of Regional
Incentive Program Roadways
(arterials and other roadways)

2. Existing Funding Programs and how these are proposed to be changed.

Current Base Level Funds
At least 50% to FIHS/SIS

Remainder to other Arterials

Future Base Level Funds
Approximately 75% to
SIS/Emerging by FY 09-10

Remainder to Other Arterials
(Current work program to be
protected)

Regional Incentive Program is a new concept of distributing a distinct pot of money for roadways for non-interstate roadways, both state and “off-system” roadways. The decision on how this large pot of money would be divided up would not be a final say-so by the MPO but a regional effort by Interlocal agreement, in Seminole’s case, a coalition with six neighboring counties to include Orange, Osceola, Lake, Brevard, Volusia, Flagler and Marion.

Concern is raised in the ability to come to a cooperative decision with these many counties to equitably distribute money across a large region with so many needs. The three counties in Metroplan Orlando decided some time ago agreed to pull their DDR funds to pool resources and then work out equitable distribution over time of projects in each county. This is good example of how regionally money can be pooled but concern is given to this approach on a bigger scheme outside a

given MSA. The Central Florida Region shares common roads and problems among counties. Piecemeal approach before resulted in no big ticket projects getting funded. In addition, there is concern in the proposed legislation how DDR funds are distributed back to the Counties from the revenues generated.

There is also a major concern on the ability to have enough money to fund transportation improvements to state arterials. As shown on the top of the previous page, there is less money being allocated to state arterials. They are placed in the category to be funded with Regional Incentive Program money but state arterials would need a local match of 25% to go forward. For “off-system” roadways, the State would contribute to a maximum of 40% of the cost, the remaining 60% funded by local governments.

As a summary, it appears that the proposed FDOT legislation:

- ❖ Attempts to fund interstate projects at the expense of other arterial routes
- ❖ Diverts significant funds from urban arterials (U.S. Highway 17/92, State Road 436, State Road 434) to fund interstate projects.
- ❖ Creates another regional governmental entity (7-Counties) to set priorities for funding.
- ❖ Requires all non-interstate state projects to have a local government match.
- ❖ Provides for ability to fund local projects, but at the expense of requiring local match for state system projects.
- ❖ Could negate future FDOT payback commitments.

For the above reasons this, in it's current form, should not be supported by Seminole County.

TRANSPORTATION INVESTMENT POLICY CHANGES

OPERATIONS, MAINTENANCE AND PRESERVATION

All State Highway System

No Change

TRANSPORTATION CAPACITY

New Flexible Money

- 50% to FIHS/SIS
- 50% to Other Arterial

New Flexible Money, beginning in FY 04-05

- 75% to SIS/Emerging
- 25% to regional incentive program

TOP – \$100 million; \$0 in FY 04-05

TOP – beginning in FY 05-06, reallocate \$60 million to SIS/Emerging; remainder to new programs below

SIB – Available to all modes of transportation, even some local roads

SIB – Priority to SIS/Emerging and transit initiatives

Base Level Funds

- At least 50% to FIHS/SIS
- Remainder to Other Arterials

Base Level Funds

- Approximately 75% to SIS/Emerging by FY 09-10
- Remainder to Other Arterials
- Work Program will be protected

TRANSPORTATION RURAL INITIATIVE PROGRAM

SCRAP – \$25 million; \$0 in FY 04-05
SCOP – Level varies; \$0 in FY 04-05

Transportation Rural Initiative Program (Areas of Critical Economic Concern)

- \$25 million from STTF beginning in FY 04-05
- \$10 million from TOP beginning in FY 05-06

Local Option Gas Tax GR Service Charge funds SCOP after FY 04-05

20% GR Service Charge allocated to Transportation Rural Initiative Program

REGIONAL INCENTIVE GRANT PROGRAM

No incentives to identify and prioritize regionally significant projects

Require Regional Plans and Priorities

- 25% of New Money for regional transportation beginning in FY 04-05
- Reallocate \$20 million from TOP beginning in FY 05-06

SIB – Reallocate \$10 million from TOP for regional account beginning in FY 05-06 (\$100 million/year loans)

Provide incentives via targeted funding for new or expanded regional transit projects

Local Option Gas Tax GR Service Charge funds County Incentive Grant Program after FY 04-05

80% GR Service Charge returned to counties for transportation purposes

Transportation Rural Initiative Program

Purpose: This program will assist economically distressed county governments in rural areas of critical economic concern. The program provides flexibility to these counties by providing state assistance in resurfacing or reconstructing county roads or in constructing capacity or safety improvements to county roads.

How are priorities determined? Eligible counties will compete for funds allocated to the program. To be eligible, counties must have attempted to keep county roads in satisfactory condition. Priorities will be based upon:

- Physical condition of the road;
- Whether the road is used as an evacuation route, has high levels of agricultural travel, or is considered a major arterial route or a feeder road; and,
- The impact of the project on the public road system or on the state or local economy.

Rural Economic Development Initiative (REDI) member organizations and agencies will be required to review all projects proposed for funding under the program to ensure that they are coordinated with state, regional and local plans in Areas of Critical Economic Concern.

How will these projects be funded? Allocate \$25 million beginning in FY 04-05 and \$35 million each year thereafter (additional \$10 million from the Transportation Outreach Program) from the State Transportation Trust Fund. Allocate 20% of the Local Option Gas Tax General Revenue Service Charge to the new Rural Initiative Program. The percentage of matching funds required will be based upon the revenue generating capability of the county, such as ad valorem valuation.

Strategic Intermodal System*

Purpose: Focus state transportation investments on facilities that provide statewide and interregional mobility and enhance Florida's economic competitiveness.

How are priorities determined? The Department is taking the lead, working with stakeholders, to identify prioritization criteria to address statewide transportation and economic development goals.

What are the expected benefits of the program? The State's highest priority for transportation capacity investments will be in an efficient, interconnected system that is key to Florida's economic prosperity and its ability to compete in the domestic and global economies.

How will these projects be funded? There will be three steps:

- Beginning in FY 04-05, the current share of approximately 50% of the highway capacity program will be supplemented with 75% of any new flexible funds.
- Beginning in FY 05-06, supplement with \$60 million from funds programmed for the Transportation Outreach Program (TOP).
- By FY 09-10, approximately 75% of the total capacity program will be invested in SIS and Emerging SIS Facilities.

Together with the proposed Transportation Rural Initiative Program and Regional Incentive Grant Program, this approach protects the Five-year Work Program for fiscal years 2004-05 through 2008-09, providing stability for planned projects that support planned development and local comprehensive plans.

*Includes Emerging Facilities.

Regional Incentive Grant Program

Purpose: This program will provide a framework to identify, prioritize, and fund projects that are of regional¹ significance. The program provides flexibility by providing state assistance to regionally significant state highways and local transportation facilities.

How are priorities determined? A consensus process involving MPOs, Regional Planning Councils, Counties not in MPO areas, the Department's Districts and other appropriate political subdivisions will identify and prioritize, pursuant to an interlocal agreement, the most critical regionally-significant facilities within the region. The regions will be determined by the department based upon criteria that includes commuting, land development patterns, and goods movement.

What are the expected benefits of the program? Regional transportation decision-making will be enhanced to assure that scarce transportation resources are targeted to projects that serve regional economic development, provide connections to the SIS, and provide access to regional activity centers.

How will these projects be funded? There will be two steps:

- Beginning in FY 04-05, 25% of any new flexible funds² will provide funding for this new program.
- Beginning in FY 05-06, the program will be supplemented with \$20 million from funds programmed for the Transportation Outreach Program (TOP).
- In addition to this new program, a flexible regional account will be created in the State Infrastructure Bank to provide low interest loans, funded by an additional \$10 million from the TOP program beginning in FY 05-06.

¹ The definition of "regional" is derived from the United States Office of Management and Budget definition of Metropolitan Statistical Area (MSA). This definition assumes that there is a minimum of one county associated with the MSA and that a key measure of social and economic integration is commuting. For purposes of this program, the definition of "region" is a modification of the MSA definition to include more than one county, to recognize observed development patterns, or address unique needs such as goods movement in rural areas. The "regions" should be based on the following criteria:

- Areas of more than one county containing at least one MSA
- Areas where urbanized area boundaries, as defined by the 2000 Census, extend into adjacent counties or cross an MPO boundary.
- Areas comprised entirely of counties in Rural Areas of Critical Economic Concern not associated with an urbanized area, and/or,
- Where at least 20 percent of the workforce of 3000 or more in a county commutes to an adjacent region.

² New discretionary highway capacity funds as defined in s. 339.135(4)(a)2., F. S.