

***Response to
RFP 4417-14-JE***

***State & Local
Lobbying Services
For City of Hollywood, FL***



May 29, 2014

Submitted by:
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Original

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RFP CHECKLIST

RFP CHECKLIST

Please check each line item after the completion of the appropriate item.

- x I verify that the signature on page number one (1) is the signature of the person authorized to bind the agreement. (Preferably in blue ink)
- x I acknowledge reading and signing the Hold Harmless Statement.
- x I have included all information, certificates, licenses and additional documentation as required by the City in this RFP document.
- x I have checked for any addendums to this RFP, and will continue to check for any addendums up to the due date and time of this RFP.
- x I have submitted one (1) original and five (5) copies and one (1) electronic copy (CD) of the entire proposal with addendums.
- x I have verified that the outside address label of my RFP package is clearly marked to include my company's name, address, RFP number and date of RFP opening.
- x I have read and completed (if applicable) the "Disclosure of Conflict of Interest".
- x I am aware that a Notice of Intent to award this bid shall be posted on the City's website at www.hollywoodfl.org and on the Procurement Services bulletin board in room 303 at City Hall, and that it is my responsibility to check for this posting. Also, I have provided my email address, as the City, at its discretion, may provide me information by such means regarding this procurement process.
- x I have submitted all supporting documentation for local preference eligibility, which must be received with the bid package prior to the bid opening date and time (if applicable).

NAME OF COMPANY: Becker & Poliakoff

PROPOSER'S NAME: Bernie Friedman

PROPOSER'S AUTHORIZED SIGNATURE: 

DATE: May 28, 2014

May 29, 2014

City of Hollywood
Office of the City Clerk
2600 Hollywood Blvd., Room 221
Hollywood, FL 33020

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Re: RFP -4417-14-JE – State & Local Lobbying Services

Dear Mayor, Commissioners, Manager, Attorney, Inter-Governmental Affairs Director and Selection Committee Members:

For the last 23 years, Becker & Poliakoff has proudly represented Hollywood as its State Government lobbyist and for the past 3 years, as its lobbyist before the Broward County Commission. Our goal has been and continues to be *to assist the City with the coordination, development and ultimately, the success of its state and local legislative action program by providing the highest quality, professional and experienced lobbying and consulting services.* Working together with Lorie Mertens-Black, we have established an extraordinary record of accomplishments for the City. We are proud to list Lorie as our primary reference!

We have carefully read the RFP (and addendum) and understand the work to be done going forward. We are ready to hit the ground running continuing to use our in-depth knowledge of Hollywood's priority issues and our network of contacts to provide integrated, comprehensive representation at the state and county levels, at which there is significant overlap on issues and efficiencies to be gained by leveraging funds.

Legislative Accomplishments for Hollywood

The following examples demonstrate our deep understanding of Hollywood's most important issues and our ability to accomplish the City's goals. A more detailed description is provided in Section 1 of the attached submission.

1) Home Rule Power Port Everglades: Hollywood won a ten year battle to maintain control over port services and saved tens of millions of dollars with an Inter-Local Agreement and payment in lieu of taxes.

2) Hollywood's Beaches: Every year, we fight at the state and local levels to preserve Hollywood's vital economic engine, its beaches. We are proud that tens of millions of dollars

has been secured to protect and fund these efforts from the State and County.

3) Sand Bypass: The \$20 million Port Everglades Inlet Management Plan is 100% state and county funded. The plan to send 180,000 cubic yards of sand to Hollywood is in its final stages.

4) State Appropriations: We are incredibly proud of the **\$31,424,011** of state and local funding secured over the years; plus, over \$75 million for improvements to State Road 441, Hollywood Boulevard, Sheridan Street, A1A and annual funding for the Fred Lippman and Meyerhoff Senior Centers, to name a few.

5) Ocean Outfall: We have helped save the City hundreds of millions of dollars by changing State law and allowing Hollywood flexibility in meeting the 60% re-use requirement.

6) Miller Claims Bill: We have protected Hollywood from a \$1.1 million Claims Bill and helped broker a compromise Bill for \$100,000 that we continue to support.

7) E911 Dispatch: As your County lobbyist, we spent months working on the County takeover of the E911 system. The takeover and consolidated regional system will save Hollywood MILLIONS of dollars annually!!!

8) Tourist Tax-Panther Arena: We fought and continue to fight any effort to divert dollars from beach re-nourishment and destination advertising. We helped build a powerful coalition of coastal cities, hotels, chambers, and other stakeholders to battle the Panthers raid on Hollywood's TDT money.

9) Airport Name Change: Within an hour of being asked by Mayor Bober and Lorie Mertens to squash a possible name change, I spoke personally with 7 County Commissioners and developed a strategy and action plan to fight this.

10) Seminole Compact: We continue to fight to ensure that Hollywood's 55% of the 3% of net win from both Hollywood casinos stays or increases in any new compact. This is worth millions of dollars to Hollywood!

11) Annexation: Over a ten year period, we successfully quarterbacked the City's annexation strategy. In the end, Hollywood achieved its goal with the Alandco properties. The ad valorem tax revenue to Hollywood has been tens of millions of dollars.

12) Other Funding Issues: We fight every session to protect Hollywood's revenue sources such as Red Light Cameras, Communication and Business taxes, and CRA Tiff funding. We look forward to helping the City with its Coastal Link FEC Rail Project application for \$18 million.

Your Team of Lawyers & Lobbyists

Led by Hollywood native, lawyer-lobbyist Bernie Friedman, the "power" team includes experienced, diverse (in gender, race, nationality, political party) and well-connected lobbyists in Tallahassee and Broward County including Yolanda Cash Jackson, Jose Fuentes, Mario Bailey, Yeline Goin and Neil Schiller. As a shareholder of the firm and lead lobbyist for the team, Bernie is authorized to make representations for the firm.

Municipal Experience

Our team of lobbyists is known for its experience and success in lobbying on behalf of local governments. We have successfully represented 8 municipalities and have completed many similar projects as we have done for Hollywood. We work regularly on municipal issues and are extremely familiar with the issues at the State and County and trends impacting Florida's cities.

About the Firm

Becker & Poliakoff celebrated its 40th year of serving clients in 2013. With 14 offices throughout Florida, our State lobbying team has the unique advantage of getting to know legislators around the state on their home turf. We have three Broward County offices: downtown Hollywood, Ft. Lauderdale and Miramar. We are committed to the communities in which we live and work as demonstrated by our attorneys and staff who are leaders in many civic and charitable organizations, such as the Hollywood Art & Culture Center, Huizenga Boys & Girls Club, Hollywood Broward Outreach Center, Hollywood PAL, Greater Hollywood YMCA Family Center and legal and business organizations such as the Hollywood Chamber of Commerce, and South Broward Bar.

Conclusion

After 23 years, we have gained a profound understanding of the City and all its operations. Additionally, I have lived and raised my family in Hollywood for 55 years.

While proud of our past accomplishments, we are committed to working together on the many new projects impacting Hollywood. We are confident that no other team will: better understand your issues; work harder; care more; be as connected to both parties and their leaders; or be more passionate and personally committed to getting the job done for you.

It would be an honor to continue representing the City. Thank you for your consideration of this proposal.

Sincerely,



Bernie Friedman
Chair, Government Law & Lobbying Group

EVALUATION CRITERIA

1. Profile of Proposer/ Qualifications of Firm (0-30 points)

Becker & Poliakoff is a Broward County based law firm that has been lobbying the Florida Legislature since its founding in 1973. At that time, firm founder Alan Becker served as a State Representative and later, his partner Gary Poliakoff and he lobbied the Legislature to create new laws to protect homeowners which eventually became Chapter 719, the Condominium Act. In 1991, lawyer lobbyist Bernie Friedman joined the firm and began its official lobbying practice representing the City of Hollywood and the Florida Association of Jewish Federations among others.

Today, the firm includes 170 lawyers, lobbyists and patent and trade professionals in offices throughout Florida and along the east coast, including a Federal lobbying practice in Washington, DC. As we have for the last two decades, Becker & Poliakoff will represent the City of Hollywood from its Broward County offices in Hollywood and Ft. Lauderdale and its Tallahassee office. In addition to Government Law and Lobbying, the firm's practice groups include Condominium and HOA Law, Real Estate, Construction, Litigation, Corporate, and Intellectual Property.

The Government Law & Lobbying practice is lead by lawyer lobbyist Bernie Friedman, Hollywood's lobbyist. Representing local governments has become a niche practice for Becker & Poliakoff. Our team has been at the forefront of major policy issues over the last several years on behalf of our clients at all levels of government. Our "secret" formula for success is that we are obsessive about learning the institutional history behind an issue, reading every piece of legislation, including amendments, to ensure that our clients are protected. This practice helps us to position our clients to be successful, by knowing what legislation is moving, what legislation is "dead on arrival"; who are the champions and who are the antagonists; which committees are friendly and which will hide a bill from ever seeing the light of day. Legislative intelligence is the key to effective lobbying. Our team knows where to get it and how to use it to represent our clients.

There is no better testament to our success lobbying on behalf of local governments than our many long standing (10+ year) local government clients. For each of these clients, we have been renewed several times despite difficult political circumstances, tough economic times, changing of the guard in municipal leadership and many other complicating factors. Despite it all, Becker & Poliakoff's lobbying team has remained. For example, we have represented the City of Opa Locka since 1999; the City of Hollywood since 1991; the City of Pompano Beach since 2000, City of Cape Coral since 2007, Florida Memorial University since 2001, and

Florida Association of Jewish Federations since 1990. We could go on but suffice it to say that these long term client relationships are built on our ability to use good judgment, take initiative and ultimately demonstrate our value (return on investment) over and over again.

City of Hollywood

For 23 years, Becker & Poliakoff and lead lobbyist Bernie Friedman have been intimately involved in the development and execution of the City's State Lobbying agenda and for the last several years the City's Local Lobbying Agenda. Bernie has lived in Hollywood for 55 years and worked in Hollywood for 26 years. No other proposer has the hands-on, institutional knowledge, qualifications, and experience at the state and local level than the Becker & Poliakoff team. Each year, we analyze over 2000 filed Bills for their impact on Hollywood. We send dozens of weekly and monthly updates, alerts, newsletters to keep the City informed on issues of importance at the County and State. Bernie has worked closely with City staff, Department heads, the Mayor and Commission on formulating the City's legislative priorities and transforming them into tangible success stories. We attend every County Commission Meeting and Workshop and protect the City's interest.

Legislative Accomplishments for Hollywood

The examples below summarize our proudest legislative accomplishments and demonstrate our lobbying team's deep and thorough understanding of Hollywood's most important issues as well as our experience and know how to get the job successfully done for the City:

1) Home Rule Power Port Everglades

Hollywood won a 10 year battle to maintain control over port services, defeated attempts at de-annexation, and secured payment in lieu of taxes worth tens of millions of dollars through a mutually acceptable Inter-Local Agreement. After years of Port Transition Task Force meetings, debates in the Broward delegation and in Tallahassee on dozens of different Port local bills that were ultimately "killed", an Inter-Local Agreement was executed.

This was a defining moment for Hollywood and your lobbying team's top priority for ten years! Millions of dollars of ad valorem tax revenue was at stake in this battle and control of permitting, development, code compliance, and home rule. Even before County lobbying was added to our scope, the Becker & Poliakoff team was active at the County securing the votes for the Inter-local agreement and putting an end to this annual battle in Tallahassee.

2) Hollywood's Beaches

Over two million people visit our beaches each year and produce a \$161 million economic impact. Preserving Hollywood's vital economic engine, its beaches, has been a top priority for your lobbying team. We are proud that tens of millions of dollars has been secured to fund

this effort and that the Segment III Program is years and years ahead of the Segment II (Fort Lauderdale; North) Program. We have worked collaboratively with various legislators (from Broward and other areas with common interests) and the Florida Beaches and Shore Preservation Association on a dedicated funding source. Passage of HB 1427 several years ago (after four years of work) was a huge victory: this legislation also made inlet management projects a priority over other projects. This has become critically important to Hollywood with the \$20,000,000 sand by pass project in the next section.

3) Sand Bypass

As you know, Ft. Lauderdale and other cities fought the sand bypass for many years as they would lose sand and were concerned with the blasting. The Port Everglades Inlet Management Plan is back on track and will be 100% state and county funded; we worked with the County and State DEP on Agreement No.14B01 for implementation of the Plan. The agreement establishes the tasks and aligns them with the new State and County funding. We have been in close contact with County Commissioners and staff to ensure the \$20,000,000 is in place in the County's budget. The plan is in final design, permitting, and engineering to send 180,000 cubic yards of sand downstream to Hollywood!!

The state funded the final design and permitting with a grant of \$547,303 and the County matched it with \$450,533. It is important to note that NO CITY FUNDS were requested for this project. The County has asked Ft. Lauderdale and other cities for local match on Segment II projects.

The County's FY 15 budget includes \$6,675,420; and subsequent years \$4,975,420 (FY 16); and \$7,100,430 (FY 17). Of course, funds are subject to appropriation each year by the County during its annual budget process which is why constant monitoring is critical to its success.

Our work on this issue is a perfect example of the importance of having a lobbyist who can be effective at both the County and State level for Hollywood. Unlike other proposers, we work with County staff and Commissioners on a daily basis. We have strategically educated Commissioner Ryan on the issue as Commissioner Gunzburger will be retiring at the end of this term. On June 11, 2013 Commissioner Ryan spoke very favorably on the need for this project at the County Commission's meeting on the issue.

4) State Appropriation:

Every year, your lobbying team fights to achieve Hollywood's funding priorities. We are incredibly proud of our **\$31,424,011** record of state and local funding for many vital programs and projects in Hollywood over the last 23 years. Number 20 below includes a detailed list of the State funds received. This doesn't include over \$75 million in funding for State Road 441 Hollywood Blvd., A1A, Sheridan Street and State Revolving Fund loans.

I am most proud of the almost 20 years of funding for the **Fred Lippman and Meyerhoff Senior Centers** at which thousands of frail and needy Hollywood elderly are served each year. Funding for Lippman and Meyerhoff Senior Centers in Hollywood are in the Local Service Provider line of the Department of Elder Affairs budget. Each year, these funds are challenged and scrutinized in Tallahassee. Two years ago, the Department of Elder Affairs was ordered to develop a competitive procurement methodology and report back to the Legislature. We spent the summer educating legislators about these critical services and why it would be a mistake to send such unique services out to bid. Thanks to our efforts, the Legislature decided NOT TO BID these services and funded them as is in the recurring base budget.

During the years of budget shortfalls, these programs were taken out of the recurring base budget and put into the non-recurring category. Several years ago, we were able to get the funds restored to recurring annually. Each year, the Lippman and Meyerhoff Senior Centers have approximately 3,500 combined units of service for seniors. Literally tens of thousands of Hollywood residents have benefitted from this funding. The firm's institutional knowledge and specific experience with this type of funding has resulted in millions of dollars of services for Hollywood residents.

5) Ocean Outfall

Thanks to a great team effort led by Utilities Director Steve Joseph and over 5 years of hard work, we helped save the City over \$174,000,000 by changing State law to allow Hollywood to discharge as much as 5% of treated sewage into the ocean during peak flow events. Another \$100,000,000 was saved by allowing Hollywood flexibility in meeting the 60% re-use requirement. A prior Legislative fix also gave Hollywood credit for re-use from diverted flows to its facility when and if users withdraw from the agreement with Hollywood.

Your lobbying team worked hand in hand with Broward County on this issue demonstrating again the overlap on issues and the importance of a multi jurisdictional approach to solving problems. This issue has not gone away and we hope in future years to address some other concerns with the Ocean Outfall. The years of working on this issue will mean that this lobbying team has NO LEARNING CURVE when we again deal with this issue.

6) *Miller Claims Bill*

For 6 years we have protected Hollywood on this issue. The issue continues!!

Hollywood was at grave risk of a \$1.1M Florida Claims Bill. We defeated the Bill in 2009, 2010, 2011 and 2012. In 2012, we helped broker a compromise agreed upon Bill at \$100,000. We continue to support the compromise Bill and are working to get it passed. The Bill did pass the House the last few years, but the Senate did not take up any Claims Bills. We have worked on this issue for six years and know more about it than any other firm proposing today. Until an agreed upon Bill becomes law, the judgment against the City that the Court has entered into still stands. The City is still at RISK!!

7) *E911 Dispatch*

As your County lobbyist, we spent months working on the County takeover of the E911 system that included hundreds of hours of meetings and debate. Commissioners Lois Wexler and Chip Lamarca were the County's representatives on the working Committee. In the end, the County Commission could not get a majority of Commissioners to agree on a County takeover. The Commission voted 5-4 to reject the consolidated plan.

As your County lobbyists, we worked diligently to educate Commissioner Gunzburger on the importance of this to her district. Commissioner Gunzburger made a motion to re consider the issue at the next meeting and she prevailed. She was convinced that this was the right plan for Broward County and she changed her vote. The takeover and consolidated regional system will save Hollywood MILLIONS of dollars annually!!!

8) *Tourist Tax-Panther Arena*

Hollywood hotels contribute the second most to the Tourist Development Tax Fund. We fought and continue to fight against any effort to divert these critically important dollars from beach re-nourishment and destination advertising. We helped build a powerful coalition of coastal cities, hotels, chambers, and other stakeholders to battle the Panthers. We worked closely with City staff, the Mayor and Commission.

9) *Airport Name*

There is some sentiment at the County to take out Hollywood and Ft. Lauderdale from the airport name. This was and is a serious effort and must be treated as such as it would be a disaster for Hollywood. Within an hour of being asked by Mayor Bober and Lorie Mertens to do all I could to stop this, I spoke personally with 7 County Commissioners and developed a strategy and action plan for the City to battle this if necessary.

10) Seminole Compact

Our team has more gaming experience than probably anyone in Tallahassee or locally. We continue to fight to ensure that Hollywood's 55% of the 3% of net win from both Hollywood casinos stays in any new compact. We hope to grow this %. This is worth millions to Hollywood!!

11) Annexation

We are proud of the role we played quarterbacking the City's Annexation wars over the last 10 years. In the end, Hollywood achieved its goal with the Alandco properties to the north. For over 10 years, Hollywood was threatened by attempts to "grab land" by Dania Beach, Ft. Lauderdale, and Davie through the Legislature. Dozens of Local Bills and hundreds of maps were debated, defeated, or amended. Each proposal would have done great economic harm to Hollywood. Alandco and the commercial properties to the north were a target of other cities and the cause of all out wars in Tallahassee for many years. Hollywood invested tens of millions in infrastructure to service these commercial areas and de-annexation would have been a disaster! After years of fighting, Hollywood succeeded in preserving its borders and implementing an orderly process in the North and South areas.

12) Commuter Rail On Fec Corridor

The firm has been involved on the FEC issues for some time and is very familiar with the City's concept and application for \$18 million in funding for the Coastal Link FEC Rail project station. The firm has also been active in the All Aboard Florida issue and has worked to secure State funding of \$10 million for cities for railroad crossing improvements. The firm represents All Aboard Florida from Palm Beach County north to Cocoa Beach where we are working with dozens of cities on related FEC and All Aboard issues.

13) Threats To Local Revenue

Each session, we work hard to protect Hollywood's various revenue streams such as those from red light cameras, communication and business taxes, etc. We also protect Tiff funding for CRA's each year at the County and State levels. Because we understand all the nuances, intricacies and historical basis for these revenue sources better than anyone, we have a huge advantage when defending and protecting them from cuts. We have large files on each issue and have zero learning curve when they come up in Tallahassee. Also, we have been active on the CRA issue at the County. We helped to organize a number of cities when the County attempted to require County approval of municipal bonds issued by CRA's. This is another example of our integrated STATE-LOCAL representation on a critically important issue for Hollywood.

14) Affordable Housing-SHIP SAIL

For the past few years, we have participated in a coalition of cities fighting the trust fund sweep of the Sadowski Affordable Housing Trust Fund. This effort was led by Davon Barbour, Community and Economic Development Director. This year we were successful!!! We educated dozens of legislators and had a great grass roots city effort too. These funds are particularly important to Hollywood as an older eastern city in Broward County. This year Hollywood will receive \$656,500!!!!

15) Bond Financing

Early in the 2014 Session, tax exempt municipal bonds were on the radar of the Legislature. Legislation was filed that would have required Hollywood to get voter approval for bond offerings that exceed \$50 million. Since Hollywood is considering issuing new debt or refunding and refinancing existing debt this would have harmed the City. Multiple compliance issues funded by Water and Sewer Enterprise Fund revenue bonds are needed to comply with the Ocean Outfall regulations. We worked hard early in the Session with House and Senate leadership and others to kill this bill.

16) Vacation Rentals

Hollywood has been hit hard by short term vacation rentals that the City has been unable to regulate due to State pre-emption. This Session, we worked hard on legislation to begin giving Hollywood the tools they need to regulate these rentals. This legislation will allow the City to deal with issues of noise, traffic, and other zoning and site plan issues. We hope to address this issue again next year and permit cities to prohibit vacation rentals all together.

17) State of Florida Audit of Hollywood

As you may remember, the State's audit of Hollywood contained significant errors and omissions. We worked closely with City attorney Jeff Sheffel and staff to respond to the State Audit and to help educate the State Auditing Committee about needed corrections. The fact that we were able to add immediate value on a such a complex and comprehensive issue demonstrates our institutional knowledge of Hollywood and our detailed understanding of its operations.

18) Flood Insurance

This was another important issue for Hollywood that we worked on during the 2014 Session. Even though the Congress passed a temporary fix, we worked hard to pass legislation at the state level that would make it easier for private insurers to offer flood insurance in Florida.

19) Pension Reform

We were very active in support of the compromise Bill (SB 246) sponsored by Senator Ring. The Bill was supported by the unions and cities! Because we represent dozens of other cities, we have been involved in all the meetings surrounding this very important municipal issue. We have read every draft and redraft of the Bill as it made its way through the legislative process and shared the language and our analysis with the City throughout the session. Unfortunately, the Bill was linked to a very controversial State Pension Reform that did not have enough support to pass. The Speaker linked the two Bills and would not let SB 246 pass without the state reform. We look forward to working on this issue next year. Again, we will have no learning curve on this important issue.

20) Hollywood Appropriations 1993-2014

NAME OF PROJECT	AMOUNT
14 th Ave drainage	\$350,000
Anderson Park	50,000
Art & Culture Center	50,000
Art & Culture	200,000
Civic Center/Multi-Purpose	200,000
Community Radio System	150,000
Cultural Facilities Art Grant – Arts Park	500,000
Driftwood Park	200,000
FL Domestic Security Task Force Grant	400,000
Fred Lippman Senior Center – elderly programs	5,623,250
Holland Park	200,000
Hollywood Hills Park	135,850
Hollywood Holocaust Rail Car Site Preparation	350,000
Hollywood Holocaust Research and Reference Library	250,000
Hollywood Seaboard Coast line Railroad Historic Preservation Grant	115,636
Hollywood Transportation Project Improvement	1,000,000
Hollywood YMCA Pre School Special Needs	100,000
Holocaust Center – operations	150,000
Holocaust Center – operations	350,000
Jefferson Park	135,199
Multi-Purpose Center	50,000
Oak Lake Park Grant	135,199

NAME OF PROJECT	AMOUNT
Oak Lake Park Grant	50,000
Oakridge Park Grant	150,000
Primary Care Project	100,000
Primary Care Project	450,000
Presidential Train Museum – Hollywood	300,000
Rotary Park	200,000
Sand Transfer and sourcing South County	300,000
Starting Place Hollywood	450,000
Stirling Road Branch Library – Hollywood	500,000
Storm Water Pump Station	500,000
Storm Water Pump Station Study – North Lake	40,000
West Lake Park Grant	200,000
Beach Re-Nourishment Project	5,000,000
Beach Re-Nourishment Project	256,924
Beach Re-Nourishment Project	685,132
Beach Re-Nourishment Project	1,198,980
Beach Re-Nourishment Project	171,283
Glass Demonstration Hot Spot – North Beach	325,000
Hot Spot Test Hollywood Beach	100,000
Monitoring of Segment III South Broward Beach Project	459,247
Port Everglades Inlet Sand Bypassing Project	425,000
Port Everglades Sand Bypass Design	300,000
Port Everglades to South County line beach management	124,325
Spur at South Jetty of Port Everglades – Hollywood	2,568,900
DEP Waste Water/Storm Water American Recovery and Reinvestment Act	3,000,000
Meyerhoff Senior Center-SE Focal Point Center	2,123,250
Port Everglades Inlet Management Sand By Pass	1,100,836
Women’s Club of Hollywood Historic Renovation (roof)	50,000

Provide list and description of similar municipal engagements satisfactorily performed last two years. Name, email, fax, phone of a contact who can verify performance

CLIENTS	CONTACT	PHONE	FAX	EMAIL
City of Hollywood	Lorie Mertens-Black	(954) 921-3599	(954) 921-3314	lmertens-black@hollywoodfl.org
City of Cape Coral	Terri Hall	(239) 574-0446	(239) 574-0452	thall@capecoral.net
City of Pompano Beach	Phyllis Korab	(954) 786-4608	(954) 786-4504	phyllis.korab@copbfl.com
City of Lauderdale Lakes	Jonathan Allen	(954) 535-2740	(954) 733-7325	jonathana@lauderdalelakes.org
City of Lauderhill	Desorae Giles-Smith	(954) 730-4004	(954) 730-3025	dgiles@lauderhill-fl.gov
City of West Park	W. Ajibola Balogun	(954) 989-2688	954-989-2684	abalogun@cityofwestpark.org
City of Opa Locka	Kelvin L. Baker Sr.	(305) 953-2821	(305) 953-2870	kbaker@opalockafl.gov
City of Miami Gardens	Cameron Benson	(954) 622-8000	(305) 622-8001	cbenson@miamigardens-fl.gov
School Board of Broward County	Sheela VanHoose	754-321-2608	(754) 321-2701	Sheela.Vanhoose@browardschools.com
Miami Dade County	Jess McCarty	(305) 375-5151	(305) 375-5634	JMM2@miamidade.gov
Solid Waste Authority of Palm Beach County	Marc Bruner	(561) 640-4000 X5607	(561) 640-3400	mcbruner@swa.org
Miami Dade Public School	Iraida R. Mendez-Cartaya	(305) 995-1497	(305) 358-8706	imendez@dadeschools.net
Florida Association of Jewish Federations	Carol Brick-Turrin	(786) 866-8485	(305) 573-2966	cbrick-turin@gmjf.org

City of Cape Coral

Through our efforts, \$790,135 was allocated to the City in the 2013-2014 Legislature's General Appropriations Act (GAA) for the Reclaimed Water Transmission Main Caloosahatchee River Crossing Project. Also, it is expected that the City will receive \$740,341 in SHIP funds for affordable housing and \$3,850,000 for Burnt Store Road Widening. We successfully lobbied for inclusion of language in the local government pension bills (SB 246 and HB 7181) which specifically addressed the City's maximum benefit pension plan which is expected to save the city over \$120,000,000. Although the local government pension bills were not adopted, it is expected that future efforts at local pension reform will include the City's maximum benefit language.

We successfully lobbied against any amendments to bills that would have invalidated the City's methodology for its fire assessment fee. We facilitated a meeting with DEP regarding their interpretation of an administrative rule that deals with the blending of stormwater and reclaimed water which will allow the city to develop a strategy to request a variance from the rule.

In past years, we secured \$5,000,000 for Del Prado Road widening and over \$50,000,000 for SR 78 widening. We also secured several FRDP \$150,000 grants. We were able to secure a dedicated sales tax rebate funding source if the City decided to move forward with a tourist destination development. We helped defeat an initiative that would have barred local governments from requiring banks to maintain properties in foreclosure thus preventing cities and counties from tracking such homes. Finally, we were successful in working with the City to secure a total of \$41,082,800 in State of Florida Department of Environmental Protection Drinking Water and Clean Water State Revolving Loan funds for the City's water and sewer expansion. This was one of the largest loans allocated.

City of Opa-Locka

Through our efforts, \$1,350,000 was allocated to the city in the 2013-14 Legislature's General Appropriations Act (GAA) including two water projects totaling \$1 million and \$350,000 for the restoration of their Historic City Hall. During the 2012-13 Legislative Session, we successfully lobbied for the following program to be included in the legislative budget: \$700,000 for Burlington Canal Dredging and Side Slope Restoration, \$390,000 for System Lift Station Rehabilitation. The City of Opa-Locka received a total of \$1.9 million in funding. Shortly after the 2012-13 Legislative Session, we assisted the City of Opa-Locka in securing a Summer Program Preventing Juvenile Delinquency grant for \$37,344 from the Department of Juvenile Justice.

City of Pompano Beach

Of great importance to all coastal cities, we successfully lobbied for the passage of SB 320, the Para Sailing bill, on behalf of the City during the 2013-14 Legislative Session. We were also able to assist in securing \$1,270,923 in funding for City priorities: \$470,923 SHIP funding, \$500,000 was allocated toward a cultural facilities grant, and \$300,000 toward a reclaimed water project. The firm also represents the City of Pompano Beach before the County Commission. At the local level, the firm participated in dozens of meetings with the County regarding the approval of the Pompano Regional Activity Center (RAC) for beach development. The firm has also been involved in working with the City and County regarding the dispute over the CRA termination.

City of Lauderdale Lakes

Through our efforts, \$500,000 was allocated to the City for a water project in the 2013-14 budget. During the 2012-13 Legislative Session, we successfully lobbied for the following program to be included in the legislative budget: \$500,000 for Flood Mitigation and \$484,000 for N.W. 21st Street Roadway Improvement. Governor Rick Scott vetoed the flood mitigation project. The City of Lauderdale Lakes received \$484,000 in funding their roadway improvements. In addition, after being denied full reimbursement from the Division of Emergency Management for its City Hall Public Safety Complex, we were able to work with local legislators to secure more than 50% of the originally requested amount. The firm has also represented the City of Lauderdale Lakes before the County Commission. At the local level, the firm participated in dozens of meetings with the City, County, County Auditor, and Broward County Sheriff regarding the contract between Lauderdale Lakes and the Sheriff. The firm represented Lauderdale Lakes in the agreement with the County regarding the Sheriff's services.

City of Miami Gardens

During the 2012-13 Legislative Session, we lobbied for the following programs to be included in the legislative budget: \$310,498 SHIP funding, \$200,000 for NW 170 Street Stormwater Drainage Project; \$150,000 for NW 195/204 Street Stormwater Drainage Project; and \$250,000 for Vista Verde Stormwater Drainage Project. While Governor Rick Scott vetoed all projects during that session, we successfully lobbied for those projects to be included in to the 2013-14 general appropriations act. They are in the budget awaiting the Governor's signature. In addition, we assisted the City of Miami Gardens in securing a Summer Program Preventing Juvenile Delinquency grant for \$109,522 from the Department of Juvenile Justice.

City of West Park

Through our efforts, \$700,000 was allocated to the City in the 2013-14 Legislature's budget

In addition, we assisted the City of West Park in securing a Summer Program Preventing Juvenile Delinquency grant for \$102,164 from the Department of Juvenile Justice. In past sessions, we were able to assist West Park with incorporation of a park into city limits.

City of Lauderhill

We successfully lobbied for the inclusion of a Floridian Well Installation project to be included in the 2013-14 Legislature's budget of \$300,000 and \$305,530 in SHIP funding. The firm also represents the City of Lauderhill before the County Commission. The firm participated in dozens of meetings with the County regarding the consolidated E911 plan. The City of Lauderhill will save millions of dollars by joining the County system. The firm also assisted the Lauderhill CRA in receiving millions of dollars from the County's Redevelopment fund. The firm has also been involved in issues related to a water and sewer dispute with the County and the new Library and Cultural center.

Solid Waste Authority of Palm Beach (SWA)

We were initially hired to represent the Solid Waste Authority of Palm Beach County almost eight years ago. The solid waste authority is a dependent special district created by the Legislature. The SWA is responsible for Palm Beach County's solid waste and the disposal/recycling thereof. Becker & Poliakoff has been federal, state and local advocates for the SWA. In those roles we act as the eyes and ears for the Authority to ensure that new legislation does not impact the SWA's operations or its ability to levy non-ad valorem tax dollars. Many times, we've been able to alert SWA about potential opportunities for grant funding, environmental regulations and permitting, and actions of the Public service Commission.

In addition to alerting the authority to issues and playing defense, we have been proactive in assisting the SWA in creating relationships with influential members of the Legislature, many of whom do not represent Palm Beach County. This allows us to effectively lobby on interests that impact the client. Further, because the Firm is active throughout the state we help nurture and maintain these relationships for the SWA.

The SWA employs more than 800 people, making it larger than most cities. The authority has asked us to keep them abreast of various issues affecting FRS reform, the special district legislation reform and non ad valorem taxation power. In these instances, we have created strategic relationships with advocacy groups like the Florida League of cities, Florida Tax Watch and Associated Industries.

A few examples of our work for SWA:

We were able to defeat a proposed fee on garbage that would have made garbage collection significantly more expensive for Palm Beach residents. We were also able to defeat a plan to minimize renewable sources of energy.

The Florida Association of Jewish Federations

For 25 years, Bernie Friedman and Becker & Poliakoff have represented the Jewish Federations before the State Legislature. Tens of millions of dollars have flowed to the Jewish Federation nursing homes, senior centers, community centers, family service agencies, schools, preschools, and cultural facilities. Over \$1.5 million is in the recurring base budget of the Department of Elder Affairs Local Service Line for many of these agencies. This is the same funding line as the Fred Lippman and Joseph Meyerhoff Senior Centers in Hollywood. Jewish Federation programs fund the Dan Cantor Senior Center, the David Posnack JCC, the Miami Beach Senior Center, the Michael Ann Russell JCC, Jewish Community Services of Miami Dade, Ruth Rales Jewish Family Services of South Palm Beach, Jewish Federation of South Palm Beach, S.E. Focal Point Center, Gulf Coast Jewish Family Services, and many others. Over the years, we have also facilitated funding of millions of dollars in one-time non-recurring for a wide range of programs including the Holocaust Memorial Miami Beach, the Holocaust Documentation and Education Center, the Florida Holocaust Museum, Gulf Coast Jewish Family Services, and many more. We have also helped to secure millions of dollars of funding in the base budget for the Florida (Space-Florida)-Israel Memorandum of Understanding for collaborative research and development of life sciences, space, and high tech between Israel and Florida. Each funding request must be worked with local legislators from around the state and local communities. We have also helped pass major legislation in Florida mandating Holocaust education, enacting a Hate Crimes statute, banning discriminatory clubs, and forcing our State pension fund to divest from companies doing business with Iran and Sudan. Representing a client for 25 years demonstrates the consistency and reliability of the Becker & Poliakoff team. Year in and year out we are successful for our clients!

5 Year Grid of State Funding – Appropriations and Grants

(Note: City of Hollywood appropriations included in Section 1, #20)

State Legislative Appropriations Florida Memorial University, Edward Waters College, Bethune Cookman University	Funding
Library Resources	\$707,844
Access Retention Grant (5 years)	\$50,000,000
Black Male Explorers	\$450,167
Florida Resident Access Grant (reflects 2014 amount)	\$3,000 per student
Bethune-Cookman University	
Entrepreneurship Institute	\$750,000
City of Lauderhill	
Floridian Well Installation	\$300,000
SHIP Housing and Community Development Funding	\$305,530
City of Lauderdale Lakes	
Flood Mitigation	\$500,000
Stormwater Improvement Project Phase 3	\$300,000
Northgate Park	\$200,000
NW 21 Street Roadway Improvements	\$484,000
Water Quality Improvements	\$500,000
City of Miami Gardens	
Vista Verde Stormwater Project	275,000
NW 195/204 Stormwater Project	\$75,000
NW 170 Street Stormwater Drainage Project	\$200,000
Neighborhood Swale Re-grading	\$10,000
Summer Program Juvenile Delinquency	\$109,522
Miami Gardens Crime Prevention	\$500,000
SHIP Housing and Community Development Funding	\$310,498
City of West Park	
S.W. 40th Ave. Drainage Project	\$500,000
SR7/US441 Stormwater Improvements	\$250,000
Summer Program Preventing Juvenile Delinquency	\$102,164
Retention Pond for Development	
City of Opa-locka	
NW 127th St./Cairo Lane	\$400,000
NW 135th St/Cairo Lane Stormwater Drainage Improvements	\$600,000

Burlington Canal Dredging and Side Slope Restoration	\$700,000
Ingram Park	\$150,000
Segal Park	\$150,000
South Florida Water Management Projects	\$750,000
Summer Program Preventing Juvenile Delinquency	\$37,344
System Lift Station Rehabilitation	\$390,000
Historic City Hall Restoration	\$350,000
City of Pompano Beach	
Reclaimed Water Project	\$300,000
Cultural Affairs Grant - New Construction	\$500,000
SHIP Housing and Community Development Funding	\$470,923
Broward County Public Schools	
Minority Males Success	\$200,000.00
JROTC	\$170,000
Single Gender	\$150,000.00
City of Virginia Gardens	
Virginia Gardens Stormwater ADA Improvement 40th St.	\$275,000
Criminal Justice Information Systems	\$50,000
City of Cape Coral	
Burnt Store Road Widening	\$3,850,000
SR 78 Widening	\$50,000,000
Chantry Park	\$135,000
Del Prado Blvd widening	\$5,000,000
SHIP Housing and Community Development Funding	\$740,341
Florida Recreation Development Grant	\$150,000
Reclaimed Water Interconnect	\$790,135
Jewish Federations	
Florida Holocaust Museum Education program	\$150,000
Holocaust Memorial - Miami Beach	\$400,000
Florida Holocaust Museum	\$750,000
Tampa Jewish Community and Federation project	\$2,000,000
Holocaust Task Force	\$100,000
Gulf Coast Jewish Family and Community Services	\$1,416,000
Holocaust Victims Assistance	\$308,007
Miami Jewish Health Systems Program, Elderly Care	\$1,424,812
Jewish Federation Agencies, Senior Care & Activities	\$974,363
Mt. Sinai Community Center Brain Bank	\$183,000
Holocaust Memorial - Miami Beach	\$150,000
Holocaust Documentation and Education Center	\$257,000

Recurring Funds, Local Service Program Dept. Elder Affairs.	\$1,500,000
Ruth and Norman Rales Jewish Family Services	\$250,000
City of Miami Springs	
City of Miami Springs Hot Meals Program	\$99,457
Children of Inmates	
Support for Children of Inmates	\$300,000
Florida Resident Access Grant	
Florida Resident Access Grant	\$37,453
City of Hollywood* included in Section 1 listing all Hollywood Accomplishments (#20)	

List of Current State Lobbying Clients

Abbvie, Inc.
American Traffic Solutions
AT&T
Becker & Poliakoff P.A.
Bethune Cookman University
Centene Corporation
City of Cape Coral
City of Hollywood
City of Homestead
City of Lauderdale Lakes
City of Lauderhill Safe Neighborhood Districts
City of Miami Gardens
City of Miami Springs
City of Opa-Locka
City of Pompano Beach
City of West Park
Community Association Leadership Lobbying
Craig A. Smith
Edward Waters College
FCCI Insurance Group
Florida Association of Jewish Federations
Florida Independent Spirits
Florida Memorial University
Florida Polytechnic
Funding Wonder

Gulf Power
Miami Children's Initiative
Miami-Dade County
Miami-Dade County Public Schools
Miami-Dade Expressway Authority
National Association of Settlement Purchasers
PPI, Inc.
Relief of Dennis Darling Sr & Wendy Smith parents of Devaugh Darling
Safety Net Hospital Alliance of Florida
Solid Waste Authority of Palm Beach County
SST, Inc.
The School Board of Broward
Urban League
Village of Pinecrest
Village of Virginia Gardens
Virgil Hawkins Florida Chapter National Bar Association

List of Current Broward County Lobbying Clients

Airport Express/Tri County Transportation
Air-Transport It Services
Balfour Beatty Construction
Bergeron Emergency Services, Inc.
Bergeron Environmental and Recycling, LLC
Bergeron Land Development, Inc.
BMG Money, Inc.
Brown & Caldwell
Chen Moore & Associates, Inc.
Ciber, Inc.
City of Hollywood
City of Lauderdale Lakes
City of Lauderhill
Clear Channel Outdoor, Inc.
Clever Devices
Cummings-Balfour Beatty, JV
Delaware North Companies Travel
DeRose Design Consultants, Inc.
Diplomat Resort & Country Club
First Baptist Church of Southwest Broward

First Broward Auto Tag Agency of Lauderhill, Inc.
First Broward Auto Tag Agency, Inc.
Fort Lauderdale Business and Currency
Fuel Facility Management
Great Healthworks
Gresham Smith and Partners
HorsePower Electric, Inc.
Isle Casino and Racing at Pompano Park
James A. Cummings, Inc.
James B. Pirtle Construction Company, Inc.
Keith & Associates, Inc.
Kennedy Homes, LLC
Keolis America
Keolis Transit America
Lakdas/Yohalem Engineering, Inc.
Limousines of South Florida, Inc.
Master Concessionair LLC
New Mount Olive Baptist Church, Inc.
Paradies Shops LLC
Parking Garage Advertising, LLC
PRH Hollywood Development LLC
Professional Probation Services, Inc.
Professional Service Industries, Inc.
Reynolds Smith and Hills, Inc.
Saltz Michelson Architects, Inc.
Sea Air Towers, LLC
South Broward Tag Agency, Inc.
Southern Waste Systems, LLC
SP Plus Curbside Management Joint Venture
Standard Parking
Sun Recycling, LLC
Sun-Bergeron Solid Waste, JV
Sunrise Properties and Inv. 13, LLC
Sunrise Properties and Inv. 14, LLC
Sunrise Properties and Inv. 15, LLC
Sunshine Cleaning Systems
Sunshine State Towing Association
TD Bank

TM REAL ESTATE GROUP, LLC
Tutor-PeriniCorp-BakerConcreteConstruction Inc JV
U.S. Legal Services, Inc.
Vertical V-Southeast Inc.

Have you been involved in litigation within the last five years or is there any pending litigation arising out of your performance?

In the normal course of business as a law firm with 150+ attorneys, we unfortunately get involved in lawsuits that are typically regarding fees owed by disgruntled clients. However, there are no pending litigation matters arising out of the lobbying work performed by our team.

2. Summary of Proposer's Qualifications/Project Organization and Technical Qualifications of the Persons Assigned to the Project (0-10 points)

a. Identify the Project Manager and each individual who will work as part of the engagement.

It is proposed that the Becker & Poliakoff lobbying team will be led again by Bernie Friedman assisted by lawyer lobbyists Yolanda Cash Jackson and Yeline Goin plus and lobbyists Mario Bailey and Jose Fuentes at the State level. At the local level, Bernie will be assisted by lawyer/lobbyist Neil Schiller.

Bernie is also the Shareholder in charge of Becker & Poliakoff's Government Law & Lobbying Group and supervises all of the lobbying activities for the firm. Bernie reports directly to the firm's Management Committee and the firm's Managing Shareholder, Gary Rosen.

Bernie Friedman	Team Leader and Lawyer/Lobbyist to quarterback the Hollywood lobbying team for State and County lobbying; primary liaison with City leaders and staff; Beach Renourishment and other coastal city issues; transportation, social services funding with emphasis on elder programs and housing programs.
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Assisted by:

Yolanda Cash Jackson	Lawyer/Lobbyist for Local Government issues, Education, Infrastructure, Transportation, Appropriations
Jose Fuentes	Lobbyist for Local Government issues, Transportation, Environmental, Infrastructure, Appropriations and other issues.
Mario Bailey	Lobbyist for Local Government issues, Education, Transportation, Infrastructure, Business and Economic Development, and other issues.
Yeline Goin	Lawyer/Lobbyist for local government issues; Administrative Law, Agency work including Regulatory and Rulemaking
Neil Schiller	Lawyer/Lobbyist for local government issues including Land Use, Zoning, Transportation, Development and Infrastructure issues.

Full resumes are included in the appendix.

Our team has the combination of strengths and talents that other lobbying teams simply don't have:

- 1) A local office with a local attorney raised in City of Hollywood to liaison with City officials at all times and be available for individual meeting or Commission meetings;
- 2) An experienced team of lawyers *and* lobbyists with specific substantive knowledge and experience on City of Hollywood's priority issues;
- 3) The hardest working lobbying team in Tallahassee; our team is available 24/7;
- 4) 14 offices around Florida providing opportunities to get to know legislators year round in their home districts;
- 5) A diverse, bipartisan lobbying team with strong ties on both sides of the aisle and with various caucuses.

b. Describe the experience in conducting similar projects for each of the consultants assisted to the engagement. Describe the relevant educational background for each individual.

Bernie Friedman has spent a lifetime working in the government and political arena. He has a thorough understanding of municipal issues having represented the City of Hollywood since 1991 and other cities such as Cape Coral, Pompano Beach, Lauderdale Lakes, Lauderdale Hill for many years. He has extensive experience in transportation, infrastructure and local taxing issues as well as other issues including affordable housing, education, senior and human services through his long standing representation of municipalities and non profit agencies. His staying power demonstrates his strong commitment to client service and proficiency in legislative lobbying and appropriations. Bernie attended and graduated law school while working as Chief of Staff to former Hollywood congressman Larry Smith. He is a graduate of American University (J.D.) and George Washington University (B.A.).

Yolanda Cash Jackson has extensive and significant municipal lobbying experience in areas that are important to the City of Hollywood including public safety, law enforcement, economic development and retention, transportation, infrastructure improvements, affordable housing, annexation, parks and recreation and many other municipal issues based on her long-standing client relationships with several south Florida cities including Miami Gardens, Opa

Locka, Lauderdale Lakes and Pompano Beach as well as Broward County School Board, Miami Dade County School Board, Miami Dade Expressway Authority as well as several higher education institutions and private companies. Yolanda is a graduate of the University of Florida (B.A.) and their Levin College of Law (J.D.). she is also a graduate of Leadership Florida which affords her excellent access to policy makers and thought leaders around the state.

Yeline Goin is an attorney and lobbyist for the firm's municipal and community association clients. She monitors and helps influence legislation impacting common ownership housing communities. Through various outreach activities including client alerts and town hall meetings, she helps clients provide meaningful input into the legislative process that can impact their communities and homes.

Ms. Goin previously served as Senior Attorney for Florida Department of Business and Professional Regulation, Division of Land Sales, Condominiums and Mobile Homes for several years. Ms. Goin also has experience representing developers, local governments and individuals in land use, zoning and comprehensive planning cases. She is a graduate of Florida State University School of Law (J.D.) and Stetson University (BBA.).

Jose Keichi Fuentes is a native Floridian with a strong network of contacts and over 25 years of experience working in the government and political arenas. He is a government relations professional who represents local municipalities, other public bodies and private sector clients at the federal, state and local levels. He is an appointee of Governor Rick Scott to the Board of Trustees of Miami-Dade College and previously worked for the South Florida Water Management District. He has been at the forefront of many transportation and environmental policy related issues throughout his career. As Chairman of the Governmental Affairs Committee of the Greater Miami Chamber of Commerce, he has played a key role in engaging the Chamber to support the High Speed Rail construction program. He previously represented the Miami Downtown Development Authority and has played a leading role in the I-395 Bridge issue working closely with the Secretary of Transportation. His client list also includes the municipalities of Miami, Homestead, Pinecrest and Miami Springs, among others. He is a graduate of St. Thomas University.

Mario Bailey is a lobbyist in the Firm's Government Law & Lobbying Practice Group. He concentrates on government relations and lobbying in South Florida and Tallahassee. Mr. Bailey was appointed by Governor Rick Scott to the South Florida Regional Planning Council. The 19-member Council is charged with identifying the long-term challenges and opportunities facing Southeast Florida and assisting the region's leaders in developing and

implementing creative solutions. Mr. Bailey works closely with the firm's municipal clients primarily on appropriations related issues. Prior to joining Becker & Poliakoff, Mr. Bailey served as the Chief Legislative Aide to Florida State Representative Dwight M. Bullard. This experience taught him the intricacies of the legislative process, committee procedures, and helped him build strong ties to members of both parties and chambers. He is a graduate of the University of Alabama (B.S.) as well as Leadership Miami. He is an active member of 100 Black Men of South Florida.

In addition to Bernie Friedman, the Broward County lobbying team includes Neil Schiller.

Neil Schiller is an attorney and lobbyist in the Firm's Government Law & Lobbying Practice Group. He helps clients promote and advance their objectives before governmental entities at the local, regional, and state levels of government. Having worked with many elected officials on political and other grass roots campaigns, he has a vast working knowledge of the local, regional and Florida political landscape and insider's understanding of local governmental decision making. Neil has run many successful political campaigns at all levels of government in Broward, Palm Beach, Martin, and St. Lucie Counties and has extensive contacts with local civic activists and political leaders. He is known for his work ethic, strategic thinking, and creative messaging for business clients seeking governmental approvals as well as candidates and non profit organizations needing an effective communications plan and political strategy.

Neil has represented a wide variety of clients before their respective County and City Commissions ranging from corporate clients such as T-Mobile, Inc., and the Oracle Corporation to non profit corporations such as Norton Park Place Condominium Association and the Las Olas Beach Club Condominium Association. Representation has included land use, zoning, development related issues and/or procurement of government contracts. Neil is a graduate of the University of Miami, B.A., J.D.

Our team has the experience and substantive legal knowledge of several of City of Hollywood's priority issues as detailed in Section 1 of the Proposal. For example:

- Coastal Protection - Bernie Friedman and Yolanda Jackson have represented beachfront, coastal communities for several years in Tallahassee and have worked on coastal redevelopment, **beach renourishment** funding issues in the Legislature and dealt with the regulatory and permitting issues with the State Agencies. Team member, lobbyist Jose Fuentes previously served as Regional Director for the South Florida Water Management District and continues to work closely with the current staff on behalf of his clients. An added benefit of the Becker & Poliakoff team is the

experience of other firm members. As an example, our land use attorneys have significant experience dealing with beachfront issues with the Department of Environmental Protection, Water Management Districts and the other agencies involved with Florida's coastal Management Program. Our Federal lobbying team also brings experience through their work with the EPA and Army Corps of Engineers.

- Claims bills - Bernie Friedman and Yolanda Jackson have significant experience with claims. Not only has Bernie been on the forefront of protecting the City from the Miller Claims Bill, but he has also been instrumental in brokering the compromise language in the amount of \$100,000 and sheparding it through the process. We are confident that once claims bill start being heard again in the Senate that the compromise bill will pass. Ms Jackson has also handled claims bills over the years successfully and has a thorough understanding of the intricate process. As lawyer-lobbyists, they have the advantage of understanding the complex legal issues regulating the claims bill procedure.
- Transportation issues such as the ones surrounding the Commuter Rail on FEC Corridor are handled by every member of our team because of our numerous municipal clients in Southeast Florida. Our lobbyists are intimately familiar with the concerns cities have about traffic, noise, and safety.
- Senior Program funding – Bernie Friedman is considered one of the knowledgeable lobbyists on Department of Elder Affairs budget issues.
- Water-Sewer – Ocean Outfall – Bernie Friedman has lived this issue for 10 years and has great institutional knowledge.

c. Describe the organization of the proposed project team, detailing the level of involvement, filed of expertise and estimated hours for each member of the team.

Using a true team approach has served the Becker & Poliakoff lobbying team well when it comes to creating consensus among legislators, meeting critical deadlines, and handling key legislators. Juggling dozens of client demands and providing 24/7 client service requires a true team effort. Fortunately, our team of lawyers and lobbyists has worked together for many years and has excellent working relationships in which they depend on each other to uphold the high level of service that our clients have come to expect. In Tallahassee during the legislative session, you will rarely see one team member without another; and if they are apart, they are in constant communication during the day. They meet every morning and every evening to compare notes and nimbly adjust their lobbying strategy based on the intelligence gathered during the day.

Our team's success is predicated on our ability to work cooperatively and benefit from each other's knowledge and contacts. Key to an effective team strategy is designating a single point

of contact to quarterback all issues. Bernie Friedman will serve as team quarterback; he will rely upon the other team members identified above for support and back up. He will create a staffing plan and schedule based on the legislative priorities developed on the County's behalf. Typically, the team leader does the heavy- lifting at the beginning of the assignment in working with the client to develop the agenda. Once the session begins, our team meets daily and tracks priority bills using "Lobby Tools" and develops a staffing and manpower schedule based on the legislative calendar. Performance benchmarks will also be set once the priorities are set.

The diversity of our lobbying team provides our clients with a distinct advantage because of the array of relationships with legislators from both sides of the aisle as well as the various minority caucuses. Additionally, each member of our lobbying team has a strong working knowledge of the legislative and executive processes, and issues affecting local governments. Another added value of the Becker & Poliakoff lobbying team is our legal background as attorneys; our lawyer/lobbyists can help clients with questions regarding legislative intent and interpretation that a non-lawyer lobbyist may not be able to adequately address, as well as the attorney-client privilege

Becker & Poliakoff and its proposed team of lawyers and lobbyists have all the necessary licenses, registration and certifications required to provide the requested services in the State of Florida and City of Hollywood. Team Leader, Bernie Friedman holds an occupational license in both the Hollywood and Fort Lauderdale offices.

As has been the case for the last 23 years, your lobbying team will be available 24/7 to the City. That is the philosophy of our lobbying team because the lobbying practice is a 24/7 business. Weekends and afterhours are nothing new for our team; we will be working all the time, whether at daytime meetings, evening fundraisers, weekend social events, to gain knowledge, offer information, and advocate for the City. In other words, estimating hours for each member of the team is impossible.

Representing local governments has become a niche practice for Becker & Poliakoff. We have been at the forefront of major policy issues over the last several years on behalf of our clients at all levels of government. Our team's "secret" formula for success is that we are obsessive about learning the institutional history behind an issue, reading every piece of legislation, including amendments, to ensure that our clients are protected. This practice helps us to position our clients to be successful, by knowing what legislation is moving, what legislation is "dead on arrival"; who are the champions and who are the antagonists; which committees are friendly and which will hide a bill from ever seeing the light of day. Legislative

intelligence is the key to effective lobbying. Our team knows where to get it and how to use it to represent our clients.

d. Describe what municipal staff support is anticipated for the project.

The City of Hollywood has always valued the importance of the State and local government action and has dedicated an Inter-Governmental Affairs Director to coordinate its effort. We have enjoyed a long and fruitful relationship with this office in the City and have included Lorie Mertens-Black as our first and most important reference for this RFP. We work very well together and have a seamless relationship for both State and Local issues. Through this office we meet regularly with Department heads and City staff. We anticipate a similar level of effort from the staff to support our efforts. We have also enjoyed having various Commissioners lobby with us in Tallahassee from time to time and lobby with us at the County. We have excellent working relationships with the Mayor and Commission and look forward to their involvement in this program too.

3. Project Understanding, proposed approach and methodology (0-10 points)

Type of Service Provided and Project Plan

As we have done each year, we will meet with the Mayor, City Commissioners, Department Heads, City staff and any other interested parties to identify issues, concerns, programs and other ideas that will ultimately be developed into a legislative priority list and advocacy program for state and local lobbying. Having represented the City for over 23 years and having lived in Hollywood for 55 years, we have a unique and unmatched understanding of Hollywood's issues at the County and State level.

Our plan of action is based on our extensive knowledge of Hollywood, the priorities it has set and achieved in the past, and the issues that continue to need addressing. **We are pro-active in our lobbying, which means that in addition to the routine monitoring and tracking of your legislative priorities, the Team will aggressively identify opportunities that may help the City with funding or programmatic support and provide strategies for pursuing such opportunities.** As we have done in the past, City officials will be encouraged to become involved in the lobbying process as well.

An effective lobbying plan includes the following interrelated components:

Preparation. Our team will work closely with City leaders to develop a legislative priority program that reflects the needs of City. We will coordinate legislative workshops to help the City identify opportunities and develop their priorities. We will work with Hollywood's legislative team to convert the legislative priorities into a specific list of action items with an appropriate public affairs strategy based on many factors, such as the committee assignments of key legislative allies and the priorities of the legislative leadership. Preparation will also include guidance on the drafting of legislation, budget requests, presentation materials, amendments, proviso language, etc.

Intelligence and Communication. Effective lobbying teams gather competitive intelligence using three key principles: legal knowledge, experience and access. The Becker & Poliakoff team utilizes each to benefit their clients. Fundamental to legislative and executive branch lobbying is a basic knowledge of the law and administrative rules; the ability to learn of the existence and content of proposals to change said laws and rules; and the competency to evaluate the effect of those changes in the interests of Hollywood. The Becker & Poliakoff lobbying team has the competitive advantage of including practicing Florida attorneys, who

not only understand the intricacies of making laws but also the impact and reality of their implementation.

As information is gathered and analyzed, we will convey the intelligence to Hollywood officials and together decide the best course of strategy for Hollywood. Because of the team's knowledge of the City's issues, and previous experience representing Hollywood, we will be able to "hit the ground running" by quickly developing strategies for legislative approval including meeting with members of the Broward delegation, legislative leadership, members, and staff. These meetings will enable the team to obtain first-hand knowledge of how decision-makers will receive Hollywood's proposals and what modifications may need to occur. Paramount to our success is an understanding of the context in which the proposal(s) are going to be considered. Communication with the City will be through written materials, oral interaction, electronic reporting and in person meetings. The information conveyed will be focused, concise and reflective of its importance to the success of Hollywood's initiatives. Our Team is committed to meeting with City leaders on a weekly basis during the legislative session and on a monthly basis when not in session. The Team will also prepare, at a minimum, weekly written reports during session and monthly written reports when not in session, tracking the status of legislation, regulations implementing same, disbursement of appropriations, and any other information on legislative and/or executive issues being tracked or monitored. The Firm also uses Lobby Tools software to track legislation and provide real time reporting electronically.

Presentation and Monitoring. To start, we will present Hollywood's legislative program to the appropriate substantive and appropriations committees as well as meet individually with key legislators and County Commissioners. This is to explain the priorities and respond to any questions they may have. The team will identify opportunities for City leaders to meet with committee leaders and testify on behalf of the organization during the drafting and deliberation process or as appropriate. Monitoring occurs through day-to-day participation in all County Commission Meetings and Workshops, legislative sessions, pertinent committee meetings, discussions with individual legislators and staff, and through a legislative data service. Becker & Poliakoff subscribes to an online legislative tracking system that provides the most comprehensive monitoring capability currently available.

Involvement and Coordination. City officials are encouraged to communicate with key policy-makers in the Legislative and Executive branches of government about the goals and objectives of the legislative program and to visit Tallahassee during specific times of the legislative year. In order to be most effective, these communications should be planned and

coordinated with our team leader who will schedule meetings, review correspondence, and brief officials prior to any meeting and attend the meeting to ensure proper follow-up.

Collateral Support. The Team will identify other organizations that share common legislative and budget goals and coordinate lobbying strategy with them. This broadens the reach and extends the base of support for Hollywood. Our team will also review the plans of other entities to identify issues that Hollywood can support or may have to oppose.

Action and Perseverance. The Team will lobby and provide year-round representation at both the legislative and executive agency level. The firm will attend all County Commission Meetings, all relevant County Workshops, and all relevant County meetings. Located across the street from the Governmental Center the firm can be at the County within minutes.

Public Affairs. The Team will continuously educate legislators, legislative staff, and executive officials on the issues and concerns of Hollywood in order to facilitate legislative and budget requests.

Communication. Communication between the Becker & Poliakoff lobbying team and City leaders is critical to the success of the legislative agenda. The Team's reports will update and advise City leaders on the status of all the issues being tracked and monitored during session and when not in session, tracking the status of new laws, regulations implementing same, disbursement of appropriations, and any other information on legislative and/or executive issues being tracked or monitored. Team members are always available to assist the City with the writing, interpreting and monitoring of legislation and regulations, drafting legislation, amendments, proviso language, position papers, and testimony.

Of course, we will work with you to convene a meeting with local legislators and County Commissioners to formally present Hollywood's agenda and discuss ways in which they can work together. It is important, at this early stage in the process, to get input and "buy in" from local legislators and others legislators with an interest in the issues Hollywood has identified as priorities. After the initial round of meetings and presentations of the City's legislative agenda, Team members will begin to schedule one-on-one meetings with key policymakers and staff at the County, Executive agencies and Legislature, as well as monitoring the legislative schedule for upcoming committee meetings, hearings, etc. The Team is prepared to represent the City at meetings or testify at hearings before legislative committee meetings, and in Tallahassee. In addition, because of the vast experience of Team members specifically representing professional associations, the City can rely on the Team to suggest new ideas and propose affirmative legislative action to the benefit of the organization.

Becker & Poliakoff, P.A. has permanent office space in Tallahassee (204 S. Monroe Street) from which to handle the City's lobbying needs located within one block of the State Capitol. The firm can furnish all necessary support to Hollywood officials who are visiting the Capitol as we have done in the past. Most lobbying work is based in our Tallahassee office although a great deal of work is done while the Legislature is not in session from our other offices. The firm has offices in Hollywood within minutes of City hall and in Ft. Lauderdale across the street from the Broward County Governmental Center. The firm has easy access to Hollywood, the County, and the State Capitol building.

As team leader, Bernie Friedman will coordinate the following action items. Other team members will be used when needed depending on, for example, the Committee make up or if a specific issue needs to be addressed. It is estimated that Bernie will handle 75% of Hollywood's work with assistance from the other team members as needed for the other 25%. The team will :

- 1) conduct research and keeping Hollywood officials informed of pertinent initiatives and plans related to funding or policy through meetings, timely written reports, and/or oral communications;
- 2) monitor County and State legislation and agency actions which may impact on the Hollywood's fiscal and programmatic interests and coordinating with Hollywood officials to deliver the official City position during the drafting and deliberation process;
- 3) support Hollywood's leaders in the preparation and presentation to the of the County's legislative delegation as well as other legislative panels and committees including drafting of legislative language, testimony, amendment(s), and proviso language;
- 4) assist Hollywood officials develop legislative strategy in order to advance the City's goals or amend or defeat proposals adverse to them as well as providing pro-active recommendations for future actions;
- 5) review the plans of other entities to identify issues that Hollywood can support or may need to oppose;
- 6) schedule meetings and visits with County officials, legislators, administration officials, and staff in order to strengthen relationships and thereby facilitate the Hollywood's requests;
- 7) provide year-round representation and support at all levels of government, with lobbying and legal offices and staff available in both Tallahassee and at the local level in Ft. Lauderdale and Hollywood;

- 8) provide an understanding and analysis of the context in which decisions affecting the City will be made;
- 9) testify, if needed, on behalf of Hollywood and representing the City before the County, Legislature, Governor, and Cabinet and before the Broward County Legislative Delegation;
- 10) stay in regular contact with Hollywood officials with bi weekly written reports before, during and after session and providing ongoing monthly reports the rest of the year.
- 11) incorporate City officials and staff wherever appropriate to advocate for our legislative priorities. Through past experience, we know that City leaders who are active and visible in Tallahassee are most successful so we look for opportunities to have clients testify at hearings, and meet with key legislators and executive branch officials as often as possible.

Project Plan for Hollywood Outlining Major Tasks and Time Frames and Approach for State and Local Lobbying with Timeline

We will use the Summer months to begin planning for the upcoming legislative session. The County Commission is also on summer recess in the month of July and that is a good time to plan for the County as well. Below please find a timeline for developing a legislative plan for the City of Hollywood on the issues we know are vital for the upcoming session. This way we are ready to hit the ground running after the election:

July-September: Solicit State legislative and County issues, Local Bills, concerns, requests, grants, funding, Agency rules-regulatory issues, etc. from City Departments, Attorney, and CRA's. Review issues from prior Session and funding and prior County Commission Budgets and Meetings. Review City of Hollywood CIP program and identify State funding opportunities to leverage City funding. Work with City on Florida Recreation Development Assistance Program. The DEP will rank projects before they go to the Legislature. Work with the Area Agency on Aging and the Department of Elder Affairs on the Fred Lippman Senior Center annual contract. Work with other Departments on possible new funding ideas such as video surveillance, public safety (FL Domestic Security Task Force funding), workforce housing initiatives, public safety, water-sewer projects, major roadway projects (441, Federal Highway, Dixie, Young Circle, Sheridan, Hollywood Blvd, Stirling Road). Work with city of Hollywood's charitable organizations such as Boys and Girls Clubs, YMCA, Police Athletic League, Broward Outreach Center, on state funding. The firm is active with many of the Hollywood agencies and organizations and has NO LEARNING

CURVE in meeting and figuring out their needs. Attend weekly County Commission Meetings and workshops. Attend Tallahassee Committee Meetings.

October-November: Local Bill filing Deadline in October. Review all filed Bills. Compile a list of all the recommendations collected in July-September and prioritize. Compile agendas from the Florida League of Cities, Broward League of Cities, adjoining cities, the County, and other local governments for new ideas. Meet informally with Legislators to understand their priorities. Begin to discuss informally some of the Hollywood priorities like the acquisition of the FEC Railway Corridor and Passenger Rail connecting downtown throughout South Florida. Work with City staff on urban renewal issues and how State can be of assistance. Work on the Enterprise Zone with Broward County and the State. Work with the County, State, and City and DEP on the Beach Management Program and nourishment and the Sand By Pass. Review the recently passed legislation and begin to work with the County and DEP on implementation. Work with the Utilities Department on issues related to Ocean Outfall that need to be addressed and begin to draft Legislation. Work with DEP, Broward County and Dade County on Ocean Outfall. Attend weekly County Commission Meetings and workshops and Tallahassee Committee Meetings.

December-January: Workshop with Mayor, Commission, Manager, Attorney, Inter-Governmental Affairs Director and City Departments, to review the list of issues and add any new issues from the workshop. Adopt the Agenda at a Commission Meeting. Attend Broward Legislative Delegation Meetings to present issues. Facilitate meetings with Committee Chairpersons, Delegation Chairs, Agencies, Executive Office of the Governor, Governor's Office of Budget and Policy, County Commissioners, County Department heads and staff and others for key Hollywood staff, Mayor and Commissioners as warranted. Attend weekly County Commission Meetings and workshops and Tallahassee Committee Meetings.

January-February: Workshop with the Broward Legislative Delegation. Tallahassee Committee Meetings. Broward Legislative Delegation Meetings. Local Bills. Prepare weekly Pre-Filed Bills of Interest Report for Hollywood. Read and analyze every Bill and determine whether it has an impact on Hollywood. Identify which Bills are of major concern or benefit to Hollywood and compile them on a tracking list. Add Bills to Lobby Tools Bill Tracking system for real time reports, Amendment tracking, etc. Begin Pre Filed Bill Reports to Hollywood. Attend weekly County Commission Meetings and workshops and Tallahassee Committee Meetings.

March-May: Legislative Session. Weekly reports. Daily telephonic communications and emails with Inter-Governmental Affairs Director, Hollywood Department heads, Mayor and

Commission, Manager, Attorney and staff on multitude of legislative issues, bills, amendments, appropriations, etc. Real time copies of major legislation, amendments, new mandates, staff analysis, drafts, etc. This is especially important for the City to plan and prepare for its annual budget. Attend Tallahassee Session and weekly County Commission Meetings.

June-July: Work with Governor, Agencies, and Governor's Executive Office on Policy and Budget on funding and legislative issues. Report to the City and Mayor and Commission. Thank you presentations to Legislators. Attend County Commission Meetings.

4. Relationships, Resources, Capabilities (0-20 points)

Term limits have played a pivotal role in changing the paradigm in Tallahassee. Future leaders are chosen even before they serve their first term. Lobbyists must begin very early to develop relationships during their campaigns. Our large, diverse and statewide presence gives us a tremendous advantage in the era of term limits. Most future leaders are very young and contemporaries of our team members. Before thinking of us as lobbyists, they consider us friends having “grown up” together in the political and governmental arenas. Many of those that serve in the House first serve in local office. This is true of Hollywood where Senator Sobel and Representative Gottlieb were both City Commissioners before serving in the Legislature. Representative Jim Waldman served in Coconut Creek and County Commissioner Kristin Jacobs is now running for his seat. As a law firm NOT BASED year round in Tallahassee, we have a unique competitive advantage over other firms in that we work with these local elected officials for years and are their friends. Additionally, our statewide network of offices including Ft. Walton Beach, Orlando, St. Augustine, Tampa, Sarasota, Ft. Myers, Naples, Stuart, West Palm Beach allows us to get to know legislators from around the state who may be very influential on Hollywood’s priority issues.

We work year round to develop relationships with members and candidates including participating in legislative conferences and political events around the country in order to spend time building relationships with Members. We work closely with House and Senate leadership teams of both parties on candidate identification and selection in various districts and often work in the field with candidates in their campaigns and help them before they get elected. We have close personal and working relationships with the current and future Speakers and current and future Senate Presidents. Once elected, we work closely with Members and their staff to assist with the transition into elected office and then meet regularly to help educate them on important issues to their constituents.

For over forty years, Becker & Poliakoff, P.A. has been a key political insider in the races of Speaker, Senate President and the House and Senate minority Leaders. Alan Becker served in the Legislature in the 1970’s and he and Gary Poliakoff were active leaders for decades. With our fourteen offices and presence literally across the state, we have been involved in hundreds of individual campaigns, too. Each office is involved in the local community both at the political and civic level. This is the culture of our law firm. This involvement greatly benefits our lobbying and gives us a real competitive advantage. Our firm has represented over 7,000 condominium and homeowner associations throughout Florida and we encourage their active participation in the political process as well. Again, those running for office come to our firm for support from our community association clients.

Our firm's endorsement and fundraising prowess is a sought after political commodity by candidates. We are bi-partisan as our founding shareholders, Alan Becker is an active Democrat and Gary Poliakoff is a proud Republican. Our lobbying team is the most diverse in Tallahassee in terms of race, gender, ethnicity, and party affiliation. Five members of our lobbying team and law firm have been appointed by Governor Rick Scott to State Boards and positions: George Burgess was appointed to the P3-Public Private Partnership State Board; Jose Fuentes was appointed to the Board of Trustees of Miami Dade College; Mario Bailey was appointed to the South Florida Regional Planning Council; Rosa de la Camera to the Community Association Advisory Board; Alan Becker to Enterprise Florida Board. Hundreds of people compete for each appointment and our firm's ability to have five appointments demonstrate the depth of our institutional relationships and bi partisan capabilities.

The firm's relationship with the all important Broward County Legislative Delegation is second to none. As a local firm based in Broward County we have literally grown up with our Delegation. We attend dozens of Delegation Meetings, retreats, workshops, and special events year round with our Legislators. They are all our friends.

At the **COUNTY COMMISSION** level, there is no other lobbying firm in Broward County that has more active registered clients than Becker Poliakoff. **Becker & Poliakoff currently represents 62 active clients before the Broward County Commission.** Without question we live, eat, drink, and sleep the County!!! It is a 24/7 non-stop representation and activity.

We have long term personal friendships with all nine County Commissioners. We are actively involved in hundreds of County issues for clients. We know all top level County staff in dozens of County departments. We attend every County Commission Meeting, Workshop, and dozens of other county events. We are often blogged and written about in most major newspapers about our County lobbying prowess. The *Sun-Sentinel* has called Bernie Friedman a "Super Lobbyist" and a "Power Player" who has changed the County.

An example of Bernie's access to the Commissioners was demonstrated a few weeks ago when Mayor Bober and Lorie Mertens-Black reached out to him to help fight an attempt to take Hollywood out of the Airport's name. Within two hours, Bernie had reached seven County Commissioners and had long and serious conversations with them. Bernie was able to report back to the Mayor and Lorie that Hollywood had sufficient support to keep its name in the Airport title and that the Mayor and City did not have to launch a massive campaign. There are dozens of other examples of Bernie's work on behalf of the City at the County.

Years ago, Bernie quarterbacked the funding for Arts Park from the County with then Assistant City Manager Cameron Benson.

5. Summary of Proposer's Fee Statement/Cost to the City (0-30)

We propose to maintain the same all inclusive flat fee of \$50,000 a year for our services. Unlike other proposers, this fee includes both State and Local lobbying services on an annual year round basis paid monthly. There are significant efficiencies and economies of scale that benefit the City by one all inclusive fee for both local and state together as the same component. This fee includes coverage for the City at all County Commission Meetings, all County workshops and all County special meetings. The fee includes all Broward County Delegation Committee Meetings and events, Committee Weeks in Tallahassee and the Session. This integrated, one stop shop, seamless approach is the most cost effective approach for the City as many issues involve both the local and state level and the fee will cover both and all matters.

6. Local Preference (5 points)

Please find in the Appendix section a copy of Bernie Friedman's Occupational License for the City of Hollywood local office at 2001 Hollywood Boulevard, Suite 205, Hollywood, FL 33020.

Conclusion and Summary

It has been a privilege and an honor to represent the City of Hollywood as its State Legislative Lobbyist for the last twenty three years and as the City's lobbyist before the County Commission for the last three years. In summary, we would like to highlight the major points presented herein and reaffirm our strong interest in continuing the outstanding work we have done together. Hollywood is near and dear to our hearts and we have worked tirelessly to advocate on its behalf.

Qualification of Firm and Team

The City of Hollywood is one of twelve municipalities and among several other local government clients the Becker & Poliakoff lobbying team represents in the Florida Legislature. Through this representation, our team of six experienced lobbyists from diverse backgrounds and political backgrounds has gained enormous insights, knowledge and understanding of the issues and players impacting local government legislation. We know how to analyze and interpret an agency budget to identify opportunities for funding as evidenced by our successful track record of funding; we know which legislators influence legislation and appropriations that impact municipalities; we have long standing relationships with key staff committee staff members that provide inside information about threats and opportunities to our priorities. There is no learning curve. The Becker & Poliakoff team has the proven experience and demonstrated know how to get the job done for Hollywood. We have dozens of notable and highly successful accomplishments for Hollywood both at the State and Local level and provide one stop shop seamless representation.

Project Organization and Technical Qualifications of the Persons Assigned to the Project

Legislative lobbying may seem like a vague and disorganized process to the general public but for those who do it well it is a highly organized and structured set of activities with performance measures and accountability. We pride ourselves on organizing our efforts for maximum efficiency and effectiveness. With the same team representing the City at the State and County the City gets huge added value in efficiencies and cost savings. We use timelines, tracking systems, and flow charts to monitor legislation, track committee activities and follow appropriations requests.

Organization is the hallmark of a great lobbyist. Great lobbyists also have excellent technical skills including for example, the ability to: analyze and draft legislation, understand and influence the committee process, and know the rules governing the legislative bodies. As lawyers and former staff members (and Alan Becker is a former House member), our team has superior technical skills and qualifications to meet and exceed the City's legislative goals.

Project Understanding, Proposed Approach and Methodology

Having spent twenty three years advocating on behalf of the City, our team has an intimate understanding of the project. We have lived it. The items listed as “Current Concerns” are issues we have worked on for many years and consider them our own. We are committed to making them a reality for the City. Our proposed approach and methodology are intended to be extremely inclusive and encourage participation by all the stake holders in Hollywood. We apply the same philosophy of inclusion when lobbying. We are extremely detail oriented and work hard to ensure that every legislator and staff member with any interest or authority over our legislative agenda is fully informed and on board.

References and Successfully Completed Projects

Our client list and reference letters make us very proud. We have many long term lobbying clients who renew our lobbying contract annually indicating their confidence in our ability to successfully complete their projects. We are especially proud of the reputation we have developed for helping cities secure government funding through grants, appropriations and matching programs. As cities face continued economic pressures, government grants and appropriations from any and all sources are even more important and valuable.

Relationships, Resources, and Capabilities

Without question we are a highly active, bi-partisan political organization that is involved in all major campaigns in Florida. With our fourteen offices and hundreds of Florida lawyers we are a force to contend with. We have life-long friendships with Speakers, Senate Presidents, Governors, and dozens of Legislators and County Commissioners. We represent more clients than any other firm at the County and as the Sun Sentinel said, “wield influence and make a difference” (for our clients). The Government Law and Lobbying team has huge resources, relationships and capabilities all at the disposal of clients like Hollywood.

Cost to the City

Becker & Poliakoff has provided the City with tremendous value over the years because the City’s cost has remained the same while the benefits received have continued to increase. We understand the City must control its costs so we have kept our annual fee (inclusive of all hard costs such as travel which have increased dramatically over the years) the same for 15 years. We have also added local government lobbying as no additional cost and provide seamless representation.

In conclusion, we look forward to the opportunity to meet personally with City officials to discuss this proposal and the creative ideas we have to make the 2015 Legislative Session

successful for Hollywood. Thank you for the privilege of serving the City for the last twenty three years. We are energized and prepared to continuing doing the job.

Appendix



Submit Proposals To:
 City of Hollywood
 2600 Hollywood Boulevard
 Hollywood, Florida 33020
 Office of City Clerk, Room 221

CITY OF HOLLYWOOD, FLORIDA

REQUEST FOR PROPOSALS

PROPOSER ACKNOWLEDGMENT

RFP Title: Lobbying Services

RFP No.: RFP-4417-14-JE

Service Required: State and Local Level

A Cone of Silence is in effect with respect to this RFP. The Cone of Silence prohibits certain communications between potential vendors and the City. For further information, please refer to Section 30.15(F) of the City's Code of Ordinances.

Proposals must be received prior to 3:00 P.M., Thursday, May 29, 2014 and may not be withdrawn within 90 calendar days after such date and time. Proposals received by the date and time specified will be opened in Room 303. All Proposals received after the specified date and time will be returned unopened.

Procurement Services Contacts: Janice English or Joel Wasserman, or his designee

Telephone No.: (954) 921-3345 or (954) 921-3290

PROPOSER ACKNOWLEDGMENT

THIS FORM MUST BE COMPLETED AND SUBMITTED ALONG WITH THE COMPLETE PROPOSAL PRIOR TO THE DATE AND THE TIME OF PROPOSAL OPENING. THE PROPOSAL SUMMARY SHEET PAGES ON WHICH THE PROPOSER ACTUALLY SUBMITS A PROPOSAL AND ANY PAGES UPON WHICH INFORMATION IS REQUIRED MUST BE COMPLETED AND ATTACHED WITH ALL PAGES OF THE PROPOSAL DOCUMENT.

Proposer's Name: Becker & Poliakoff	Fed. ID No. or SS Number 59-1640708
Complete Mailing Address: 1 E. Broward Blvd. Suite 1800, Ft. Lauderdale Ft. Lauderdale, FL 33301	Telephone No.: 954.985.4180
	Fax No.: 954.985-6814
Do You Have a Permanent Office Located in the City of Hollywood? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	E-Mail Address: bfriedman@bplegal.com
Indicate type of organization below: Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> Other	

ATTENTION: FAILURE TO SIGN (PREFERABLY IN BLUE INK) OR COMPLETE ALL RFP SUBMITTAL FORMS AND FAILURE TO SUBMIT ALL PAGES OF THE RFP DOCUMENT AND ANY ADDENDUMS ISSUED MAY RENDER YOUR RFP NON-RESPONSIVE.

THE PROPOSER CERTIFIES THAT THIS PROPOSAL IS BASED UPON ALL CONDITIONS AS LISTED IN THE PROPOSAL DOCUMENTS AND THAT HE HAS MADE NO CHANGES IN THE PROPOSAL DOCUMENT AS RECEIVED. HE FURTHER PROPOSES AND AGREES, IF HIS PROPOSAL IS ACCEPTED, HE/SHE WILL EXECUTE AN APPROPRIATE AGREEMENT FOR THE PURPOSE OF ESTABLISHING A FORMAL CONTRACTUAL RELATIONSHIP BETWEEN HIM AND THE CITY OF HOLLYWOOD, FLORIDA, FOR THE PERFORMANCE OF ALL REQUIREMENTS TO WHICH THIS PROPOSAL PERTAINS. FURTHER, BY CHECKING THE AGREE BOX LISTED BELOW AND BY SIGNING BELOW IN BLUE INK (IF SUBMITTING RFP VIA MAIL) ALL RFP PAGES ARE ACKNOWLEDGED AND ACCEPTED AS WELL AS ANY SPECIAL INSTRUCTION SHEET(S) IF APPLICABLE. I AM AUTHORIZED TO BIND PERFORMANCE OF THIS RFP FOR THE ABOVE PROPOSER.

Bernie Friedman

Authorized Name and Signature

Shareholder

Title

May 28, 2014

Date

Agreement, the vendor shall furnish, at least thirty (30) days prior to the expiration of the date of such insurance, a renewed Certificate of Insurance as proof that equal and like coverage for the balance of the period of the Agreement or extension thereunder is in effect.

The insurance policy shall not contain any exceptions that would exclude coverage for risks that can be directly or reasonably related to the scope of goods or services in this bid/proposal. A violation of this requirement at any time during the term, or any extension thereof shall be grounds for the immediate termination of any contract entered in to pursuant to this bid/proposal. In order to show that this requirement has been met, along with an insurance declaration sheet demonstrating the existence of a valid policy of insurance meeting the requirements of this bid/proposal, the successful proposer must submit a signed statement from insurance agency of record that the full policy contains no such exception.

The City reserves the right to require additional insurance in order to meet the full value of the contract.

Coverage shall be provided by a company or companies authorized to transact business in the state of Florida and the company or companies must maintain a minimum rating of A-VII, as assigned by the A.M. Best Company.

The City reserves the right to require any other insurance coverage it deems necessary depending upon the exposures.

HOLD HARMLESS AND INDEMNITY CLAUSE:

Becker & Poliakoff, Bernie Friedman

(Company Name and Authorized Signature, Print Name),

the contractor shall indemnify, defend and hold harmless the City of Hollywood, its elected and appointed officials, employees and agents for any and all suits, actions, legal or administrative proceedings, claims, damage, liabilities, interest, attorney's fees, costs of any kind whether arising prior to the start of activities or following the completion or acceptance and in any manner directly or indirectly caused, occasioned or contributed to in whole or in part by reason of any act, error or omission, fault or negligence whether active or passive by the contractor, or anyone acting under its direction, control, or on its behalf in connection with or incident to its performance of the contract.

Becker & Poliakoff, Bernie Friedman,

(Company Name and Authorized Signature, Print Name),

further certifies that it will meet all insurance requirements of the City of Hollywood and agrees to produce valid, timely certificates of coverage.

K. DECLARATION

The aforementioned, as Proposer (herein used in the masculine singular, irrespective of actual gender and number), declares, under oath that no other person has any interest in this Proposal or in any resulting agreement to which this Proposal pertains, that this Proposal is not made with connection or arrangement with any other persons, and that this Proposal is made without collusion or fraud.

The Proposer further declares that he has complied in every respect with all the instructions to Proposers, that he has read all addenda, if any, issued prior to the opening of Proposals, and that he has satisfied himself fully relative to all matters and conditions with respect to the general conditions of the agreement and all relevant information to which this proposal pertains.

L. DISCLOSURE OF CONFLICT OF INTEREST

Vendor shall disclose below, to the best of his or her knowledge, any City of Hollywood officer or employee, or any relative of any such officer or employee as defined in Section 112.3135, Florida Statutes, who is an officer, partner, director or proprietor of, or has a material interest in the vendor's business or its parent company, any subsidiary, or affiliated company, whether such City official or employee is in a position to influence this procurement or not.

Failure of a vendor to disclose any relationship described herein shall be reason for debarment in accordance with the provisions of the City of Hollywood Purchasing Ordinance.

Name	Relationship
_____	_____
_____	_____

In the event the vendor does not indicate any name, the City shall interpret this to mean that no such relationship exists.



City of Hollywood, Florida

PROCUREMENT SERVICES DIVISION RM. 303
P. O. BOX 229045 ZIP 33022-9045

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the City Commission of the City of Hollywood, Florida is advertising for Sealed Proposals which will be received by the City Clerk of the City of Hollywood, Florida at City Hall, 2600 Hollywood Boulevard, Room 221, Hollywood, Florida until **3:00 P.M., Thursday, May 29, 2014**, at which time they will be opened and publicly read in the Procurement Services Division, Room 303, City Hall, 2600 Hollywood Boulevard, Hollywood, Florida. **FOR: Lobbying Services**

NOTE: A Cone of Silence is in effect with respect to this RFP. The Cone of Silence prohibits certain communications between potential vendors and the City. For further information, please refer to Section 30.15(E) of the City's Code of Ordinances.

RFP-4417-14-JE
ADDENDUM NO. 1

Please make the following changes (additions, deletions or corrections) in the above named bid.

- ❖ Please see the attached Exhibit A (2014 City of Hollywood Legislative Priorities – Proposed)

All other specifications, terms & conditions remain the same.

MAILED RFP'S:

If you have already submitted your printed proposals, it will be retained in the City Clerk's Office until the Proposals Opening time and date. If you wish to pick up your Proposal that has already been submitted, you can do so by showing proper identification, in the Office of the City Clerk, 2600 Hollywood Blvd, Room 221, Hollywood, Florida 33020.

Please sign and return with your Proposal.

COMPANY NAME: Becker & Poliakoff

BIDDER'S SIGNATURE _____

Dated this 7th day of May, 2014

Exhibit A

2014 City of Hollywood Legislative Priorities – *proposed*

Priorities:

- **Miller Claims Bill (SB054) - \$100,000.**
- **Beach Renourishment/Sand By-Pass Funding (*part of Department of Environmental Protection, Bureau of Beach and Coastal Systems budget*)**
- **Use of Chapter 175 and 185 Funds (SB246)**
 - The City of Hollywood **supports** legislation that provides flexibility in the municipal use of these funds.
- **Threats to Local Revenue**
 - The City of Hollywood **opposes** any legislation that would threaten revenue streams including elimination of Red Light Camera Programs (SB144/HB4009/HB7005), Local Business Tax, and Communications Services Tax (SB266).
- **Commuter Rail on FEC corridor – Coastal Link**
 - The City of Hollywood supports the approval and funding of commuter rail on the FEC railway. The City also supports the location of a station at Hollywood Boulevard and the installation of quiet zone improvements.
- **Senior Program Funding (*in Department of Elder Affairs budget, Local Service Provider*)**

Support for Legislation on:

- Stronger regulation of sexual predators (SB522/SB524/SB526/SB528)
- Support for funds allocated to the Sadowski Trust to be used for housing related activities
- Extension of the sunset date for Enterprise Zones from 2015 to 2025 (SB472/HB141)
- Safe Neighborhood Districts – ability to bond for capital improvements (SB510/HB351)
- Renewal of the Seminole Compact preserving the local share to mitigate negative impacts
- Funding for water and sewer infrastructure, coastal flooding, transportation, economic development (HB691)
- State regulation of sober houses
- Elimination of the State preemption of regulations for vacation rentals (SB356)
- Authority to ban smoking on municipal property (SB342/HB309)
- FRDAP grant funding for improvements to Henry Graham Park (\$150,000)
- Amendment of Ch 790 – to allow regulation of guns at municipal facilities (SB492/HB305)
- Prohibition of sale of e-cigarettes to minors (SB224/HB153/HB169)
- Amend Section 856.022, Florida Statutes, by eliminating a "transient status" address registration for sexual offenders
- Amend Sections 538 and 539, Florida Statutes relating to pawnbrokers and secondhand dealers to require pawnbrokers and secondhand dealers to obtain a digital photograph of the person pawning or selling items and to create a statewide pawn database.
- Limits to extensions on development permits granted by State law instead of by the local government

Opposed to Legislation on:

- UCOA – creation of a Uniform Chart of Accounts
- Requiring a referendum for bond issues of more than \$50 million (HB435)

Monitor Legislation on:

- Impact of increasing insurance costs upon homeowners and homeownership (SB542)
- FDOT study of parking revenues on State owned lands (HB7005)
- Water and wastewater utilities regulation
- Amend state statute to allow for local control over the banning of breed specific animals
- Municipal property tax exemption (HJR473/SJR704)
- Ethics reform (HB655/SB606)

Resumes of **State Lobbying Team**



Bernie Friedman Mr. Friedman is the shareholder in charge of the Firm's [Government Law and Lobbying Practice](#) Group. He represents a wide variety of businesses, non-profit organizations, developers, and trade associations before local governments in South Florida, the Florida Legislature and Executive Agencies in Tallahassee. He has helped public and private sector clients secure millions of dollars in government grants, procurements, concessions and contracts. An experienced lawyer-lobbyist, he provides strategic advice and guides clients through the complex governmental procurement process, including responding to Requests for Proposals (RFP) from the early stages of team building through project submittals and presentations to final selection and negotiation.

Recognized by the *Sun-Sentinel* as one of the area's most influential lawyer-lobbyists, his 30+ years of political experience, knowledge of the government, and access to key decision makers are extremely valuable to his clients. An active and visible political figure, Mr. Friedman has addressed the Democratic National Convention, testified before U.S. Congress, and appeared on programs including "Good Morning America", "The O'Reilly Factor" and "Larry King." Prior to practicing law in Florida, he spent ten years working on Capitol Hill as Chief-of-Staff to a U.S. Congressman.

Activities & Memberships

Mr. Friedman serves as the Chairman of the Economic Development Advocacy Action Team for the Broward Alliance, Broward County's Economic Development organization. He is a past President of the David Posnack Jewish Community Center, which serves thousands of people throughout Broward County. He is an Ambassador of the United Way of Broward County Campaign Cabinet, on the Board of Directors of the Florida Impact-Campaign to End Childhood Hunger and has also served on the Board of Directors of the Boys and Girls Clubs. Mr. Friedman has twice served as Chair of the Jewish Federation of Broward County's Community Campaign Celebration with noted speakers Alan Dershowitz in 2004 and Nobel Laureate Elie Wiesel in 2007.

Awards & Honors

Mr. Friedman was selected as a “Florida Super Lawyer” by *Law & Politics* magazine which named Florida’s top lawyers as chosen by their peers. He was recognized as a “Power Broker of Broward County” by the *Sun-Sentinel*, and “King of the City Hall” by *The Miami Herald*.

He and his wife, Marta, received the coveted Jewish National Fund “Tree of Life” Award, in recognition of their outstanding dedication and service to the community. Additionally, Mr. Friedman was honored by the Jewish Federation of Broward County with the Board Chair Award (1988), Lilyan and Jack Mandel Human Resource Development Award (2004), Hy and Belle Schlaflier Leadership Award (2007), and the (2011) Special Recognition Award for Outstanding Leadership.

Other awards include: Marti Huizenga Boys and Girls Club Devotion to Helping Children Award; Holocaust Documentation and Education Center Award for Passage of the Holocaust Education Mandate in Florida; Sister Cities Appreciation Award by the City of Hollywood; U.S. Council of Jewish Federations Lifetime Achievement Award; the David Posnack Community Day School Leadership Award; Advocate of the Year Award by Jewish Community Services of South Florida; and Adocracy Award for Passage of the Iran Divestiture Legislation by the Jewish Federation of South Palm Beach County.

Notable Client Accomplishments

- Helped secure millions of dollars in dozens of line items State Appropriations for human service agencies and nursing homes affiliated with the Florida Association of Jewish Federations during 20+ years of representation. Helped pass mandatory Holocaust Education legislation and other legislation related to Hate Crimes and the divestiture of State pension funds from certain countries, such as Iran and Sudan and Legislation to allow for investment in Israel Bonds.
- Represent the City of Hollywood and helped secure millions of dollars of State funds for senior center programs, beach nourishment, park improvements, museums, and public safety during 22 years of representation. Helped pass substantive legislation regarding Home Rule Power, Annexation, Community Re-Development Agencies (CRA), Municipal Elections, and coastal construction and development.
- Supervised the \$20 million successful statewide political campaign of and the local referendum on behalf of Isle of Capri Casinos and The Isle Casino and Racing at Pompano Park. Helped pass enabling legislation and Agency Rules to govern slot machine gaming and cardrooms. Worked on hundreds of permit approvals in the

design, construction and operation of the new \$182 million Isle Casino and Racing at Pompano Park. Helped pass legislation to reduce the tax rate and expand hours of operation and types of games.

- Helped devise the winning strategies for concessions and contracts for numerous clients at Fort Lauderdale-Hollywood International Airport and Miami Airport: Duty Free Americas, Secure Wrap, Smart Carte, Paradies Shops, Delaware North Food and Hospitality, Inc., Fuel Facility Management, Travelex Financial and Business Services, Go Airport Shuttle, Supershuttle, Master Concessionair Seattle's Best Coffee Concession, SH&E-Concession Consulting, Limousines of South Florida, Sunshine cleaning Services, and Air-IT.
- Helped clients win various hotly contested engineering and design projects at Ft. Lauderdale-Hollywood International Airport such as: Exit Roadway Design Criteria Package, High Speed Taxiway/ Airfield Modification and General on-call aviation Engineering for Reynolds Smith Hill, the award winning design for the Rental Car Garage – Spillis Candella-DMJM-AECOM, the design of new \$600M South Runway PBSJ-RSH and Balfour Beatty- James A. Cummings JV for the construction of the new Terminal 4.
- Quarterbacked a coalition lead by the Florida Retail Federation and hundreds of national and local retailers and shopping center owners in opposition to an Ordinance that would have required mandatory security cameras in all retail parking lots in Broward County.
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- Successfully entitled with land use and zoning one of the first Transit Oriented Developments, Sheridan Stationside Village for developers Pinnacle Housing and RAM Development. The \$500 million project includes over 1050 residential units, 599,000 square feet of commercial/office/hotel/retail space.

Bar Admissions

- Florida, 1985
- District of Columbia, 1985

Education

- American University, J.D., 1984
- George Washington University, B.A., 1980, *Phi Beta Kappa*



Yolanda Cash Jackson is an experienced Government Law attorney who has established a strong reputation in the community for her leadership and commitment to civic, charitable and professional organizations. She concentrates her practice in the area of Governmental Relations and has developed a proficiency in state government funding and appropriations. Ms. Jackson has excellent working relationships with several of the state's leading elected officials and policymakers.

Activities & Memberships

In 2010, Ms. Jackson was elected to Becker & Poliakoff's Management Committee. Ms. Jackson was selected in 2009 to serve on the University of Florida, Alumni Outreach Committee. She is also an active member of the Orange Bowl Committee, The Carrie Meek Foundation, the Greater Miami Chapter of the Links, Inc., the Greater Miami Chamber of Commerce (Chair-State Advocacy Committee). Ms. Jackson is a member of the United States Senate Military Affairs Committee where she served on the Service Academy Nominating Board to screen and recommends applicants to West Point, Annapolis, the U.S. Marine Academy, and U.S. Air Force Academy. Ms. Jackson is also very involved in local politics having managed the successful State Senate campaign for Senator Kendrick Meek.

Ms. Jackson served as General Counsel to the NAACP - Miami Dade Branch where she was also a member of the Executive Committee. She was chosen to participate in Leadership Florida, a highly selective, statewide leadership training program, as a member of Class XIX (2000-2001).

[Ms. Jackson was profiled in an article in The Miami Herald on May 12, 2010.](#) Yolanda Cash Jackson was the Keynote Speaker at the 2010 Women's History Month Celebration "Rosa Parks Day". In addition, Ms. Jackson was Guest Speaker and also served as Moderator for the

Legislative Debate Panel at the Hollywood Chamber of Commerce Monthly Legislative Meeting. She also had the opportunity to speak at Barry University - Dept of Communications and at the Delta Sigma Theta Sorority Inc event Honoring High School Students regarding Education and Achievement. During the 2010 Legislative Session, Yolanda Cash Jackson met with Students from Broward County who were visiting and touring the State Capitol.

Honors and Awards

Ms. Jackson has been honored by numerous community and business organizations. She served as the keynote speaker at the University of Florida annual Association of Black alumni weekend. She received the Broward Black Elected Officials Community Service Award; the ICABA Recognition Honoree Award where she was recognized as one of the 100 Most Accomplished Blacks in Law in South Florida and was the only attorney selected to write the foreword for the publication and speak at the VIP event. She was honored by Florida Memorial University as "Community Leader of the Year" for her many contributions to the University and the community. She was also twice honored by her peers as one of the "Florida Legal Elite" featured in Florida Trend Magazine. She was honored as "Distinguished African American Women with Vision, Dare and Care by Les Bonnes Amies Club. She has also been recognized as a "Woman to Watch" by the Sun Post Magazine.

Ms. Jackson is a recipient of the In the Company of Women 2007 award presented by Miami-Dade County Commission on the Status of Women. She was also recognized for her participation in The Florida Bar Young Lawyers Division of Governors Government Affairs symposium in 2007

Bar Admissions

- Florida

Court Admissions

- United States Court of Appeals for the Eleventh Circuit
- United States District Court for the Middle District of Florida
- United States District Court for the Southern District of Florida

Education

- University of Florida, J.D. 1990, B.S. 1980



Jose Keichi Fuentes is a native Floridian with a strong network of contacts and over 25 years of experience working in the government and political arenas. He is a government relations professional who represents local municipalities, other public bodies and private sector clients in environmental, infrastructure and water resources at the federal, state and local levels.

Mr. Fuentes is a Government Relations Consultant in the firm's Government Law & Lobbying Group. He is well-known in political circles as a leading provider of strategic lobbying, and business development solutions in Florida. Among others, he has represented the cities of Miami, Homestead and Miami Springs, as well as All Aboard Florida, VE Restaurant Group, and AMEC Engineering. His extensive lobbying experience at the highest level of local and state legislature in Miami-Dade County and Tallahassee has helped him pass the Florida Everglades Act, Florida Brownfields Act and Green Utilities Act. He has also secured funding for children through the CINs/FINs, and for the municipalities he represents through the allocation of major infrastructure projects.

In the past, Mr. Fuentes served as Director of Hispanic Affairs for the Cuban American Legislators from Miami-Dade County, Legislative Aide for Rep. Rudy Garcia, Director of the Office of the Speaker of the Florida House, Assistant to U.S. Senator Connie Mack, Government Liaison to the Board of County Commissioners, and Regional Director of Miami-Dade County's South Florida Water Management District.

Mr. Fuentes is committed to public service as proven through his community, civic and volunteer work. Most recently, he was appointed by Governor Rick Scott to the Board of Trustees of Miami-Dade College, the largest and most diverse college in the nation. He was also asked to serve as Chairman of the Governmental Affairs Committee of the Greater Miami Chamber of Commerce where he has played a key role in engaging the Chamber to support the High Speed Rail construction program.



Yeline Goin is a Tallahassee based lawyer and lobbyist. She is a member of the Government Law & Lobbying team and serves as the Executive Director of Becker & Poliakoff's Community Association Leadership Lobby, or CALL, which represents the interests of the Firm's 4,000+ community association clients in the Florida Legislature.

Ms. Goin is well versed in Administrative Law and Rulemaking. Prior to joining the Firm, Ms. Goin served as Senior Attorney for Florida Department of Business and Professional Regulation, Division of Land Sales, Condominiums and Mobile Homes for several years. Ms. Goin also has experience representing developers, local governments and individuals in land use, zoning and comprehensive planning cases.

Bar Admissions

- Florida, 1992
- Georgia, 2003, *inactive*

Court Admissions

- United States District Court for the Northern District of Florida

Education

- Florida State University, J.D.
- Stetson University, B.B.A.

Languages

- Spanish



Mario Bailey is a lobbyist in the Firm's Government Law & Lobbying Practice Group. He concentrates on government relations and lobbying in South Florida and Tallahassee. Mr. Bailey works closely with clients from various sectors including business, municipal government and education to advocate for their issues before various government agencies and the State Legislature. He assists in advancing his client's political and legislative interests and monitoring legislative and regulatory issues that impact their various industries. Mr. Bailey has been successful in guiding legislation and funding priorities through the legislative committee process, to the floor of the Florida House of Representatives and the Florida Senate, and ultimately, for the Governor's signature.

Mr. Bailey was appointed by Governor Rick Scott to the South Florida Regional Planning Council. The 19-member Council is charged with identifying the long-term challenges and opportunities facing Southeast Florida and assisting the region's leaders in developing and implementing creative solutions.

Prior to joining Becker & Poliakoff, Mr. Bailey served as the Chief Legislative Aide to Florida State Representative Dwight M. Bullard. This experience taught him the intricacies of the legislative process, committee procedures, and helped him build strong ties to members of both parties and chambers. Mr. Bailey began his political career as a field coordinator on a congressional campaign in South Florida. Since then, he has been active in various civic and business organizations locally. He's an alumnus of the Greater Miami Chamber of Commerce's Leadership Miami Program, and has served twice served as chair of the government focus session.

Awards & Recognition

Designated Professional Lobbyist Certification

Greater Miami-Dade Chamber of Commerce's Leadership Miami Graduate

Congressional Black Caucus Annual Legislators Conference Emerging Leader

University of Alabama, Autherine Lucy Foster Award

Student Government Association, Robert S. Vance Award

Activities & Memberships

Greater Miami Chamber of Commerce Government Affairs Group

Leadership Miami, Facilitator and Government Focus Session Planning Committee Member

Florida Association of Professional Lobbyists

100 Black Men of South Florida

Greater Miami Chamber of Commerce's Political Outreach Committee, Vice-Chair

Education

- The University of Alabama

Resumes of Broward County Lobbying Team



Bernie Friedman

Mr. Friedman is the shareholder in charge of the Firm's [Government Law and Lobbying Practice](#) Group. He represents a wide variety of businesses, non-profit organizations, developers, and trade associations before local governments in South Florida, the Florida Legislature and Executive Agencies in Tallahassee. He has helped public and private sector clients secure millions of dollars in government grants, procurements, concessions and contracts. An experienced lawyer-lobbyist, he provides strategic advice and guides clients through the complex governmental procurement process, including responding to Requests for Proposals (RFP) from the early stages of team building through project submittals and presentations to final selection and negotiation.

Recognized by the *Sun-Sentinel* as one of the area's most influential lawyer-lobbyists, his 30+ years of political experience, knowledge of the government, and access to key decision makers are extremely valuable to his clients. An active and visible political figure, Mr. Friedman has addressed the Democratic National Convention, testified before U.S. Congress, and appeared on programs including "Good Morning America", "The O'Reilly Factor" and "Larry King." Prior to practicing law in Florida, he spent ten years working on Capitol Hill as Chief-of-Staff to a U.S. Congressman.

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Bar Admissions

- Florida, 1985
- District of Columbia, 1985

Education

- American University, J.D., 1984
- George Washington University, B.A., 1980, *Phi Beta Kappa*



Neil Schiller

Neil Schiller is an attorney and lobbyist in the Firm's Government Law & Lobbying Practice Group. He helps clients promote and advance their objectives before governmental entities at the local, regional, and state levels of government. Having worked with many elected officials on political and other grass roots campaigns, he has a vast working knowledge of the local, regional and Florida political landscape and insider's understanding of local governmental decision making. Neil has run many successful political campaigns at all levels of government in Broward, Palm Beach, Martin, and St. Lucie Counties and has extensive contacts with local civic activists and political leaders. He is known for his work ethic, strategic thinking, and creative messaging for business clients seeking governmental approvals as well as candidates and non profit organizations needing an effective communications plan and political strategy.

Neil has represented a wide variety of clients before their respective County and City Commissions ranging from corporate clients such as T-Mobile, Inc., and the Oracle Corporation to non profit corporations such as Norton Park Place Condominium Association and the Las Olas Beach Club Condominium Association. Representation has included land use, zoning, development related issues and/or procurement of government contracts.

As a land use/development attorney, Neil has successfully guided developers through the multifaceted approval process with issues such as site-plan approvals, rezonings, variances and special exceptions to name a few. He has also represented many of the firm's condominium and homeowners association clients to oppose new neighboring developments or mitigate their impacts on the association. In government procurement, Neil has successfully navigated county and local procurement processes on behalf of multi-national corporations to small, local businesses to secure multimillion dollar contracts.

Prior to joining Becker & Poliakoff, P.A., he ran his own political consulting and lobbying practice, Political Action Communications, LLC, where he scored a “trifecta” in winning three tough state house races in August of 2006. Previously, Neil lobbied and practiced law at Poole McKinley, & Blosser, where he worked closely with clients to provide legal analysis, advocacy, and political strategy at the local and state governmental level. Additionally, Neil worked as the Director of Government Affairs for the REALTOR® Association of Greater Fort Lauderdale representing over seven thousand members to various municipalities, Broward County, the Florida Legislature and the United States Congress.

Activities & Memberships

Neil is currently a member of the Florida Atlantic University (FAU) Foundation Board and in Leadership Boca with the Boca Raton Chamber of Commerce. He previously served as a member of the Boca Raton Planning and Zoning Board where he worked on issues relating to development projects and ordinances. He is also active in many local community organizations including serving on the Board of Directors for the Anti Defamation League of Palm Beach County; and the South Palm Beach County Jewish Federation, Young Adult Division. He is also a member of the Pinecrest School Father's Club and in the Delray Alliance. Neil worked for the American Israel Public Affairs Committee as a deputy conference coordinator that raised over \$5 million dollars in just three days. Neil's other political experience include infamously interning in the Bill Clinton White House in 1997, interning at the Democratic National Convention in 1996 and serving as a Page in the Maryland General Assembly in 1994.

Bar Admissions

- Florida
- District of Columbia

Education

- University of Miami, J.D., B.A.

EXAMPLES OF **CLIENT** **COMMUNICATION**

HOLLYWOOD

The Tallahassee Capitol Connection



BECKER & POLIAKOFF
Legal and Business Strategists

The Tallahassee Team



Yolanda Cash Jackson
yjackson@bplegal.com

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bfriedman@bplegal.com

Mario Bailey
[mbailey@bplegal.com](mailto:m Bailey@bplegal.com)

Jose Keichi Fuentes
jfuentes@bplegal.com

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ygoain@bplegal.com

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Committee Week Summary – Week of February 3-7, 2014

February 7, 2014



Dear Bernie Friedman:

We are excited to bring you the very first edition of “The Tallahassee Capitol Connection.” We will be sending you these summaries periodically to keep you updated on what is happening in Tallahassee.

This week was the first of three February Interim Committee Weeks, and it witnessed legislative movement on several important municipal issues. The Governor also released his 2014-15 budget proposal in which he promises to return \$500 million to taxpayers while increasing funding for pressing educational and the environmental needs, a difficult balancing act that has begun what is sure to be a contentious debate over appropriations this Session. Here’s a review of the action this week related to your priorities.

Flood Insurance - Sen. Brandes’ flood insurance bill, SB 542, Relating to Flood Insurance, was approved unanimously by the Senate Appropriations Subcommittee on General Government on Thursday. However, because of objections to the “strike-all” amendment raised by Sen. Latvala, the bill will go back to the Senate Banking and Insurance Committee for a second time. The bill would attempt to mitigate the increase in premiums felt by many coastal Floridians by attracting flood insurance providers to the state. The bill provides an alternative to the federal NFIP flood insurance program and allows owners to obtain flood insurance for less than full replacement cost (although it would require insurance up to the mortgage amount). The intent is to provide flexibility, which Sen. Brandes believes will ultimately lead to lower insurance costs. A House companion has been filed by Rep. Ahern, HB 581, but it has not yet been scheduled for its first hearing.

Sinkholes - SB 416, Relating to Sinkhole Coverage, by Sen. Simpson, was approved in the Senate Banking and Insurance Committee on Tuesday. The

bill is intended to prevent owners from receiving insurance money, but not using the money to make the necessary repairs. The bill applies to owners insured with Citizens Property Insurance Company (Citizens). The bill creates a managed repair program which would require sinkhole claimants to choose from specific contractors approved by Citizens. The bill is opposed by Florida trial attorney groups primarily because it restricts financial damages. The bill is supported by Citizens and the Florida Realtors Association. A similar bill, HB 129, will be heard next week in the House Insurance and Banking Committee.

Youth Sports & Recreational Safety – HB 139, Relating to Volunteers for Organized Youth Sports and Recreational Programs, by Rep. S. Jones, has passed House Criminal Justice and now moves onto the Justice Appropriations Subcommittee. The bill would tighten the background requirements for volunteers working with children in sports and recreational activities. A similar Senate bill, SB 385 by Sen. Ring, was reported favorably by Children, Families, & Elder Affairs and will be taken up next by Community Affairs.

Growth Management - HB 189, Relating to Growth Management, by Rep. Boyd, passed the House Economic Development & Tourism Subcommittee on Tuesday, moving on now to Local & Federal Affairs. This bill seeks to remedy issues going back to the 2011 Hometown Democracy ballot initiative and its legislative fallout. The bill specifically would prohibit initiatives or referendum processes for any local comprehensive plan amendment or map amendment, even for the grandfathered-in municipalities. SB 374, the bill's Senate companion, by Sen. Detert, is in Community Affairs, its first of three committees of reference.

Communication Services Taxes – SB 266, by Sen. Hukill, would reduce the tax rate applied to the sale of communication services and direct-to-home satellite services. On Tuesday it was reported favorably with a committee substitute in Senate Communications, Energy, and Public Utilities. A substitute text was filed the next day. Before proceeding to the Senate floor it must still pass the Appropriations Subcommittee on Finance & Tax and Senate Appropriations. The bill still lacks a companion in the House.

Department of Economic Opportunity Website – HB 235, Relating to Department of Economic Opportunity, by Rep. Combee was withdrawn by the Representative on Thursday. The bill sought to create a page on the DEO website that displayed information relevant to the “business climate” (e.g. licensing fees, millage & tax rates, average application processing time) in every city in Florida. It would have required local governments to provide this information to be aggregated on this webpage within the DEO website.

Vacation Rentals – The “Vacation Rental” bills, (SB 356 and HB 307 by Sen. Thrasher and Rep. Hutson, respectively) were both heard in committee on Tuesday. The bills repeal a 2011 law that exempted vacation properties from local governmental control. The bills were considered and approved in the House Business & Professional Regulation Subcommittee and in the

Senate Community Affairs Committee. In the House committee meeting, a number of the members raised concerns with the property rights impacts of the bill. Although the bill was approved 10-3 (with three Republican members voting “no”), it is clear that the bill will have to be modified in order to make it through the next two committee stops and to the floor of the House. In the Senate, debate was somewhat more placid, though Sen. Stargel issued a lone “no” vote.

Parasailing – SB 320 and HB 247, Relating to Commercial Parasailing, by Sen. Sachs and Rep. Clarke-Reed respectively, both saw their first committee stops with mixed results. On Tuesday, the House version cleared Business & Professional Regulation; the Senate version was temporarily postponed back in January, but it will be heard by Regulated Industries on Thursday, February 13th. The bill would require parasailing operations to carry insurance and provide minimum safety standards; currently the industry is almost entirely unregulated. Sen. Sachs has made it clear in press releases that this bill is a priority for her.

Brownfields – CS/HB 325, by Rep. Stone, which would revise the procedures for the designation of “brownfield” areas by local governments, was reported favorably by the Economic Development & Tourism Subcommittee and now goes before Local & Federal Affairs. On the Senate side, Sen. Altman’s SB 586 passed Environmental Preservation and Conservation. It moves on to Community Affairs.

Growth Management - HB 241 and SB 372, both Relating to Developments of Regional Impact by Rep. M. Gaetz and Sen. Galvano respectively, are bills that would expand the list of counties where large developments are excluded from a state environmental impact review process. The Senate version passed Community Affairs Wednesday despite the objections from environmental groups who said the bills prevent a long-term, regional perspective from being taken into consideration. It moves on to its second of four committees on its road to the Senate floor, the Appropriations Subcommittee on Transportation, Tourism, and Economic Development. The House version has yet to be taken up by the Economic Development & Tourism Subcommittee, its first of three committee stops.

Public Retirement Plans – Sen. Bean’s SB 388, Relating to Public Retirement Plans, was filed after HB 117 by Rep. Ray, but that hasn’t stopped the Senate version from outpacing the original. SB 388 is already through its first two committee stops, passing Community Affairs on Wednesday and will next meet Finance & Tax Appropriations. Over in the House, the bill still sits in Government Operations, its first committee of reference. The bill would codify an interpretation of chapter 185 of the Florida Statutes to allow consolidated governments that have entered into an interlocal agreement to provide police protection services to a municipality within its boundaries to be eligible to receive the premium taxes reported for the municipality under certain circumstances.

Water and Wastewater Utilities – SB 272, by Sen. Simpson, which seeks

to limit rates that private water utilities can charge, was approved by its final committee, Community Affairs, on Tuesday. The bill also allows customers to petition the Public Service Commission to revoke the operating certificate of utilities because of complaints about water quality. HB 357, by Rep. Santiago, is another water utilities bill that would promote privately owned water systems with grants and tax breaks and exempt them from certain PSC regulations. The bill seeks to implement recommendations of the Study Committee on Investor-Owned Water & Wastewater Utility System. It was reported favorably by the House Energy & Utilities Subcommittee on Wednesday morning and will next be heard in the Finance & Tax Subcommittee.

Transportation – HB 345, by Rep. Beshears, a multi-purpose bill that would ease various Department of Transportation regulations, was approved Tuesday in the House Transportation & Highway Safety Subcommittee, its first committee of reference. Another large transportation bill, HB 7005 by Rep. Artiles, includes a provision which will prohibit local governments from imposing charges for public parking within designated parking spaces located within the right-of-way limits of a road on the State Highway System. HB 7005 is not scheduled to be heard this week.

Water Quality and Springs Protection – Sen. Simmons is expected to file a “springs” bill which would provide \$380 million a year to remove or improve septic tanks that are contaminating springs across the state. The draft of the bill has been criticized, however, and this week Florida Associated Industries announced that it will be forming a coalition to make recommendations regarding state and federal water laws.

Sober Homes – Although no bills have yet to be filed, it is expected that Rep. Hager and Sen. Clemons will file bills requiring “sober homes” to register so that the State can begin to determine where they are located, how many there are, etc., and further determine what kind of additional regulation should be provided.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bernie", with a large, stylized initial "B".

Bernie Friedman

The Tallahassee Capitol Connection



BECKER & POLIAKOFF
Legal and Business Strategists

The Tallahassee Team



Yolanda Cash Jackson
yjackson@bplegal.com

Bernie Friedman
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Mario Bailey
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Jose Keichi Fuentes
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Yeline Goin
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Committee Week Summary – Week of February 10-14, 2014

February 14, 2014



Dear Colleen LaPlant:

This week was the second of three committee weeks this month in Tallahassee. Many lobbyists and staffers around the Capitol are now sporting the furrowed brows and weary expressions that can only mean one thing: Session is nearly upon us. A Senate hearing on possible (but apparently unlikely) casino expansion and talk of curtailing red light cameras grabbed many of the headlines this week. It was a fairly “slow” week for hearing bills, but several issues of importance to municipalities were considered in committee this week. The following is an update on a number of key issues.

Department of Environmental Protection Solicits TMDL Grant Applications - The Florida Department of Environmental Protection solicits grant applications three times each year in order to fund best urban stormwater management practices. These grants are administered with annual funding provided by the Florida Legislature, and are meant to target Florida’s impaired springs, rivers, lakes, and estuaries. The new grant applications were released this week and are due in March. Click on this [link](#) for more information about the TMDL grant program and application process.

To qualify for TMDL grant funding, the local government project must be at least 60 percent designed and fully permitted. Construction is to be completed within three years and must include storm event monitoring to determine the actual pollutant load reductions the project will accomplish. Applicants are also encouraged to include public education elements in their requests, because spreading the word on keeping pollutants out of the stormwater system is a key to success.

Flood Insurance – Although Sen. Brandes’ flood insurance bill, SB 542, Relating to Flood Insurance, did not make any progress this week (and neither did the House companion bill HB 581 by Rep. Ahern), flood insurance was a hot topic. SB 542 provides an alternative to the federal NFIP flood

insurance program and allows owners to obtain flood insurance for less than full replacement cost (although it would require insurance up to the mortgage amount). This provision has raised some concerns, and as a result, Rep. Nelson, Chair of the House Insurance and Banking Subcommittee, has stated that he will be filing his own bill which would not include the provision allowing flood insurance up to the mortgage amount. Meanwhile, Rep. Hooper filed a separate flood insurance bill similar to Sen. Brandes' bill, but with a more expansive definition of "flood", which will include "mudflow" and other land movement. Sen. Brandes also filed a memorial bill on Thursday, SB 1058, Relating to the Biggert-Waters Flood Insurance Reform Act, which urges Congress to delay implementation of the act and failing that, urges President Obama to take unilateral action on the matter.

On the federal level, House majority leader Eric Cantor has stated that the House will allow a vote on delaying parts of the federal law that is causing skyrocketing premiums. This is good progress and good news for Floridians, as last week it appeared that House Speaker Boehner would not be supportive.

Red Light Cameras – Rep. Artiles and Sen. Brandes have both filed bills (HB 4009 and SB 144) to end the use of red-light cameras in the state. This week, they held a press conference to criticize the use of red light cameras and pointed to a February 7, 2014 study from the Office of Program Policy Analysis and Governmental Accountability that found red-light cameras generated \$118.9 million in general revenue in the 2012-13 fiscal year, with 76 percent of governments putting the money from fines directly into general revenue. The study also found 56 percent of governments surveyed had not implemented any "safety countermeasures," such as lengthening yellow lights or posting warning signs. Neither of the bills have yet to be heard in committee.

Water & Wastewater Utilities – SB 272 by Sen. Simpson, a bill to reform the process by which ratepayers can redress their complaints with local water utilities was ready for consideration by the full Senate last week, having passed through both of its committee stops. On Tuesday, however, legislative staff added Appropriations to its references because it was deemed to have a significant fiscal impact on the state.

Hydraulic Fracturing - HB 71 by Rep. Rodrigues would establish a protocol for operators of wells that employ hydraulic fracturing (or "fracking"), including disclosure of information about the treatment process and chemicals involved, as well as direct the Department of Environmental Protection to log this information in an online registry and adopt rules regulating the process. Linked to this bill is HB 157, also by Rep. Rodrigues, which would exempt from public records any details classified as trade secrets. Both bills passed House Agriculture & Natural Resources by a party-line vote last month.

HB 71 was set to be heard by its second of three committees, Agriculture & Natural Resources Appropriations, on Tuesday but that meeting was cancelled. We will keep you updated when this bill is heard again, likely next

week.

Parasailing – SB 320 by Sen. Sachs would require parasailing operations to carry insurance and provide minimum safety standards; currently the industry is almost entirely unregulated. The bill was reported favorably in its first committee stop on Thursday, passing Regulated Industries with zero members voting Nay. It now moves onto Commerce & Tourism. HB 347, Rep. Clarke-Reed's House companion bill is waiting to be heard in its second committee, Agriculture and Natural Resources Appropriations Subcommittee.

"Growlers"/Alcohol Rules & Regulations – SB 406, by Sen. Latvala, passed the Senate Regulated Industries Committee unanimously on Thursday. This measure would let craft breweries sell their brews in 64-ounce bottles, essentially allowing them to participate in the retail side of the industry. 47 other states have already passed similar provisions. Its House companion, HB 283, by Rep. Artilles and Young, also cleared a hurdle this week in the Business & Professional Regulation Subcommittee; it now moves onto Regulatory Affairs.

Sex Offender Supervision – A spate of bills -- HB 7013, HB 7017, HB 7019, HB 7021, HB 7025 and HB 7027 – passed the House Appropriations Committee on Wednesday. They are part of a coordinated legislative effort to, for instance, increase the mandatory minimum sentence for "dangerous sexual felony offenders" from 25 to 50 years; bar sexually violent predators from having their community supervision run at the same time that they are under civil commitment; increase the amount of personal information that registered sexual predators and offenders must provide to authorities; and lower the standard of evidence for diagnosing pathological offenders, which will likely keep more offenders under civil commitment for longer.

Condominiums – HB 425 by Rep. J. Rodriguez and SB 440 by Sen. Altman are bills to amend the state statute that deals with condominium associations to limit the application of certain requirements relating to condominium bylaws to *residential* condominiums and their associations and boards, as opposed to vacation, timeshare, or commercial condominiums, which would be exempt if passed. The Senate bill passed Regulated Industries with a committee substitute this week and will likely face its final committee in Judiciary next month. The House version is in its second of three stops on the way to the House floor, Business & Professional Regulation, which will take up the bill on Tuesday February 18th.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bernie".

Bernie Friedman

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Committee Week Summary – February 17-21, 2014

February 21, 2014



Dear Colleen LaPlant:

After three weeks of committee meetings in Tallahassee, legislators head back to their home districts and will return to Tallahassee for the start of the 2014 Legislative Session on March 4, 2014. The following is a summary of bills and issues of interest that were considered this week.

Flood Insurance – Sen. Brandes' SB 542 was reported favorably and replaced by a committee substitute by Appropriations on Thursday, but will be held in Banking & Insurance until it is clearer how the House will act on the legislation. A number of flood insurance bills have been filed in the House, but have not yet been heard in committee. SB 542 aims to attract more private flood insurers to Florida by making the negotiation process more flexible, removing some Office of Insurance Regulation oversight and diverging from National Flood Insurance Program guidelines for deductibles and policy limits.

On the Federal level, the House of Representatives may take up the issue of flood insurance as early as next week. As reported previously, the Senate passed a measure to delay flood insurance rates. However, House Majority Leader Eric Cantor has stated that the Senate bill would remove "much needed reforms" and impose additional costs to taxpayers. He also stated that "the House will act to protect the flood insurance program but also protect homeowners from unreasonable and unrealistic premium increases."

Florida Retirement System – SB 7046, by the Community Affairs Committee, aims to divert all future state workers from the current FRS pension plan to a "cash balance" plan whereby workers would make greater contributions to their retirement benefits, with the state matching 2% of what they contribute. The bill would exempt "special-risk retirees," such as police and firefighters, who get a 3 percent pension credit per year. They could

remain in the existing FRS plan, unless they wanted to opt into the cash balance plan. The bill was adopted as a committee bill and re-introduced as SB 1114 by a vote of five to four, with Sen. Latvala joining three Democrats in opposition to the measure. The bills may be in jeopardy already. Senate President Don Gaetz stated this week that there are 18 Senators who are opposed to the changes, enough to make it a very close vote. There is currently no identical House bill, though observers expect there will be in the next week.

Springs Legislation – The Environmental Conservation & Preservation Committee held a workshop this week to discuss proposed springs legislation. The meeting focused on the latest versions of a proposed bill to revitalize Florida's hundreds of springs, nearly one-third of which are impaired. Senators Simmons, Dean, Altman, Simpson and Montford are planning to co-sponsor a bill on this topic. Sen. Simmons outlined the primary goals as follows:

- getting water project proposals in front of scientists and engineers earlier in the process to reduce the effects of political influence on the status of these projects, which has prevented the state from addressing the "worst [impaired waterways] first,"
- uniform local standards for wastewater treatment to achieve the DEP-prescribed standard of .3 milliliters of nitrates per liter of water,
- creating a "model ordinance" for local governments regarding acceptable levels of fertilizer runoff,
- enhancing and putting teeth into Best Management Practices, and
- hooking up septic tanks to sewer systems, or if none are available, establishing sewer systems, at no cost to users. Local governments would build this infrastructure and be reimbursed by the state through proceeds from document stamp taxes.

Sen. Simmons spoke about the importance of "getting out in front of" the Water Legacy constitutional amendment that will be on the ballot in November, which he expects to pass. It would dedicate 33.3% of all revenue (approximately \$600 million per year) from doc stamps to waterways and water conservation. This proposed legislation would dedicate 20% of doc stamp money to the same, which would help the legislature prepare for the changes under the amendment. The lack of a dedicated source of funding for water projects has been a persistent problem in addressing water issues in the legislature – this bill aims to address that.

The League of Cities and other municipal interests were concerned about an earlier draft which penalized cities that did not meet water quality standards. Sen. Simmons has deleted that in the most recent version, replacing it with a provision for matching funds so that the State can partner with cities in helping to improve water quality. All the Senators involved with the draft emphasized that it would not create unfunded mandates.

The Florida Homebuilders Association expressed concerns about the septic tanks aspect of the legislation. It is their position that the science is not

conclusive regarding tanks harming springs. The Homebuilders also expressed concerns about the portion of the bill which empowers local governments to monitor and study water quality and sources of pollution, as they are of the opinion that this should be the responsibility of DEP.

The House leadership has indicated that they are more inclined to wait until next year to pass comprehensive springs legislation.

Reclaimed Water – SB 536, by Sen. Simpson, passed its first committee stop in Agriculture by a unanimous vote. The bill would require the Department of Agriculture and Consumer Services and the Department of Environmental Protection to conduct a study on the possible impact of expanding use of reclaimed water. It will next meet its final stop, in Environmental Preservation and Conservation. Its House companion, HB 601 by Rep. Ray, still awaits a hearing in Agriculture & Natural Resources, its first of three committee references.

The legislation has raised some hackles among conservationists for its unconventional definition of reclaimed water – it adds “stormwater and excess surface water” to the usual meaning, of partially processed wastewater. Sen. Simpson insists that he simply wants to explore all options with his study and that the bill enacts no policy.

Developments of Regional Impact – SB 327, by Sen. Galvano, continues to move through the process, though not without some controversy. It would add six more counties, including his own Manatee, to a current list of seven who are exempt from state review when considering large new residential and commercial developments. Galvano argues that county governments are sophisticated enough to plan sustainably without state oversight. The bill received its first ‘No’ votes in Transportation, Tourism, and Economic Development Appropriations, where it was reported favorably this week 7 to 2. Rep. M. Gaetz’s House companion bill, HB 241, still sits in its original committee of reference, Economic Development & Tourism.

Emergency Communication System – Rep. Steube’s HB 175, which revises the Emergency Communications Number E911 system and provides for a prepaid E911 wireless user fee, passed House Finance & Tax with a committee substitute on Wednesday. The Senate version, SB 292 by Sen. Hays, was also reported favorably by Finance & Tax this week.

Transportation/Signage – SB 218, by Sen. Grimsley, a bill that revises certain transportation-related utility relocation expenses, outdoor advertising permit exemptions, and the tourist-oriented directional sign program in order to relax regulations on small agricultural and tourism enterprises, is now in Senate Appropriations, its final committee stop, after passing Commerce & Tourism Tuesday. HB 345, by Rep. Beshears, its House companion, must still traverse the Transportation & Economic Development and Economic Affairs committees.

Public Utility Suppliers – SB 636, by Sen. Braynon, would require certain

public utilities, defined as regulated companies, and the Public Service Commission to collaborate in order to establish a plan to increase participation of companies run by women, minorities and service-disabled veterans in the procurement process for these industries. It was reported favorably by Communications, Energy, and Public Utilities on Monday; three more references remain. The measure has not yet attracted a House companion bill.

Youth Recreational Supervision – HB 139, by Rep. S. Jones was reported favorably in its second of three committees of reference, Justice Appropriations this week. The bill would enhance the screening process for volunteer and paid coaches of youth sports teams, permanently disqualifying sex offenders and all felons for a three-year window after their completion of sanctions. Its companion bill SB 358, by Sen. Ring has not moved since February 4th. It remains in Community Affairs.

Fair Associations – SB 624, by Sen. Simpson, would prohibit counties from levying a tax, special assessment, or fee for the planning, construction, operation, use, or maintenance of stormwater facilities against land owned by a fair association. It passed the Agriculture Committee this week and has three more stops on its way to the Senate floor. There is currently no House companion.

Have a wonderful weekend, and as always, feel free to contact me with any questions.

Sincerely,



Bernie Friedman

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Yeline Goin

Local Government Summary – February 24-28

February 28, 2014



Dear Bernie Friedman:

It's that time of year again. This week was a "mini-break" following three consecutive committee weeks but the 2014 legislative session begins Tuesday and, much like last year, it will feature a rapid start: a small slate of bills is already scheduled for a floor vote in both chambers on March 4th, contrary to convention in years past when Opening Day was purely ceremonial.

The Senate will consider a package of bills to tighten post-incarceration monitoring of sexual offenders (**SB 522**, by Sen. Grimsley, lowers the standards of evidence required to civilly commit offenders after release; **SB 524**, by Sen. Sobel, requires colleges and universities to notify students when a sexual predator is on campus; **SB 526**, by Sen. Bradley, increases sentences for offenses against minors; and **SB 528**, by Sen. Dean, increases registration requirements for sex offenders) as well as legislation related to Assisted Living Facilities (ALFs) in the form of **SB 248**, co-sponsored by Children, Families, & Elder Affairs and Health Policy committees, a response to a recent spate of reports of negligence and abuse by raising standards for care in ALFs and increasing penalties for those in violation.

The House, for its part, also plans legislative action for Opening Day. It will

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take up **HB 851**, by Rep. J. Smith, the so-called "**Florida G.I. Bill**," which waives in-state tuition requirements for military veterans.

This session will be defined to a significant degree by water issues, especially in terms of appropriations. Though House Speaker Will Weatherford seems likely to defer on many regulatory issues until Speaker-Designate Rep. Crisafulli takes the reins next year, funding for municipal water projects and conservation will be highly debated in the next two months. Governor Scott, for instance, wants to spend \$55 million to revitalize Florida's ailing springs. Sen. Negron, who chairs the Senate Select Committee on the Indian River Lagoon, recommends \$310 million. Sen. Simmons is leading the charge in a bipartisan Senate effort on **draft springs legislation**, which is expected to be introduced by the first day of Session; he seeks a middle ground somewhere in the hundreds of millions.

We will of course continue to keep you updated on your priorities when legislation begins to move again next week.

Sincerely,



Yolanda Cash Jackson

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Legislative Session Update: Week 1 – March 3-7, 2014

March 7, 2014



Dear Colleen LaPlant:

It's here. Bills are moving, chambers are convening, and traffic is jamming in Tallahassee. Session is now upon us and as you can see from the volume of legislative activity logged below, it's very much in full swing. The usual pomp and circumstance has quickly given way to movement and debate on numerous issues important to municipal government. Although we are tracking over 220 bills that impact local governments, our intent with these alerts is to mention the ones that have the most impact on local governments and that moved during the week, as well as other items of interest. If you are aware of a bill that we have not mentioned that is important to your local government, please let us know.

DEP Water Quality Restoration Grants -- The Florida Department of Environmental Protection is soliciting grant applications to fund stormwater projects and other "nonpoint source" management practices. The solicitation for these "319 Grant" applications started on March 3, 2014, **with applications due by May 23, 2014**. Eligible types of projects include: urban stormwater retrofits; septic tank pollution abatement; silviculture (forestry) best management practices (BMPs); other agricultural BMP development, monitoring or evaluation; erosion/sediment control; low impact development; nonpoint source and BMP training. Funds may be awarded for construction, project-related monitoring, and project-related public education. Project design, engineering, land acquisition, and activities required by federal permit, such as an NPDES stormwater permit, are not eligible for funding. For more information about DEP's announcement and the 319 grant program, click [here](#).

Municipal Bond Bills – Although these bills were not heard in any committees, we want to make sure you are aware of them because of the major impact it would have on municipalities. HB 435 by Rep. Trujillo and SB

1168 by Sen. Garcia will make it more difficult for municipalities to issue bonds. The bills would require municipalities to get voter approval for bond offerings that exceed \$50 million. This is a priority issue for all municipalities and we are closely monitoring and working with the Florida League of Cities and other municipalities to oppose the bill. If you have any particular concerns with the bill and how it will impact your municipality, please let us know your thoughts.

Springs – As expected, Senate Preservation and Conservation Chair Sen. Dean filed a bill this week which the committee had extensively workshopped since January. It would establish a dedicated trust fund for water quality and clean-up efforts; establish a number of Outstanding Florida Springs protected by special regulations; provide for the reimbursement of homeowners for the price of removing septic tanks which adversely affect waterways, and hooking them up to sewer systems; reform the process of municipal water project consideration; and implement numerous other problems related to water quality. It is referenced for Preservation and Conservation, Agriculture, and Appropriations.

Public Retirement Plans – Two bills to provide that consolidated governments that have entered into interlocal agreements to provide police protection services to municipalities within their given boundaries are eligible to receive premium taxes reported for those municipalities -- HB 117, by Rep. Ray and SB 388, by Sen. Bean – are progressing through the process. SB 388 is in Appropriations and then awaits a vote by the full Senate. HB 117 will be heard by Finance & Tax before meeting State Affairs.

Reclaimed Water – HB 601 by Rep. Ray, passed its first committee stop in Agriculture & Natural Resources Subcommittee. The bill would require the Department of Agriculture and Consumer Services and the Department of Environmental Protection to conduct a study on the beneficial use of “reclaimed water, stormwater, and excess surface water.”

Environmental Regulation – HB 703 by Rep. Patronis, passed its first committee stop in Agriculture & Natural Resources Subcommittee. The bill is facing strong opposition from environmental groups, cities, and counties. The bill deals with a wide array of environmental regulation issues.

Economic Development – HB 7023 by Rep. Hutson, would exempt new developments from concurrency fees. The bill was sharply criticized by some members of the Transportation & Economic Development Appropriations Subcommittee. Rep. Hutson defended his bill by stating that it would allow local governments to override those exemptions by a simple majority vote and would only apply to new developments of 6,000 square feet or less. The bill passed the committee and is now in the Economic Affairs Committee.

Public Records/Taxpayer Email Addresses – HB 421, by Rep. Hooper and SB 538, by Sen. Latvala, would exempt from the public records any identifying information, such as email addresses, which is obtained for the purpose of collecting taxes. In the House, this legislation passed its first

committee stop this week in Local & Federal Affairs. Its remaining references are Government Operations and Finance & Tax. Sen. Latvala's bill passed Community Affairs back in January and now awaits consideration in Governmental Oversight and Accountability.

Municipal Governing Body Meetings – HB 503, Rep. Pigman's bill to authorize governing bodies of municipalities to hold joint meetings with governing bodies of counties within which the municipality is located (i.e. allowing a City Council to request a formal joint meeting with its local County Commission) was reported favorably this week in its first committee of reference, Local & Federal Affairs; next it will move on to Government Operations before meeting State Affairs. SB 730, by Sen. Galvano is the companion bill, and it too passed its first committee this week in Community Affairs; only Governmental Oversight and Accountability remains before it can be taken up by the full Senate.

Parasailing – HB 347, by Rep. Clarke-Reed, was reported favorably in Agriculture & Natural Resources Appropriations by a vote of 12-0. It will next come before its final committee stop in Regulatory Affairs. Sen. Sachs' SB 320, the Senate version of this legislation, will be heard Monday, March 10th in Commerce & Tourism.

Communication Services Tax – HB 803, by Rep. Boyd and SB 898, by Sen. Abruzzo, would change the legal definition of "sales price" to exclude charges for the sale of communications services between a franchisor and its franchisee, as well as the definition of "franchisee" in such a way that reduces the tax burden of providers of communication services. It sits currently in its second of four references, Commerce & Tourism; Finance & Tax Appropriations and general Appropriations remain. The House bill has yet to be taken up in its first committee, Finance & Tax.

Ad Valorem Assessments/Renewable Energy Source Devices – HB 827, by Rep. La Rosa and SB 922, by Sen. Brandes, are joint resolutions to amend the Florida Constitution to allow businesses to receive property tax exemptions for the installation of renewable energy source devices, similar to the ad valorem exemptions that many residents receive if they install solar energy panels on their homes. In the Senate, this legislation passed Communications, Energy, and Public Utilities this week and will next be heard by Community Affairs, before moving on to Judiciary and Rules. In the House it still sits in its original committee of reference, Finance & Tax.

Municipal Power Regulation – HB 861 and SB 1294, by Rep. Mayfield and Sen. Altman, would amend the definition of "public utility" to include municipalities that receive or purchase power from an entity created under the Florida Interlocal Cooperation Act of 1969 and exclude from that definition municipalities that do not. Both bills, which were filed in February, currently sit in their original committees of reference: House Energy & Utilities and Senate Communications, Energy, and Public Utilities.

"Charlotte's Web"/Medical Marijuana – HB 843, by Reps. Gaetz and

Edwards and SB 1030, by Sens. Bradley, Bean and Brandes would exempt a "non-euphoric" strain of marijuana called Charlotte's Web from Florida's current prohibition against medical marijuana. The House measure was approved by the Gaetz-chaired Criminal Justice Subcommittee, with Rep. Harrell casting the lone dissenting vote. It will be considered by Appropriations next. SB 1030 will be heard in Health Policy, its first committee stop, next week.

Tax Administration – SB 7066, a PCB by the Appropriations Committee, is an omnibus tax bill that would remove a requirement that the department review the level of assessment of use-valued properties in its reviews of county assessment rolls and revise penalties for various tax-collection infractions, among other things. Appropriations itself is the only committee that will hear the bill. It will likely head to the full Senate this month.

Sincerely,



Bernie Friedman

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Legislative Session Update: Week 2 – March 10-14, 2014

March 14, 2014



Dear Colleen LaPlant:

Speaker Will Weatherford recently released the budget allocations for the various House Appropriations committees. Of particular interest to local governments are the allocations for Agricultural and Natural Resources, which will receive \$467 million in general revenue (up from \$311.5 million last year), and Government Operations, which was allocated \$298 million (up slightly from \$282.9 million last year). The Senate is expected to release its budget allocations soon.

Flood Insurance - There was good news from Washington D.C. last night. The Senate approved the House bill which will roll back the significant flood insurance increases experienced by residents in coastal communities. The bill passed on a bi-partisan vote of 72-22. It is expected that President Obama will sign the bill. Thanks to the many local officials who traveled to Washington D.C. to support this legislation and urge Congress to act.

In Tallahassee, the flood insurance bills filed by Sen. Brandes and others continued to move. SB 542, which will allow private insurers to offer flood insurance policies in Florida as an alternative to the NFIP, has passed all of the Senate committees that it was referred to and is on "special order calendar" for March 20. However, the House flood bills were not heard this week.

Springs – SB 1576, by Sen. Dean, picked up another Democratic co-sponsor this week in Sen. Soto but was Temporarily Postponed in Environmental Preservation and Conservation on Monday. The bill has been workshopped extensively and since this legislation is a priority for key Senators, this seems to be a minor hiccup. As expected, the bill has also attracted a House companion in Rep. Brodeur's HB 1313, which was

referenced to Agriculture & Natural Resources, Agriculture & Natural Resources Appropriations, and State Affairs on Tuesday.

As we relayed last week, this omnibus springs protection bill would establish a dedicated trust fund for water quality and clean-up efforts; establish a number of Outstanding Florida Springs protected by special regulations; provide for the reimbursement of homeowners for the price of removing septic tanks which adversely affect waterways, and hooking them up to sewer systems; reform the process of municipal water project consideration; and implement numerous other problems related to water quality.

Parasailing – Sen. Sach’s SB 320 was reported favorably this week by Commerce & Tourism and moves on to Community Affairs, its final committee stop before the Senate floor. Its House companion, HB 347 by Rep. Clarke-Reed is also in its final committee of reference, Regulatory Affairs. This legislation to mandate basic insurance and licensing requirements on commercial parasailing operations seems well-positioned to pass.

Vacation Rentals -- HB 307 by Rep. Hutson was scheduled to be heard in the House Local & Federal Affairs Committee on Wednesday of this week, however, it was not considered. HB 307 repeals a measure passed three years ago that exempted vacation rentals from city and local governmental control. Rep. Hutson has filed an [amendment](#) to the bill which would still prohibit local governments from prohibiting vacation rentals or regulating the duration of vacation rentals, but would presumably allow other types of regulation. The Senate version, SB 356 by Sen. Thrasher, has had a much easier time in committee and has been placed on “special order calendar” for next week, March 20.

Coastal Management – CS/HB 791, by Rep. Renuart, was reported favorably this week by House Agriculture & Natural Resources Appropriations with a committee substitute. It will take another vote on a revised edition and send it to State Affairs, its final stop before the full House. Sen. Bean’s SB 956 is similar though not identical – it passed Senate Environmental Preservation and Conservation on Thursday and has three more references to traverse. Both measures would make it easier to acquire certain kinds of permits from the Department of Environmental protection for small, limited-impact aquatic structures, as well as promote the use of aquatic preserves and uplands.

Ethics – CS/CS/SB 846 is another bite at the ethics apple by Sen. Latvala, who this year is seeking to enhance the investigatory powers of the Commission on Ethics relating to noncompliance with financial disclosure requirements, as well as tighten restrictions on lobbyists who deal closely with elected officials in matters regarding special districts like enterprise zones and brownfields. It was reported favorably by appropriations with yet another committee substitute this week. There is a similar House bill in circulation, HB 655 by Rep. Hood, but it has not yet been taken up in committee.

Building Construction – A bill filed back in January providing for enhanced regulation and collection methods for building code enforcement, HB 593 by Rep. Eagle, saw some traction this week when it was reported favorably with a CS in the House Business & Professional Regulation Subcommittee. SB 1106, by Sen. Simpson, which contains similar language has yet to be taken up by any of its four committees of reference.

Local Government Infrastructure Surtax – Part of a wider legislative initiative to inject money into Florida's ailing waterways, HB 987, by Rep. Goodson, would allow local governments to charge a small infrastructure surtax for the purpose of restoring or maintaining natural water bodies for public use. It passed Agriculture & Natural Resources this week; Finance & Tax and State Affairs remain. A Senate companion bill, SB 1102, by Sen. Altman, has not been taken up since being referred back in February.

Growth Management – Two bills to make technical fixes to the legislature's prohibition of local growth management referenda, SB 374 by Sen. Detert and HB 189 by Rep. Boyd, were unanimously passed in committee this week. HB 189 still must navigate Economic Affairs, while SB 374 will face Commerce & Tourism and Rules.

Public Meetings – Legislation to strengthen Florida's laws on promulgation of public meeting agendas and access to public business is moving in the Senate though not yet in the House. SB 718, by Sen. Legg, passed Community Affairs this week; HB 985, by Rep. Santiago, has not yet been taken up.

Community Redevelopment – Democratic-sponsored legislation to revamp the 1969 Community Redevelopment Act is now moving through the legislature. Sen. Bullard's SB 388 passed Community Affairs this week and moves on to the somewhat obscure Military and Veterans Affairs, Space, and Domestic Security committee, where upon passage it must still pass two additional committees. HB 1429, by Rep. McGhee, was only recently referred to committee due to its late introduction on March 4th. It must traverse four committees before reaching the House floor.

Fair Associations – CS/SB 624, by Sen. Simpson, would exempt fair associations from certain county assessments. It passed Community Affairs, its second of four references, with a committee substitute this week. HB 1259, by Rep. Santiago, contains similar language and sits in House Agriculture & Natural Resources. It has yet to be considered there.

Community Development Districts – CS/HB 793, by Rep. Roberson, was reported favorably with a committee substitute in Local & Federal Affairs on Wednesday. After it votes on the measure as revised, it will likely move on to its final committee of reference in State Affairs. Sen. Detert's identical Senate companion, SB 802, has been referred to Community Affairs and Commerce & Tourism but has not yet been placed on the agenda.

Motor Vehicle License Taxes – Appropriations Chair Sen. Negron's bi-

partisan bill to roll back motor vehicle fee hikes implemented during the recession in 2009, SB 156, was approved by Appropriations and placed on the Senate Special Order Calendar for March 18th this week. Rep. Hill's companion bill, HB 61, has so far not been heard in Finance & Tax but appears likely to pass from a political standpoint, in keeping with Gov. Scott's pledge to cut taxes by \$500 million this Session.

Water and Wastewater Utilities – SB 272, by Sen. Simpson, inched closer to the Senate floor this week, passing Appropriations with a committee substitute on Thursday. The legislation which seeks to redress problems rural Floridians have had with their local utilities by limiting rates that public water utilities can charge and putting in place a formal complaint process with a stronger enforcement component. HB 1321, by Rep. Murphy, is SB 272's House companion bill. It is referenced for Energy & Utilities, Appropriations, and Regulatory Affairs but has not been considered yet since being filed on March 3rd.

Sincerely,



Bernie Friedman

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Local Government Summary – March 24-28, 2014

March 28, 2014



Dear Colleen LaPlant:

The 2014 Legislative Session is almost half-way over. If a bill has not been heard in any House or Senate committee by this point, it is most likely “dead” for this session. Here is an update on some bills of interest that did make progress this week:

County and Municipal Parks – HB 677, by Rep. Rangel, passed Veteran & Military Affairs this week and now sits in Local & Federal Affairs. The bill would require counties and municipalities to provide discounted park entrance fees to military members, veterans, and families of deceased veterans, as well as to law enforcement officers and firefighters. SB 378, by Sen. Abruzzo, has passed its first two committees of reference and sits in Appropriations, its final stop before the Senate floor.

Red Light Cameras – SB 144, by Sen. Brandes, looks like it has reached its demise after being temporarily postponed in its original committee of reference for a second time. The bill would have repealed the laws on the books related to them and required cities to remove all existing traffic infraction monitors. HB 4009, by Reps. Ariles and Campbell, was never heard by any committee.

Red Light Camera/Public Records – HB 555, by Rep. McBurney, would exempt images captured from red light cameras from the public record. It passed this week from its first committee of reference, Transportation & Highway Safety and has been placed on the agenda for its second of three committees of reference, Government Operations. A Senate companion bill, SB 1476, by Sen. Evers, has languished in its first committee stop in Transportation, but is still alive.

Growth Management – SB 374, by Sen. Detert, the Legislature’s most recent technical fix to their prohibition of local growth management referenda

in 2010, has passed Commerce and Tourism and will next be considered by its final stop in Rules. HB 189, by Rep. Boyd, is identical and is on the calendar for its 2nd reading before the House floor.

Neighborhood Improvement Districts – HB 351, by Rep. Nelson, was reported favorably with a committee substitute by a 8-5 vote in Economic Development and Tourism, its first of four references on its way to the House floor. The bill would provide for a process whereby special districts known as neighborhood improvement districts could issue bonds and make assessments to fund projects to revitalize neighborhoods and improve public safety. SB 510, by Sen. Ring, is awaiting a hearing in Appropriations.

Brownfields – For the second time in as many weeks, SB 586, by Sen. Altman, was on the calendar but was not heard in Senate Judiciary. It is scheduled to come up for a third time on Monday. The bill would revise the local governmental requirements for the designation of brownfields, including allowing them to use a name other than brownfields for the special districts. The House version, HB 325, by Rep. Stone, is also still moving – after its second committee substitute it will now be taken up by Economic Affairs, its final committee stop.

Joint Municipal Government Meetings – HB 503, by Rep. Pigman, and SB 730, by Sen. Galvano, authorize the governing body of a municipality to hold joint meetings with the governing body of a county within which the municipality is located or a governing body of another municipality regarding issues of mutual interest, the time and place of the joint meetings being determined by ordinance or resolution. HB 503 passed Government Operations this week and has State Affairs left to go before reaching the full House; SB 730 awaits consideration in Governmental Oversight and Accountability, its final stop as well.

Publicly Funded Retirement Programs (Firefighters) - SB 1442, by Sen. Bradley provides that premium taxes collected from parcels in an unincorporated area can be remitted to a municipal firefighters plan if the parcels are designated within a Municipal Services Taxing Unit (MSTU) and an interlocal agreement exists between the municipality and county for the municipality to provide fire protection services to parcels within the MSTU boundaries. The bill passed Community Affairs with a committee substitute this week. SB 1442's counterpart, HB 1189 by Rep. Eagle, passed its first of three committee stops this week, in Government Operations – Finance & Tax and State Affairs must also approve it if it is to reach the House floor. A broader pension reform that has been debated in the Senate (SB 246) is still rumored to be dead for this year, as Speaker Weatherford is against taking up this divisive issue in a contentious election-year Session.

Public Retirement Plans (Police) – HB 117, by Rep. Ray, and SB 388, by Sen. Bean, provide that consolidated governments that have entered into interlocal agreements to provide police protection services to municipalities within their given boundaries are eligible to receive premium taxes reported for those municipalities. HB 117 was approved by Finance & Tax

Subcommittee and now moves to State Affairs. SB 388 is in Appropriations and then awaits a vote by the full Senate.

Coastal Management – CS/HB 791, by Rep. Renuart, has moved onto State Affairs – its final committee of reference – after being reported favorably this week by House Agriculture & Natural Resources Appropriations with a committee substitute. Sen. Bean's SB 956 is similar though not identical – it passed Community Affairs on Thursday and has two more references to traverse. Both measures would make it easier to acquire certain kinds of permits from the Department of Environmental protection for small, limited-impact aquatic structures, as well as promote the use of aquatic preserves and uplands.

Community Redevelopment – Sen. Bullard's SB 338, which would rename the Community Redevelopment Act of 1969 and broaden the term "blighted area" as applicable to that law, passed the Military & Veterans Affairs, Space, and Domestic Security Committee without opposition this week; it will next be taken up by Commerce & Tourism and Appropriations. HB 311, by Rep. McGhee, still awaits a hearing in Economic Affairs, its original committee of reference.

Public Records and Meetings – SB 1648, by the Governmental Oversight and Accountability Committee, passed the full Senate this week by a 39-0 vote. The bill strengthens the state's Sunshine Laws regarding governmental contractors and makes it easier for citizens to request public records, no longer requiring those requests to be submitted in writing. The bill's House companion, HB 1151, by Rep. Hood, has not yet been taken up in its first of three stops.

Youth Sports Background Checks – Sen. Ring's SB 358 would strengthen the screening process for potential volunteers seeking to coach or referee youth sports contests on publicly owned facilities. It was temporarily postponed on 2nd reading but has been retained on the Special Order Calendar and will be taken up again by the Senate next week. Rep. Shev Jones' companion, HB 139, is now also out of committee, and will be considered by the full House on 2nd reading soon.

Municipal Property Tax Exemption – HB 471, by Rep. J. Diaz, proposes an amendment to the state Constitution to exempt from taxation all properties owned by municipalities. The bill was passed in its first committee of reference, Finance & Tax, 15-3 this week. The Senate version, SB 704 by Sen. Margolis, has not been placed on the agenda to be heard by any committee so far.

Environmental Regulation – Rep. Patronis' latest omnibus effort to ease environmental regulations, HB 703, has started to move after a period of dormancy. It is scheduled to be taken up in Agriculture & Natural Resources Appropriations on Monday after passing Agriculture & Natural Resources on March 10th. SB 1464, by Sen. Simpson, is now also moving after a favorable report from Environmental Preservation and Conservation. Sen. Soto cast a

lone 'No' vote against the measure while three Senators abstained. Community Affairs, Appropriations, and Rules must all approve the bill before it gets to the Senate floor.

Tax Collection/Public Records – SB 538 by Sen. Latvala, a measure which would exempt email addresses and other identifying information obtained for the purposes of collecting taxes, is now out of committee and onto the Senate floor, where it is on the Special Order Calendar for a second reading. Rep. Hooper's House companion, HB 421, will be heard by Government Operations on Monday.

Developments of Regional Impact – SB 372, by Sen. Galvano, passed Appropriations with 5 'No' votes and a committee substitute this week. It would limit the state's ability to review major commercial and residential developments in seven counties (Brevard, Lee, Manatee, Pasco, Sarasota, Escambia and Volusia) beyond the five that are already exempt from these reviews. HB 241, the House companion sponsored by Rep. M. Gaetz, has not yet been considered in Economic Development & Tourism, its first of three references.

Water & Wastewater Utilities – HB 357, by Rep. Santiago and SB 1050, by Sen. Hays, is a bill to implement the recommendations of the 2012 Study Committee on Investor-Owned Water and Wastewater Utility Systems. The reforms include expanding the availability of low-interest loans to all for-profit water utilities; directing the Division of Bond Finance to review the allocation of private activity bonds with respect to water and wastewater projects; creating an exemption from Public Service Commission regulation for persons who resell water service to individually-metered end-users at a price that does not exceed the purchase price of water plus 9 percent; and so on.

The legislation is now out of committee and on the House floor, where it has been placed on the 2nd reading calendar. The Senate version lags behind in its first of four committees of reference, possibly due to influential Sen. Simpson's own water utilities bill, SB 272, which is now awaiting its 2nd reading on the Senate floor.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bernie", with a stylized, cursive script.

Bernie Friedman

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Local Government Summary - March 31-April 4, 2014

April 5, 2014



Dear Colleen LaPlant:

The House and Senate both adopted separate budget plans this week of approximately \$75 million, setting up negotiations to work out the differences in the plans. The Senate has announced its conferees (the Senators tasked with working out the budget differences with their House counterparts). The House will be announcing its conferees soon. The following are some bills of interest that made progress this week.

Sadowski Housing Appropriations – There are significant differences between the House and Senate budgets regarding SHIP funding. [Click here](#) for a city-by-city chart detailing the differences that would go to municipalities for Sadowski Housing.

E-Cigarettes – HB 169, by Reps. Artilles and Renuart, has been placed on the House calendar. The bill received its first No votes in its final committee stop, Regulatory Affairs, where all Democrats except Rep. Rouson opposed the bill. It passed 12-5. The bill would prohibit the sale of nicotine-dependencing devices known as “e-cigarettes” to minors. The Senate version was passed 40-0 earlier this month.

Sober Homes – HB 479, by Rep. Hager, was reported favorably this week in Health & Human Services, its final committee stop, without opposition. It will next move to the House floor. Sen. Clemens’ SB 582, the Senate version of legislation to strengthen regulations on sober homes, remains in Appropriations, also its final stop. Both bills still appear likely to pass.

Onsite Sewage Treatment and Disposal Systems – HB 1055, by Rep. Mayfield, passed Health Care Appropriations on Monday and will next go before State Affairs. Its Senate companion SB 1306, by Sen. Altman,

currently sits in Agriculture after which it must face Appropriations. The measures would authorize the DOH to establish and collect fees for combined systems of sewage treatment and disposal, and establish a system by which permits for such systems are issued.

Public Records/Taxpayer Email Addresses – Rep. Hooper's HB 421 provides an exemption from public records requirements for e-mail addresses obtained by tax collector for purpose of electronically sending tax notices or obtaining consent of taxpayer to electronic transmission of tax notices. It passed Government Operations on Monday and will next go before Finance & Tax. SB 538, by Sen. Latvala, is the measure's Senate companion and has been Engrossed and awaits its third reading by the full Senate.

Springs – Sen. Dean's SB 1576 continues to move at a rapid pace through the Senate, passing with a committee substitute in Appropriations this week. HB 1313, by Rep. Brodeur, has had less success in committee – it still awaits consideration in its first committee of reference, Agriculture & Natural Resources. The language can most likely still make it to the Governor's desk regardless.

This omnibus springs protection bill would establish a dedicated trust fund for water quality and clean-up efforts; establish a number of Outstanding Florida Springs protected by special regulations; provide for the reimbursement of homeowners for the price of removing septic tanks which adversely affect waterways, and hooking them up to sewer systems; reform the process of municipal water project consideration; and implement numerous other problems related to water quality. Environmental advocates say the bill has been "watered down" so to speak in the committee process, but will still provide important funding for springs restoration.

Public Records/Red Light Cameras – HB 555, by Rep. McBurney, legislation to prevent identifying information obtained by traffic infraction detectors from becoming public has passed its second committee stop in the House, Government Operations. It must still be heard in Economic Affairs in order to make it to the House floor. The Senate bill, SB 1476, by Sen. Evers is still awaiting consideration in Transportation, its original committee stop.

Public Records and Meetings – Government Operations moved forward legislation allowing citizens to request records without doing so in writing this week. HB 1151, by Rep. Hood now goes before Government Operations Appropriations and State Affairs, providing these committees meet again this Session. SB 1648, a committee bill sponsored by Governmental Oversight and Accountability, would do the same and was passed in the Senate 39-0 two weeks ago.

Environmental Regulation – Rep. Patronis' bill to relax environmental regulations in Florida, HB 703, passed Agriculture & Natural Resources Appropriations this week and will next be taken up by State Affairs. It has not been added to the agenda yet but likely will be. SB 1464, by Sen. Simpson,

will be heard in the committee that he chairs next week, Community Affairs.

Water And Wastewater Utility Systems - HB 357, by Rep. Santiago and SB 1050, by Sen. Hays, are bills to implement the recommendations of the 2012 Study Committee on Investor-Owned Water and Wastewater Utility Systems. The reforms include expanding the availability of low-interest loans to all for-profit water utilities; directing the Division of Bond Finance to review the allocation of private activity bonds with respect to water and wastewater projects; creating an exemption from Public Service Commission regulation for persons who resell water service to individually-metered end-users at a price that does not exceed the purchase price of water plus 9 percent; and so on.

SB 1050 was reported favorably in Communications, Energy, and Public Utilities this week, and moves on to Environmental Preservation and Conservation. HB 357 was passed with just a single 'No' vote in its final committee stop last week and has been placed on the House calendar.

Ad Valorem Assessments/Renewable Energy Devices – SB 916, Sen. Brandes' bill to call for a constitutional amendment on the ballot this November to extend ad valorem business tax breaks for individuals who install solar panels to homeowners as well, passed the Judiciary Committee this week. It must still traverse Rules. HB 827, by Reps. La Rosa and Berman, has not been heard yet by Finance & Tax, its first of three committee stops, and likely may not before Sine Die.

Utility Projects – SB 910, by Sen. Legg, is branded the "Utility Cost Containment Bond Act" and would authorize certain local government entities to finance the cost of a utility project by issuing utility cost containment bonds upon application by a local agency. It was passed with a committee substitute in Community Affairs this week and will next meet Appropriations. The bill's House companion, HB 1101, sits in Finance & Tax. If it passes there, it would move on to Regulatory Affairs.

Special Assessment for Law Enforcement Services – SB 884, by Sen. Smith, would allow municipalities to levy a special assessment to fund the costs of providing law enforcement services, making these services less dependent on ad valorem revenue. The bill passed Community Affairs this week, but still has three stops ahead of it: Criminal Justice, Finance and Tax Appropriations, and Appropriations. Rep. Pilon's House version of the measure, HB 371, has not been heard since being referenced back in January.

Communication Services Tax - Finance and Tax passed Sen. Abruzzo's SB 898 this week, which revises the the definition of the term "information services" to include certain data processing and other services. HB 803, by Rep. Boyd, now sits in appropriations, its final stop before the full House.

Coastal Management – HB 791, by Rep. Renuart, passed State Affairs today with a committee substitute. When that CS is filed, it will move to the

House floor. SB 956, by Sen. Bean, sits in Appropriations. Both bills would authorize the Department of Environmental Protection to grant areawide permits for certain structures, require them to promote the public use of aquatic preserves and their associated uplands, and in some cases make allowances for public access to these areas.

Public Retirement Plans – HB 117, by Rep. Rap, would establish that consolidated government that has entered into interlocal agreement to provide police protection services to municipality within its boundaries is eligible to receive premium taxes reported for that particular municipality. The bill passed State Affairs today and moves to the House floor. SB 388, by Sen. Bean, would do the same. It currently sits in Appropriations, its final committee of reference.

Publically Financed Retirement Plans – Sen. Bradley's SB 1442 passed Governmental Oversight and Accountability today. It would provide that fire protection services to another municipality under an interlocal agreement is eligible to receive property insurance premium taxes. Rep. Eagle's House companion bill, HB 1189, must still navigate Finance & Tax and State Affairs.

County and Municipal Parks – HB 677, by Rep. Rangel, would allow military veterans and their families to enter local public parks at a discounted rate. It passed Economic Affairs Thursday without opposition and moves on to the House floor. The Senate companion is SB 378, by Sen. Abruzzo, which has been in its final committee stop, Appropriations for three weeks.

Parasailing – SB 320, by Sen. Sachs, passed the Senate 40-0 this week. The legislation would provide basic insurance and liability requirements for commercial parasailing operations. Rep. Clarke-Reed's House companion, HB 305, is in Regulatory Affairs, its final stop before the House floor.

Sincerely,

A handwritten signature in cursive script that reads "Bernie".

Bernie Friedman

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Local Government Summary - April 7-11, 2014

April 16, 2014



Dear Bernie Friedman,

The House and Senate are off this week because of the Passover and Easter holidays. Therefore, we will not be sending an Alert at the end of this week, and will update you again at the end of Week 8.

We have now arrived at that time in every Session when, as MTV would render it, Tallahassee legislators, staffers and lobbyists “stop being polite... and start getting real.” Bills are dying, seekers of appropriations are making their final pleas, and deals are being struck. This week was a doozy, and the action included several bills related to municipal and local priorities. Below is a review.

Environmental Permitting & Growth Management/DRI's – This week saw the election-year demise of two controversial measures that would alter the balance of power between state and local governments on issues relating to growth and the environment.

A Rep. Patronis-sponsored bill to relax environmental standards is almost *de rigeur* for every Session by now, but his efforts have had differential degrees of success. This year his HB 703 - which sought to preempt local governments from adopting stricter water quality standards than the state's and to extend the duration of environmental permits – was temporarily passed earlier this week and then not taken up in State Affairs, signaling its certain death, at least in its current form. He has agreed not to pursue it further as SB 1464, by Sen. Simpson, was languishing on the Senate side. That bill was also TP'd, in Community Affairs.

Seemingly following this trend are two bills to that would add seven counties to an existing exemption from a DRI/growth management review process. SB 372, by Sen. Lee was TP'd in Rules following its accrual of seven 'No' votes in three prior committees while HB 241, by Rep. M. Gaetz, was never taken

up by its first committee of reference, Economic Development & Tourism.

Local Government Pensions – SB 246, by Sens. Ring & Bradley, was the duo's second attempt in as many years to resolve the sticky wicket that is local government pension reform. After sitting in Appropriations for almost three months, the measure was taken up and unanimously approved by the committee this week. In the House, State Affairs adopted a Proposed Committee Bill SAC-4 to match up with the Senate version.

Essentially, the new plan would repeal restrictions in state law on how the premium taxes are spent, so long as local governments and unions can come to agreement. If there is no agreement, the taxes would be sifted through a formula detailing how much should be spent on existing benefits and how much should be given to workers in a separate retirement account.

The bill makes the so-called "Naples letter" effective until the earlier of October 1, 2017, or the effective date of a collective bargaining agreement.

The League of Cities and the Unions said they support the new legislation.

Florida Retirement System – A bill to reduce payments to retirees from the FRS by rearranging the requirements for enrollment, HB 7173, by Rep. Boyd and the State Affairs Committee, made it through its one and only committee of reference this week, Appropriations. It now sits in the House awaiting its second reading. The Senate measure, SB 1114, passed the Senate Governmental Oversight and Accountability Committee by a 7-2 margin. It now goes to the Senate Appropriations Committee.

Water & Wastewater Utility Systems – HB 357, by Rep. Santiago and SB 1050, by Sen. Hays, are bills to implement the recommendations of the 2012 Study Committee on Investor-Owned Water and Wastewater Utility Systems. The reforms include expanding the availability of low-interest loans to all for-profit water utilities; directing the Division of Bond Finance to review the allocation of private activity bonds with respect to water and wastewater projects; creating an exemption from Public Service Commission regulation for persons who resell water service to individually-metered end-users at a price that does not exceed the purchase price of water plus 9 percent; and so on.

SB 1050 was reported favorably with a committee substitute by Environmental Preservation and Conservation this week and will move on to Finance & Tax Appropriations and then full Appropriations. It has moved more slowly than HB 357 which is out of committee and scheduled for its second reading on the House floor.

Government Contracting – SB 612, by Sen. Hays, would give preference to local contractors when local governments, universities, school districts, etc. procure services from the private sector. The bill passed Judiciary 6-2 this week with a committee substitute and moves on to Appropriations, its final committee of reference. Rep. Fitzenhagen's House companion bill, HB 801,

seems to have stalled in Local & Federal Affairs, where it has sat for three weeks. Were Local & Federal Affairs to take up the measure, it would still need to pass two more references before reaching the House floor.

County Employees – SB 106, by Sen. Dean, authorizes the governing body of a county to determine available benefits of county employees, including determining their Florida Retirement System eligibility. HB 21, by Rep. Porter, the measure's House companion, is through committee and House took up the Senate bill in lieu of the House bill. It passed on Third Reading on Friday in the House by a vote of 116-0.

Local Government Infrastructure Surtax – SB 1102, by Sen. Altman, broadens the permissible uses of an existing surtax to include the restoration or maintenance of natural water bodies for public use. It passed Finance and Tax Appropriations this week with a committee substitute and must still traverse Appropriations before reaching the full Senate. HB 987, by Rep. Goodson, would do the same and passed without opposition in Agriculture & Natural Resources, but has not been taken up for a full month in Finance & Tax.

Assisted Living Facilities – HB 573, by Rep. Ahern, was passed with a committee substitute by Health & Human Services Committee this week, with three 'No' votes. It will next be taken up by the full House. It has no similar companion in the Senate, though its language could be added as an amendment to a number of vehicles. The bill would provide for coverage of mental health medications and services through Medicare and Medicaid, as well as strengthen oversight of certain facilities that offer extended congregate care services.

Package Store Restrictions – SB 804, by Sen. Galvano, appears to have died in committee. The bill would repeal a prohibition against the sale of hard liquor in grocery stores, including Wal-Mart and other major supermarkets. It was placed on the agenda in Regulated Industries Thursday, but was TP'd. Its House companion, HB 877, by Rep. J. Smith, does not appear likely to receive a hearing in its original committee of reference, Business & Professional Regulation.

Communications Services Tax – HB 803, by Rep. Boyd, was passed by Appropriations this week; it will now move onto the full House. Sen. Abruzzo's SB 898 remains in Appropriations, its final committee stop. The bill revises the definition of the term "information services" to include certain data processing and other services.

Reclaimed Water - HB 601, by Rep. Ray – the House version of legislation to require the DEP and other agencies to conduct a study inquiring into the effects of expanding reclaimed water –is out of committee and awaits consideration on the House floor. SB 536, by Sen. Simpson, passed the Senate 38-0.

Pub. Rec./Prepaid Wireless E911 Fee – HB 177, by Rep. Steube, provides

exemption from public records requirements for proprietary confidential business information submitted by wireless service provider to the Department of Revenue; it has been substituted for its Senate companion, SB 292, by Sen. Hays and passed in both chambers. All that remains is the Governor's signature and it will become law when linked legislation (HB 175, by Rep. Steube) is passed.

Homelessness – HB 979, by Rep. Peters, passed its second of three committees of reference this week in Appropriations. The bill would authorize the Department of Economic Opportunity to investigate and provide for job training as part of the spectrum of social services offered to the homes. Rep. Peters' Senate sponsor and fellow resident of Pinellas, Sen. Latvala, got his version of the bill through Children, Families and Elder Affairs two weeks ago. It must now navigate Appropriations before heading to the floor.

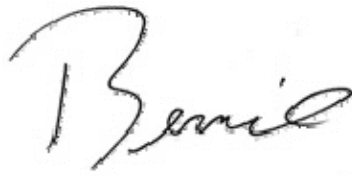
Brownfields - SB 586, by Sen. Altman, has finally broken through after repeated delays in Judiciary and been placed on the Senate calendar for its third reading. The bill would revise the local governmental requirements for the designation of brownfields, including allowing them to use a name other than brownfields for the special districts. The House version, HB 325, by Rep. Stone, is also still moving – it was passed in Economic Affairs and will now move on to the House floor.

Joint Municipal Government Meetings – HB 503, by Rep. Pigman, and SB 730, by Sen. Galvano, authorize the governing body of a municipality to hold joint meetings with the governing body of a county within which the municipality is located or a governing body of another municipality regarding issues of mutual interest, the time and place of the joint meetings being determined by ordinance or resolution. HB 503 has been placed on the House calendar for its second reading; SB 730 has been placed on the Senate calendar for a third reading.

Youth Sports Background Checks – Sen. Ring's SB 358 would strengthen the screening process for potential volunteers seeking to coach or referee youth sports contests on publicly owned facilities. It passed the full Senate 38-0 this week. Rep. S. Jones' companion, HB 139, is also out of committee, and will be considered by the full House on 2nd reading soon.

Tax Collection/Public Records – SB 538 by Sen. Latvala, a measure which would exempt email addresses and other identifying information obtained for the purposes of collecting taxes, passed the Senate this week by a vote of 40-0. Rep. Hooper's House companion, HB 421, was reported favorably this week in Government Operations with a committee substitute, and now sits in Finance & Tax, its final committee of reference.

Sincerely,



Bernie Friedman

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Local Government Summary – April 21-26, 2014

April 28, 2014



Dear Bernie Friedman :

This weekend in Tallahassee witnessed the annual appropriations scramble, accompanied by staff and lobbyists eagerly awaiting the weekend meeting notices, legislators staying the weekend in the capital, and everyone feeling slightly on edge. Budget conference is in full effect and many key issues have been “bumped up” for negotiation between legislative leaders, converting most in the process into spectators. Yet there are still several key pieces of municipality-related legislation to be taken up on the House & Senate floors. Below is a review.

Water Projects: The House and Senate Conference Committee have not yet agreed to the list of water projects that will be funded, but that decision is expected later today.

SHIP and SAIL Funding: The House and Senate Conference Committee has agreed to fund the SHIP program at \$100,000,000. In past years, the total Sadowski Fund has been swept and the money moved to General Revenue. The Conference Committee also agreed to fund SAIL at \$67,000,000. Nothing is final until the budget is printed and the Governor approves it, but this is a victory for local governments.

Local Government Pension Reform/Florida Retirement System– The last week saw an upheaval in the trajectory of local government pension reform in the Legislature. The reform contemplated by Sens. Ring & Bradley continues to meet favorable consideration, as their SB 246 was passed on Second Reading and will be considered for final passage and likely approved this week. In the House, however, developments took a major turn when the State Affairs Committee, at the behest of Speaker Weatherford, filed a committee bill (SAC6) that combined the language of the companion bill to SB 246 with Florida Retirement System (FRS) language that was previously thought dead. This bill was re-filed as HB 7181, sponsored by Reps. Boyd and Caldwell, and passed this week by a party-

line vote.

In SB 1118, the Senate has taken up legislation that mirrors the FRS language, but it has received much opposition - narrowly passing Appropriations by a vote of 10-8 - and was thought to be disfavored by the Senate President. Speaker Weatherford has intimated that the two pension issues are bound up and will not become law separately. President Gaetz has said he feels it is "entirely appropriate" that the bills were combined, yet the legislation is likely to be more controversial among Republican members of the Senate than it was in the House. The bill will be considered on Second Reading this Wednesday.

Sober Homes – Rep. Hager's HB 479, which adds a voluntary certification program for houses in residential neighborhoods which offer substance abuse services, was passed in the House this week, with only Rep. Tobia voting in the negative. SB 582, by Sen. Clemens, was scheduled to be considered on the Special Order Calendar, but was removed because it has not yet been heard in Appropriations, its final committee stop.

Felonies Across County Lines – SB 550, by Sen. Hukill, and HB 427, by Rep. McBurney are measures to create a new crime of traveling across county lines with the intent to commit a felony offense, as well as adding this crime to the factors a court may consider in determining whether to release a defendant on bail. The bill has been placed on the Senate Special Order Calendar to be taken up this week after passing Appropriations this week. It passed the House earlier this month by a vote of 81-36, with most of the Democratic caucus joined by Speaker-designate for 2016 Rep. Jose Oliva in their opposition.

Springs – SB 1576, by Sen. Dean, has finished winding its way through committee, passing Appropriations early this week with a committee substitute. It has been placed on Special Order Calendar and will be taken up on the Senate floor Wednesday. The House has still not heard Rep. Brodeur's companion bill, HB 1313, and does not appear likely to do so.

This omnibus springs protection bill would establish a dedicated trust fund for water quality and clean-up efforts; establish a number of Outstanding Florida Springs protected by special regulations; provide for the reimbursement of homeowners for the price of removing septic tanks which adversely affect waterways, and hooking them up to sewer systems; reform the process of municipal water project consideration; and implement numerous other problems related to water quality.

Environmental advocates say the bill has been "watered down" so to speak in the committee process, but will still provide important funding for springs restoration. The League of Cities is opposed to the bill because the latest version of the bill removed the 39% documentary stamp tax recurring funding and replaced it with a one-time allocation that will be negotiated annually between the House and Senate.

Growth Management – Sen. Detert's legislative fix to a grandfathering problem with the Legislature's prohibition on local growth management ordinances, SB

374, was passed 35-0 in the Senate this week. Rep. Boyd's House companion was approved by Economic Affairs and has been placed on the calendar for Second Reading this week.

Background Screening – SB 674, by Sen. Bean, passed the full Senate this week without opposition. In the House, Rep. Reed's companion bill remains on the Second Reading calendar and could be taken up this week. These bills authorize the Department of Motor Vehicles to share driver's license images with certain state agencies for the purpose of criminal background checks.

Joint Municipal Government Meetings – HB 503, by Rep. Pigman, and SB 730, by Sen. Galvano, authorize the governing body of a municipality to hold joint meetings with the governing body of a county within which the municipality is located or a governing body of another municipality regarding issues of mutual interest, the time and place of the joint meetings being determined by ordinance or resolution. HB 503 has been placed on the House Special Order calendar for this week; SB 730 was passed by the full Senate this week, 36-0.

Water Utilities – SB 272, by Sen. Simpson, would authorize the Florida Public Service Commission to regulate local water utilities and in some cases revoke certificates of authorization. It would also burnish the ability of citizens and ratepayers to petition the PSC to investigate poor practices on the part of utilities. The bill was read a second time this week and rolled over for Third Reading this week.

Sincerely,



Bernie Friedman

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Legislative Report for City of Hollywood

May 14, 2014



The 2014 Legislative Session adjourned Sine Die at 10:30 p.m. on Friday, May 2, 2014.

We are pleased to report to you that the Legislature has approved the following State funding for the City of Hollywood:

- **Fred Lippman Senior Center: \$228,000**
- **SE Focal Point Senior Center- Joseph Meyerhoff Center: \$141,550**
- **SHIP Housing and Community Development Funding: \$656,000**

The Governor has ten days from the time the budget reaches his desk to veto line items. We are advised that we will know the final details of the Governor's changes to the budget by Memorial Day.

The Governor has ten days from the time the budget reaches his desk to veto line items. We are advised that we will know the final details of the Governor's changes to the budget by Memorial Day.

SB 54, by Sen. Legg, regarding **Relief of Ronald Miller by the City of Hollywood**, was not taken up in any Senate committee during this Session, though it did pass the House 111-5 on April 24. The original bill would have compensated Mr. Miller at \$1.1 million, and this was negotiated down to \$100,000. We continue to work hard on this issue to protect Hollywood.

BILLS THAT PASSED

Emergency Communication System – SB 292 by Rep. Hays was laid on the table after approval by the Senate and replaced by its House companion, HB 175 by Rep. Steube, which was passed by the Senate 36-0. The measure provides for a small surtax on prepaid wireless sales that will go to municipalities for the purpose of maintaining Emergency 911 services on

prepaid mobile phones.

Economic Development – HB 5601, Rep. Workman's vehicle for a large portion of Governor Scott's tax cut package, passed on the last day of Session and includes a number of sales tax holidays. The Governor approved it on May 13. HB 5601 does not include a reduction in the communications services tax.

Flood Insurance - SB 542, by Sen. Brandes, passed the House (98-11). SB 542 will allow private insurers to offer residential flood insurance policies in Florida as an alternative to the NFIP. Originally, SB 542 would have allowed the flood insurance policy to be in the amount of the remaining mortgage owed on the property. However, those provisions were removed by the House, and the Senate concurred with those changes and approved the amended bill by a vote of 30-3.

Department of Economic Opportunity – SB 1634, by Sen. Detert and HB 7023, by Rep. Hutson are omnibus DEO/Economic Development bills. The bill provides tax credits of up to \$600,000 for electricity purchased in rural areas; clarifies the proper use of state funds allocated for economic incentives; puts a \$120,000 cap on administrative overhead on loans; and modifies provisions surrounding employer-sponsored training for employees, as well as many various technical clarifications and tweaks. HB 7023 also extends the expiration of permits issued by the Department of Environmental Protection, water management districts, local building permits and local government development orders for 2 years. HB 7023 passed late into the evening on the last day of session, shortly before the vote on the budget and Sine Die, and awaits the Governor's signature.

Growth Management – HB 189, by Rep. Boyd was substituted for SB 374, by Sen. Detert and was approved by the House 117-0. This bill was a technical legislative fix related to a grandfathering problem with the Legislature's prohibition on local growth management ordinances as it relates to certain cities.

Ethics Reform – Sen. Latvala's SB 846 was approved unanimously in both chambers on the final two days of session. The bill allows the Florida Commission on Ethics to independently begin investigations when officials fail to file financial disclosure reports; requires lobbyist disclosure at the state's water management districts; requires annual ethics training for elected city officials; and applies portions of the state ethics code to Enterprise Florida and Citizens Property Insurance.

Vacation Rentals – SB 356 by Sen. Thrasher passed both the House and Senate and is headed to the Governor. This bill, which was important to Hollywood, allows local governments to regulate certain aspects of vacation rentals such as parking, noise, and fire/safety codes, but local governments may not prohibit vacation rentals.

Quiet Zones/All Aboard Florida – Tucked into the budget this year is proviso language that appropriates \$10 million for a grant program to make improvements on designated "Quiet Zones" near railroad tracks ahead of an anticipated expansion of the All Aboard Florida project. We recognize the importance of this to Hollywood.

According to the language the Department of Transportation "will coordinate

and work closely with local, state, and federal agencies to provide technical support to local agencies for the development of quiet zone plans.” Grants may be applied for after designation of a quiet zone to account for up to 50 percent of the nonfederal and nonprivate share of the total costs of any qualifying quiet zone capital improvement project.

Parasailing – SB 320 by Sen. Sachs passed the House and Senate and will reach the Governor’s desk. This followed weeks of political and procedural maneuvering surrounding the bill. The House added some amendments which hold kite surfing and kite boarding operators to the same insurance and safety standards that will apply to parasailing, and after finally agreeing to accept SB 320 from Messages, the House approved the bill by a vote of 117-1. The Senate then took up the bill and concurred with the amendments and passed the bill by a vote of 38-0.

Homelessness – Rep. Peters’ HB 979 passed the Senate 38-0 after replacing Senate co-sponsor Sen. Latvala’s SB 1090. The bill provides for appropriations to be distributed via grants to local agencies and political subdivisions, as well as training for people working in the field to be provided by the Department of Economic Opportunity.

Tobacco & Nicotine Regulation/E-Cigarettes – HB 169, Rep. Artilles’ half of a bicameral effort to prevent the sale of “e-cigarettes” to minors, passed the House two weeks ago and was laid on the table to make way for SB 224 by Sen. Benacquisto. After Rep. Artilles conformed the bill to match the Senate version with some technical amendments, SB 224 was taken up and passed by the House by a vote of 117-0. The bill makes it a second degree misdemeanor to sell or distribute nicotine dispensing devices to minors under the age of 18, and makes it a noncriminal violation for people under 18 years of age to possess, purchase or misrepresent their age or military service to obtain nicotine dispensing devices in certain circumstances. The bill does not include language preempting local ordinances relating to tobacco products and activities, or any local ordinances relating to nicotine dispensing devices.

Transportation – Sen. Grimsley’s SB 218 passed unanimously in the House and Senate. The bill is an omnibus bill which made several small tweaks to provisions relating to signage, interlocal agreements, and the like. It also allows municipalities in certain rural areas to compete for funding under the FDOT Small County Outreach Program. Language related to the Florida Greenways and Trails Council was added, providing for funding for projects under their auspices, as well as language limiting the liability of local governments regarding building or maintaining utilities facilities built in right-of-ways and in rural areas of concern as defined in statute.

Parking Meters – Pursuant to HB 7175, all municipalities must provide to the Florida Transportation Commission (FTC) an inventory of all parking meters located on state rights-of-way that were installed prior to July 1, 2014, by no later than August 31, 2014. The bill also prohibits cities from installing any new parking meters on state rights-of-way from July 1, 2014, to June 30, 2015. The bill also directs FTC to perform a study on parking meters and prohibits local governments from regulating public information systems (billboards) on water management district property.

Joint Municipal Government Meetings – HB 503, by Rep. Pigman, has been approved by the Governor after being substituted in the House for SB 730, by Sen. Galvano, and passed in the House 115-0. The bill authorizes

the governing body of a municipality to hold joint meetings with the governing body of a county within which the municipality is located or a governing body of another municipality regarding issues of mutual interest, the time and place of the joint meetings being determined by ordinance or resolution. SB 730 was passed by the full Senate 36-0.

Background Checks for Youth Athletic Coaches – Rep. S. Jones' HB 139 was substituted for SB 358 by Sen. Ring, which was then taken up by the House and approved by a vote of 119-0. It was approved by the Governor on May 12. The bill strengthens requirements for people seeking to be coaches and referees in youth sporting leagues, be they remunerated or volunteer.

Water Utilities – Democratic Rep. Amanda Murphy did file a House companion bill, but it was Sen. Simpson's SB 272 that did the heavy lifting in ensuring the passage of what he dubbed the "Consumer Water Protection Act;" it was taken up in the House and passed 99-15. The bill authorizes the Florida Public Service Commission to regulate local water utilities and in some cases revoke certificates of authorization. It would also burnish the ability of citizens and ratepayers to petition the PSC to investigate poor practices on the part of utilities.

Brownfields – SB 586 by Sen. Altman and HB 325 by Reps. Stone and Hutson revise the local governmental requirements for the designation of brownfields, including allowing them to use a name other than brownfields for the special districts, and expands the protections provided to the person or entity responsible for the brownfield site rehabilitation. The House version passed the Senate 37-0 and will likely meet with the Governor's approval when it reaches his desk.

BILLS THAT DID NOT PASS

Communication Services Tax -- A bill that would have reduced the state communication service tax and satellite rate, SB 266 by Sen. Hukill, died in committee.

Local Government Pension Reform & Florida Retirement System – SB 246, dealing with local pension reform, by Sens. Ring & Bradley easily passed the Senate, but its passage in the House was tied to the passage of a bill (HB 7181) that combined the local pension reform language with reforms to the Florida Retirement System (FRS). HB 7181 passed the House by a 74-44 party line vote, but when taken up in the Senate in the form of Sen. Simpson's SB 1114, the bill was defeated with a procedural "point of order", supported by a few moderate Republicans and the Senate Democratic caucus, all of whom objected to the Florida Retirement System aspect of the bill.

Red Light Cameras –SB 144 by Sen. Brandes was the most comprehensive of any of the measures dealing with traffic infraction detectors; it would have completely repealed the program in Florida statutes. It was scheduled three times to be heard by Transportation but was Temporarily Postponed each time, leading to its death in its first committee stop. Rep. Artiles' HB 4009 was the bill's House companion and it suffered a similar fate – it was never placed on the agenda in Economic Affairs, its original committee of reference.

HB 7005 is an omnibus transportation bill, sponsored by Rep. Artiles along

with the Transportation & Highway Safety Subcommittee. It was passed without any language relating to red light cameras. We understand the importance of this issue to Hollywood.

Public Records and Meetings – A Government Operations Subcommittee-sponsored bill allowing citizens to request records without doing so in writing, among other liberalizing reforms to the state's public records policy, passed the Senate 39-0 back in March but died in the House. HB 1151, by Rep. Hood was approved by Government Operations with a committee substitute on April 3, but failed to be heard in Government Operations Appropriations.

Tax Collection/Public Records – Rep. Hooper's HB 421, a measure which would exempt email addresses and other identifying information obtained for the purposes of collecting taxes, died in its final committee stop in Finance & Tax. Its companion bill SB 538 by Sen. Latvala, passed the Senate by a vote of 40-0.

Gaming/Seminole Compact – The Senate Gaming Committee filed a number of bills that would have brought destination casinos to South Florida and established a gaming commission to regulate casinos and pari-mutuels in the state. However, the bills died after the House demanded a Constitutional Amendment for any further expansion. So far there is no final word on the status of Governor Scott's attempt at re-negotiating a compact with the Seminole tribe regarding their exclusive rights to Vegas-style casinos in Florida. There were whispers of a proposed special session sometime this summer to consider the deal, but according to key legislative leaders that isn't going to happen.

Sober Homes – Rep. Hager's HB 479, which attempted to balance the informal nature of some substance abuse service providers in residential neighborhoods with the concerns of their neighbors by adding a modicum of regulation, passed the House 117-1. However, the bill died in the Senate when amendments were filed to SB 582 by Sen. Clemens. In Sen. Clemens' view, the amendments would have "gutted the bill," and so he did not pursue the bill's passage any further.

Municipal Bonds – HB 465 by Rep. Trujillo and SB 1168 by Sen. Garcia were bills to require voter approval of any proposed municipal bond in excess of \$50 million. Both bills died in their first committees of reference, House Local & Federal Affairs and Senate Community Affairs respectively. We know that this would have adversely impacted Hollywood.

Sales Tax on Commercial Leases - HB 11 by Rep. Steube and SB 176 by Sen. Hukill would have reduced the sales tax charged on leased commercial property. Neither was heard in committee. The bill faced opposition from local governments and the League of Cities.

Water & Wastewater Utilities – HB 813 by Rep. Mayfield and SB 1248 by Sen. Latvala were bills to prohibit counties from providing water utility services to unincorporated areas of a county if a municipality is currently under agreement to provide these services unless approved by a majority of ratepayers in the unincorporated areas. It would also have set limits amount of water and sewer utility rates, fees, and charges that a municipality may impose on consumers outside of the municipality's boundaries. Both bills died without a hearing in their original committees of reference.

TMDL GRANTS

We also wanted to make you aware that the **Florida Department of Environmental Protection (DEP)** is accepting applications for the TMDL Grant program. This program awards funding for projects designed to improve urban stormwater systems and reduce polluted runoff to impaired waters. The deadline for application submittal for the July TMDL Grant review is close of business (5:00 p.m. EST) July 1, 2014. You can find more information, including eligibility and program details [here](#) and the grant application itself [here](#).

Sincerely,

A handwritten signature in cursive script that reads "Bernie".

Bernie Friedman

EXAMPLES OF **CLIENT** **COMMUNICATION**

CAPE CORAL

MEMORANDUM

TO: John Szerlag, City Manager
City of Cape Coral

CC: Bernie Friedman

FROM: Yeline Goin, Esquire

DATE: May 15, 2014

RE: Pension Reform Report

You have asked for a report on the local government pension reform bills that were filed during the 2014 Legislative Session and our efforts related thereto.

For many years, the issue of "pension reform" has been debated in the Legislature. The broad term "pension reform" has been used to describe reforms to the Florida Retirement System (FRS) as set forth in Chapter 121, Florida Statutes, as well as reforms to local firefighter and police pensions as set forth in Chapters 175 and 185, Florida Statutes. Our focus has been on local government pension reform, which we know is very important to the City of Cape Coral.

Local government pension reform in the Florida Legislature has recently been championed by Senator Bradley (R-Orange Park) and Senator Ring (D-Margate). Their previous attempt at local government pension reform had been unsuccessful, partly because the police and firefighter unions had been unable to reach a compromise on the language with the Florida League of Cities, the main negotiator on behalf of municipalities. For the 2014 Legislative session, Senators Ring and Bradley again filed a bill (SB 246) reforming local government pensions. The original bill did not have the support of the Unions or the Florida League of Cities, and therefore, it was not expected to pass. In addition, the original House bill (HB 509 by Rep. Matt Caldwell) had not been heard in any committee meetings, and it was thought that even if the Senate continued to move forward on the issue, that it was "dead" in the House.

However, the Unions and the Florida League of Cities continued to negotiate the bill language, and on 4/8/14 (two days before the Senate bill's last committee stop in the Senate and more than halfway through the legislative session), the sponsors filed an amendment to the bill language. Also, on 4/9/14, the House State Affairs Committee filed a proposed committee bill (SAC4, which eventually became HB 7179) dealing with local pensions. At the Senate committee meeting on 4/10/14, it was stated that the amendment language was a compromise between the

Unions and the Florida League of Cities. However, the bill language, without further amendment, would have eliminated all of the City of Cape Coral's pension reform savings that had been negotiated with the local police and fire unions.

At that point, we immediately started working on a strategy to save the City of Cape Coral's pension reforms. The House bill was scheduled to be heard on 4/11/14 in the House State Affairs Committee. The City's Business Manager Michael Ilcyszyn and City Manager John Szerlag drove up to Tallahassee and testified at the State Affairs Committee on 4/11/14 on the importance of this issue to the City of Cape Coral and explained that the bill needed to be amended further in order to save the City's reforms and save the taxpayers over \$120 million. We met with Rep. Caldwell, who would be the main sponsor of the House bill, Rep. Eagle, the Florida League of Cities, and the State Union representatives. It was agreed during those meetings that the City would draft proposed amendment language. Rep. Caldwell and Rep. Eagle both stated that they would support the City of Cape Coral's amendments.

Thereafter, we continued to work with the Florida League of Cities and the Department of Management Services (DMS) and on 4/16/14, we had a telephone conference with Michael Ilcyszyn, Brad (the City's actuary), Kraig Conn (FL League of Cities), Keith Brinkman (Bureau Chief of Local Pensions with DMS) and Meredith Stanfield (DMS) in order to better understand DMS's interpretation of the proposed bill as applied to the City's pension plan so that amendments could be specifically tailored to address the City's hard-dollar caps (which the original bill language did not address).

In the meantime, there were apparently some "behind the scenes" discussions regarding combining the local government pension bill with FRS reform, which was a priority of Speaker Will Weatherford. As a result, the House State Affairs Committee filed another proposed committee bill combining the two issues (SAC6, which eventually became HB 7181). That bill was scheduled to be heard on 4/21/14 in State Affairs, and John Szerlag and Michael Ilcyszyn came again to Tallahassee to testify at the committee meeting and to negotiate the "Cape Coral amendments" with the League of Cities and the Unions. Also joining John and Michael were the City's local union representatives, Bennett Walker and Eric Chudzil, which showed a unified support on the local level for the Cape Coral language.

On 4/21/14, we met with the League of Cities, the Unions, DMS, and others to finalize the Cape Coral amendments, and we were successful in reaching an agreement with all the interested parties. We also set up meetings with Rep. Caldwell, Sen. Richter's office, Sen. Bradley's office, and the Senate Majority office in order to further explain the City's efforts and to lobby in favor of the Cape Coral amendments.

As a result of everyone's hard work, the Cape Coral amendments were added to both the Senate and House bills. See attached SB 246 (Lines 447-457 and 993-1003) and HB 7181 (Lines 1860-1870 and 2407-2417). SB 246 passed the Senate unanimously. HB 7181 passed the House 74-44 (the "no" votes likely because of the fact that HB 7181 combined the local pension reform language with the FRS reforms). When the amendment was proposed on the House floor (it was

a “strike-all” amendment that included the Cape Coral language as well as other negotiated changes), Representative Caldwell specifically stated that one of the purposes of the amendment was to address Cape Coral’s situation and to save the City’s hard-fought reforms. Rep. Caldwell further stated that the City had done the right thing and negotiated an agreement with the unions, and that the State should support its efforts by including language to save those reforms. Representative Eagle also spoke in support of the amendments and the City’s efforts.

Both bills eventually died because the House refused to take up SB 246 because it did not address FRS reform, and the Senate refused to take up HB 7181 because it did include FRS reform.

Despite the fact that the bills failed this session, the City scored a major victory by having its language added to both the House and Senate bills. It is expected that a local government pension reform bill will be filed during the 2015 Legislative session and that the bill language will be the version that passed in the House and Senate, which included the Cape Coral language. Therefore, we believe that any future legislation will include the Cape Coral language and that all of the efforts during the 2014 session will pay off if a local government pension reform bill eventually becomes law.

FIRE SERVICE ASSESSMENT FEE

City of Cape Coral opposes any amendments that would invalidate its methodology for fire service assessment fees.

Background on this issue is as follows:

Cape Coral has chosen an apportionment method for its fire assessment program which is comprised of two tiers: 1. The first tier allocates a portion of the fire department costs among all affected parcels equally (flat fee of \$62); 2. The second tier allocates the remaining costs among only developed parcels based on the value of improvements constructed on the parcel.

Several other cities have adopted the "two-tier" method and several other cities have it in the works. The other method of apportionment is more prevalent and is known as the "calls for service" method.

The City's two-tier methodology has been validated by the circuit court, and is currently on appeal to the Florida Supreme Court.

It is possible that the City's methodology will be attacked legislatively in the form of an amendment to an existing bill which would prohibit the City's methodology (in addition to the Supreme Court challenge). An amendment could be along the lines of the following:

- prohibiting the use of property value in apportioning special assessments;
- prohibiting the per parcel component of the methodology; or
- requiring that fire assessments must be calculated on the basis of actual cost to serve.

The City of Cape Coral opposes any amendments similar to the above which would, in effect, prohibit the City's fire service assessment fee methodology.

2014 WATER PROJECT INFORMATION SHEET

CITY OF CAPE CORAL

RECLAIMED WATER TRANSMISSION MAIN

CALOOSAHATCHEE RIVER CROSSING PROJECT

Project Title: Reclaimed Water Transmission Main Caloosahatchee River Crossing

Appropriations Amount: \$790,135

Recipient: City of Cape Coral

Project Description: This project addresses the construction of a new reclaimed water transmission main between the City of Fort Myers and the City of Cape Coral. There are a number of State-wide goals that this project will accomplish, which are as follows:

(A) At present the City of Fort Myers is allowed to discharge up to 11 million gallons per day (MGD) of wastewater effluent into the Caloosahatchee River and the Charlotte Harbor National Estuary. With the Reclaimed Water Transmission River Crossing, the City of Fort Myers will be allowed to eliminate their current National Pollutant Discharge Elimination System (NPDES) permit for discharges to the river and the estuary. The elimination of the wastewater effluent discharge from the City of Fort Myers would significantly reduce the nutrient loading (TN) in the Caloosahatchee River and the Charlotte Harbor Estuary.

(B) According to the Charlotte Harbor National Estuary Program (CHNEP), the proposed funding for the Cities' shared reclaimed water main project will: (1) benefit the two municipalities through cost savings (2) improve the water quality of the Caloosahatchee River and the Charlotte Harbor estuary and (3) have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs.

(C) The 2012 South Florida Environmental Report, Appendix 10-2: Caloosahatchee River Watershed Protection Plan Update, BMAP Table A-1 CRWPP project updates cites ID CRE 126, Fort Myers-Cape Coral Reclaimed Water Interconnect Project, as a viable long term option over the near term option of construction of a disposal well as being less expensive, that will benefit water quality and water quantity for the local area.

(D) Consultant Black & Veatch completed a feasibility study. If State funding is available for this project, the City will be able to spend the funds (the \$790,135 State appropriation plus the City's \$900,000 contribution for fiscal year 2014) for final engineering design and permitting activities over the upcoming fiscal year. This will result in immediate opportunities for local, Florida based businesses to create high-paying jobs for engineers, architects, and other consultants (surveyor, geologists, planners, etc.) in the design and permitting process.

(E) The City of Cape Coral has hundreds of fire hydrants and commercial fire sprinkler systems that rely on this system to be continuously pressurized to operate correctly. This proposed project will provide additional reclaimed water to supplement our current supply and remove the impact of being heavily reliant on the over stressed freshwater canal system.

(F) The City of Cape Coral will not assume any new debt for this project and the \$790,135 appropriations requested (and the City's \$900,000 contribution for fiscal year 2014) will allow for the final design and permitting for the project.

(G) The City of Cape Coral has planned for the ongoing expense of the River Crossing project by estimating Operating Expenses on an Annual Recurring Basis: \$1,666,840.

(H) In summary, the appropriations amount of \$790,135 and the City's contribution of \$900,000 for fiscal year 2014 (total of approximately \$1.7 million) will result in immediate opportunities for local, Florida based businesses to create high-paying jobs for engineers, architects, and other consultants (surveyors, geologists, planners, etc.) in the design and permitting process.

Statewide Goals Achieved:

(A) Impaired Water Body and Alternative Water Supply: The River Crossing Project would allow the City of Ft. Myers to eliminate their current National Pollutant Discharge Elimination System (NPDES) permit that currently allows the City to discharge up to 11.0 MGD per day of wastewater effluent to the Caloosahatchee River and Charlotte Harbor National Estuary.

(B) BMAP Task: The 2012 South Florida Environmental Report, Appendix 10-2: Caloosahatchee River Watershed Protection Plan Update, BMAP Table A-1 CRWPP project updates cites ID CRE 126, Fort Myers-Cape Coral Reclaimed Water Interconnect Project, as a viable long term option over the near term option of construction of a disposal well as being less expensive, that will benefit water quality and quantity for the local area.

(C) Return on State Investment (in Dollars/Time Period):

(1) The difference in cost to consumers between using potable drinking water or using non-potable reclaimed water for outdoor irrigation and other non-potable water use is substantial. The savings of approximately \$169.58 to \$398.57 per month per single family residential home will result in more disposable income for the residents, which will lead to increased consumer spending and sales tax revenues.

(2) Immediate opportunities for local, Florida based businesses to create high-paying jobs for engineers, architects, and other consultants (surveyors, geologists, planners, etc.) in the design and permitting process.

(3) Tourism to this area would increase as the beaches downstream from the wastewater plant are cleaner from no more pollutants being discharged into the river. The State would also achieve cost savings related to beach renourishment.

**Support HB 1189 (Representative Eagle) and SB 1442 (Senator Bradley)
Relating to Publicly Funded Retirement Programs**

Purpose of Bill: Update FS Chapter 175

What is FS Chapter 175?

- Implements provisions to ensure that municipal and special district firefighter's pension trust funds are managed, administered, operated, and funded in such a manner as to maximize the protection of the pension trust funds.
- Provides for the distribution of funds to municipal and special fire control district firefighters pension plans
 - Funds derived from the collection of the 1.85% excise tax on gross insurance premiums on properties within the boundaries municipality or special fire district.

Current provisions of Chapter 175:

- Funds derived from parcels in an unincorporated area not covered by a special fire district are retained by the State's General Fund and utilized to support the education reimbursements provided for with Chapter 175
- A municipal fire pension plan is eligible to receive funds collected from parcels within the boundaries of another municipality if providing services to those parcels through an interlocal agreement

What HB 1189 and SB 1442 accomplishes:

- Provides that funds collected from parcels in an unincorporated area can be remitted to a municipal firefighters plan:
 - IF the parcels are designated within a Municipal Services Taxing Unit (MSTU)
 - AND an interlocal agreement exists between the municipality and county for the municipality to provide fire protection services to the parcels within the MSTU boundaries
- Corrects inequity of a municipal firefighter's pension plan being unable to receive the excise tax collected on the insurance premiums for parcels they provide service to just because the parcels are within in an unincorporated area of a county

Does this statute change have a widespread impact?

- The only known instance where a municipality is providing services to an unincorporated area of a county through an interlocal agreement is the City of Cape Coral and the Burnt Store MSTU within Lee County
- Burnt Store MSTU
 - Created in 1983
 - City of Cape Coral has been providing fire services since 1990 through an interlocal agreement

CITY OF CAPE CORAL

RECLAIMED WATER TRANSMISSION MAIN CALOOSAHCHEE RIVER CROSSING PROJECT

SUMMARY OF STATEWIDE GOALS TO BE ACHIEVED: (1) IMPAIRED WATER BODY, (2) ALTERNATIVE WATER SUPPLY, AND (3) BMAP TASK

Impaired Water Body and Alternative Water Supply: The River Crossing Project would allow the City of Ft. Myers to eliminate their current National Pollutant Discharge Elimination System (NPDES) permit that currently allows the City to discharge up to 11.0 MGD per day of wastewater effluent to the Caloosahatchee River and Charlotte Harbor National Estuary. The river crossing is approximately 8,000 feet long and is anticipated to be 24 to 30 inches in diameter suitable for a peak flow of up to 24 million gallons per day (MGD). The pipeline may be constructed under the river by utilizing horizontal direction drilling (HDD) technology. The City of Cape Coral has hundreds of fire hydrants and commercial fire sprinkler systems that rely on this system to be continuously pressurized to operate correctly. The City of Cape Coral's permit only allows the City to pump the canals down to a pre-determined level and when this level is exceeded we have to shut down pump stations due to lack of sufficient water levels and supply. This proposed project will provide additional reclaimed water to supplement our current supply and remove the impact of being heavily reliant on the over stressed freshwater canal system. According to the Charlotte Harbor National Estuary Program (CHNEP), the funding for the Cities shared reclaimed water main project will benefit the two municipalities through cost savings, will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs. The CHNEP is a partnership program, created by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive estuaries in Florida. Long term management, preservation and restoration activities within the CHNEP are guided by their Comprehensive Conservation and Management Plan (CCMP) 2008, developed and implemented by their partners. The CCMP lists four priority problems, accompanied by more specific quantifiable objectives and priority actions relating to improving water quality, hydrology, fish and wildlife habitat, and stewardship throughout the Charlotte Harbor watershed.

The River Crossing Project would eliminate nutrient loading in the Caloosahatchee River and Charlotte Harbor National Estuary from the Ft. Myers wastewater facility. Five National Wildlife Refuges depend on the Caloosahatchee River for water, including: J.N. "Ding" Darling National Wildlife Refuge, Caloosahatchee National Wildlife Refuge, Island Bay National Wildlife Refuge, Matlacha Pass National Wildlife Refuge, and Pine Island National Wildlife Refuge. Many are showing signs of impaired ecosystems as a result of the polluted waters of the Caloosahatchee. Over the past 5 years, the persistent drought that began in 2007 has left water levels in the canals extremely low and has posed a significant risk to our fire fighting capabilities. The geographic area will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the City of Cape Coral, Charlotte County, Punta Gorda, City of Fort Myers and the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs.

BMAP Task: The 2012 South Florida Environmental Report, Appendix 10-2: Caloosahatchee River Watershed Protection Plan Update, BMAP Table A-1 CRWPP project updates cites ID CRE 126, Fort Myers-Cape Coral Reclaimed Water Interconnect Project, as a viable long term option over the near term option of construction of a disposal well as being less expensive, that will benefit water quality and water quantity for the local area. (See attached Appendix 10-2).

The following is a summary of the high-level meetings we had regarding the Cape Coral/Ft. Myers Reclaimed Water Interconnect Project. Jeff Pearson, Utilities Director, was present for all of the meetings and Marty McClain, City Council Member, was present for the meetings on Thursday. At all of the meetings, Jeff and Marty explained the project, the items that have been completed to date, the commitments that the City has already made with regard to funding the project, and the local, regional, state, and national impacts of the project.

Wednesday, Nov. 6

Meeting #1—Representative Fitzenhagen. Originally, we had scheduled this meeting with Rep. Fitzenhagen on Thursday, so that Jeff and Marty could attend. However, she had to change her travel plans for personal reasons and so I met with her early on Wednesday. I gave her a summary of the project. She said she remembered it from last year and said she supports it and would be happy to help in any way.

Meeting # 2—Matt Hunter, Legislative Aide for Senator Benaquisto. He said he remembered the project from last year and that Sen. Benaquisto would be supporting it again this year. He said that he knows Pierce Schuessler from DEP very well and knew that we would be meeting with him on Thursday. Matt has spoken with Pierce about the project, and Matt wants to be updated after our meetings with DEP and the Governor's office. Matt has also asked Pierce to brief him after our meeting as well. Matt said that he had talked to the Governor's office earlier in the year when the item was vetoed, and the only thing they told him about why it was vetoed was that it hadn't been "vetted to the level that they wanted to see." Matt thinks that getting the support of DEP and the South Florida Water Management District is important. Jeff explained that to date, those local offices have not been willing to provide a formal letter of support, although they say they support the project.

Meeting # 3—Representative Albritton, Chair of the House Natural Resources Appropriations Subcommittee. Also in attendance were Rep. Eagle, Rep. Eagle's aide Paige LeBoutillier, and Stephanie Massengale, the Budget Chief for the Subcommittee. Rep. Albritton asked Jeff a number of questions including how much money it will save the City of Cape Coral, how the City intends to fund the project, and whether there were other sources of revenue that could be used, including bonds. Jeff explained that he already has funding in the budget for the next few years, and the additional money from the State would help get the engineering and design completed sooner. Rep. Albritton also asked about the SRF money and whether that would be available, and Jeff explained that the City has maxed out on that for the next two years.

Stephanie Massengale told us that they have asked the Governor's office to come up with some more criteria for water projects. The Governor's veto message mentioned "return on investment", but it's not clear what he meant by that. She suggested that we start working on updating the criteria from last year and we should include things like: whether it helps with BMAPs (it does), whether project is in So. Florida Water Management plan (it is), and the return on investment. Also, she's not sure if the

Governor meant "shovel ready" by "return on investment", but if we can make project more "shovel ready", that would help. Also, will it help with jobs? Rep. Albritton has said to mention that it will help with less draws from canals, which will put less pressure on natural water system. In summary, they suggested emphasizing two issues: (1) shovel ready; and (2) impacts on the environment/water quality on a regional basis.

Thursday, Nov. 7

Meeting # 4—Noah Valenstein, Policy Coordinator, Governor's Office of Policy and Budget (OPB). Also in attendance were Rep. Eagle, and Rep. Eagle's aide Paige LeBoutillier. Noah said that they are currently working on updating their criteria from last year relating to water projects. The criteria will be similar to last year's criteria, but they want to do a better job of making the criteria clearer than last year. He expects to have that in the next few weeks and will share with Rep. Eagle. He said that the City could submit a draft of the project criteria to him and he would be happy to review and provide further input and suggestions. One of the things he said that the City should emphasize is the Return on Investment (ROI) to the entire State. Also, how is the money going to "turn dirt." In other words, they want to see projects that are "shovel ready." And if the project is not "shovel ready," the City will need to explain specifically how the money will allow the project to become shovel ready and the time frames involved. The City should also emphasize how this impacts the region (not just local impacts), and explain the funding that is already in place for the project, and how this additional money requested will make the project "shovel ready" if it's not yet shovel ready. He also said to keep in mind that the criteria is just guidance, and the Governor has the right to veto any projects, even if it meets all of the criteria established by his office.

Meeting # 5—Adam Blalock, Policy Chief, Agriculture & Natural Resources Subcommittee. This meeting was originally scheduled to include Chair Matt Caldwell, but he ended up leaving Tallahassee on Wednesday afternoon. Also present were Rep. Dane Eagle and Rep. Eagle's aide Paige LeBoutillier. Adam said that his committee has been hearing testimony the past two months about all of the environmental impacts being caused by the Lake Okeechobee water releases, and so he suggested that the City emphasize the positive impacts of this project on the Caloosahatchee and estuaries. He also mentioned that numeric nutrient criteria is being set by the State, and it would be helpful to explain how this project will reduce the nutrient loading.

Meeting # 6—Tom Beck, DEP Water Policy Director, Pierce Schuessler, DEP Legislative Affairs Director, and Andrew Mitchell, DEP. Also present was Rep. Dane Eagle. Pierce Schuessler suggested four areas to emphasize: (1) the fact that this will eliminate the discharges into the Caloosahatchee and whether that water that is being discharged currently meets the total maximum daily load (TMDL) or is otherwise impaired; (2) that the project will not require any new debt by the City; (3) the quality and quantity of the water involved; and (4) that the project will significantly reduce the

burden of pumping water from the canals. We also asked whether there were any other funding sources for this project (grants, etc) and they said just SRF.

Meeting # 7—Jamie DeLoach, Staff Director, Appropriations Subcommittee on General Government. She did not provide much new information, but did say that the project sounded great and in line with the types of projects that would be viewed favorably, however, there is only so much money to go around. We asked her about the Senate Select Committee on Lake Okeechobee, and whether any of the \$220 million dollars that the Committee is recommending could be used for this project, and she said that the \$220 million is intended to be used for the specific projects mentioned in the committee's recommendation. She also said that in December they will have a Revenue Estimating Conference and that will give them a better idea regarding the money that will be available.

Additional Meetings

Representative Eagle suggested that we add this item to the agenda for the next Lee County delegation meeting which is scheduled for December 4. He also suggested setting up a time to take the Lee County Legislative Delegation on a tour of the re-use water plant.



City of Cape Coral

Office of the Mayor and City Council

September 20, 2013

The Honorable Rick Scott
Executive Office of the Governor
400 S. Monroe Street, The Capitol
Tallahassee, Florida 32399-0001

Subject: Cape Coral/Fort Myers Reclaimed Water Interconnect - \$900,000

Dear Governor Scott:

As you review the items to be included in your 2014 Budget, the cities of Cape Coral and Fort Myers would like to reiterate the importance of the Cape Coral/Fort Myers Reclaimed Water Interconnect. This critically important and environmentally sensitive reclaimed water project funding was supported by the 2012 and 2013 Florida Legislature in the Final Conference Report. It is also a priority of the Lee County Legislative Delegation. This regional project has been fully and publicly vetted by many state and local governments and agencies. This project remains important to the City of Cape Coral, Fort Myers and the entire SW Florida Region. It is supported by the Charlotte Harbor National Estuary Program, Lee County Board of County Commissioners, the Southwest Florida Regional Planning Council (see attached letters), and the South Florida Water Management District as this project is included in the Caloosahatchee River Watershed Protection Plan (CRE 126).

We respectfully request that we have an opportunity to better understand what more is needed to get support for this project and how we can work with the State to get funding approved or suggestions on other grants or programs we could access through DEP or SFWMD. This project is vital to the health of our environment and local waterways including the Caloosahatchee River which is a federally listed impaired waterway. This project would provide regional benefits to Southwest Florida. It would eliminate the discharge of wastewater effluent into the Caloosahatchee River which terminates in the Gulf of Mexico along the beaches of Sanibel and Captiva. Finally, this project will support one of the largest reclaimed water systems in the United States by providing the additional reclaimed water needed by the City of Cape Coral to supplement the current supply. I have attached a short fact sheet on the project which lists the public policy importance of the project, job creation, and public safety benefits as well.

September 20, 2013
The Honorable Rick Scott
Page 2

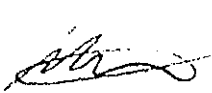
If you wish to discuss this further with me, please feel free to contact my office at (239) 574-0436.

Sincerely,

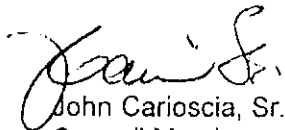
CITY OF CAPE CORAL



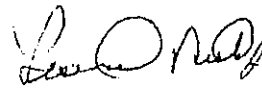
John J. Sullivan,
Mayor



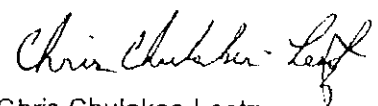
Marty McClain
Council Member
District #1



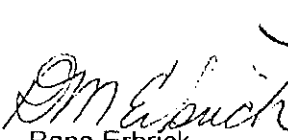
John Carioscia, Sr.
Council Member
District #2



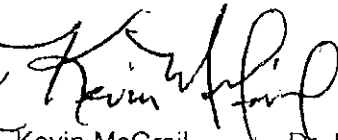
Leonard Nesta, Jr.
Council Member
District #3



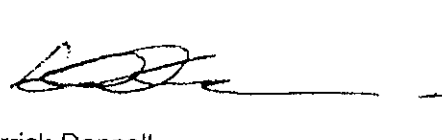
Chris Chulakes-Leetz
Council Member
District #4



Rana Erbrick
Council Member
District #5



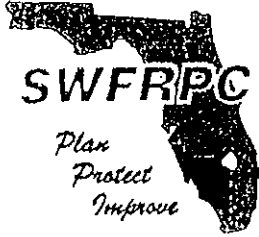
Kevin McGrail
Council Member
District #6



Dr. Derrick Donnell
Council Member
District #7

cc: Congressman Trey Radel
Senator Garrett Richter
Senator Lizbeth Benacquisto
Representative Dane Eagle
Lee County State Legislative Delegation
Herschel Vinyard, DEP Secretary
Leonard Zeiler, DEP Chief of Staff
Drew Bartlett, DEP Deputy Secretary Water Policy and Eco Restoration
Jon M. Iglehart, Director of Ft. Myers-FDEP
Blake Guillory, Executive Director SFWMD
Dan Delisi, Chief of Staff-SFWMD
Mr. Jerry McDaniel, Director, OPB
Glenn Reagan, OPB Enviro Policy Unit
Andrew Grayson, OPB Enviro Policy Unit

Attachments



Southwest Florida Regional Planning Council

1926 Victoria Ave, Fort Myers, Florida 33901-3414 (239) 338-2550 FAX (239) 338-2560 www.swfrpc.org

March 16, 2012

Jeffrey L. Pearson
Utilities Director, City of Cape Coral
1015 Cultural Park Boulevard
Cape Coral, FL 33990 Florida

RE: Cities of Cape Coral Fort Myers Shared Reclaimed Water Main

Dear Mr. Pearson:

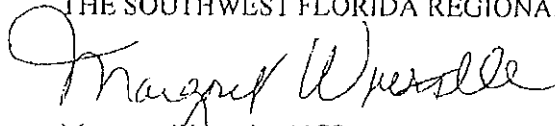
The Southwest Florida Regional Planning Council (the Council) supports the City of Cape Coral - City of Fort Myers Reclaimed Water Main project. This project will connect the City of Ft. Myers wastewater treatment facility to the City of Cape Coral's Everest Water Reclamation Facility in order to transmit up to 24 million gallons a day of reclaimed water from Fort Myers to Cape Coral. The project will eliminate the City of Fort Myers need for its NPDES permit, will increase the availability of reclaimed water for irrigation purposes in Cape Coral saving home owners considerable expense, and will decrease the load of nutrient being discharged to the Caloosahatchee River.

The Southwest Florida Regional Planning Council's mission is to work together across neighboring communities to consistently protect and improve the unique and relatively unspoiled character of the physical, economic and social worlds we share... for the benefit of our future generations.

The Reclaimed Water Main project implements the SWFRPC's Strategic Regional Policy Plan for the six county region: Sarasota, Charlotte, Lee, Collier, Glades and Hendry Counties. Specifically, the project supports the Economic Development Element, and the Natural Resources Element of the Regional Plan.

Funding the Cities Shared Reclaimed Water Main project will benefit the two municipalities through cost savings and will improve the water quality of the Caloosahatchee River, and Charlotte Harbor estuary and will have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs. Please contact me at mwuerstle@swfrpc.org if I can provide any additional information.

THE SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL



Margaret Wuerstle, AICP
Executive Director

Water Project Information

The following questions are meant to help the review of requested legislative water project funding within Senate Bill 1500. Please complete the information below and attach any pertinent documents requested. Please circle the correct response for "Yes/No" questions.

PROJECT INFORMATION

Legislative Member(s) Sponsoring Project: Rep. Dane Eagle

Project Name: Cape Coral/Ft. Myers Regional Reclaimed Water River Crossing

County: Lee County, Florida

Total Project Cost: River Crossing - \$12,800,000 (2008 Engineer's Est.)

Amount of Funding Request: \$900,000.00

Water Management District Jurisdiction: South Florida Water Management District

City/County Contact Name: Jeff L. Pearson, City of Cape Coral Utilities Director

Email Address: jpearson@capecoral.net

Phone Number: (239) 574-0880

- 1) Please provide a summary and general scope of the proposed project as an attachment.

RESPONSE: The River Crossing Project would allow the City of Ft. Myers to eliminate their current National Pollutant Discharge Elimination System (NPDES) permit that currently allows the City to discharge up to 11.0 MGD per day of wastewater effluent to the Caloosahatchee River and Charlotte Harbor National Estuary. The river crossing is approximately 8,000 feet long and is anticipated to be 24 to 30 inches in diameter suitable for a peak flow of up to 24 million gallons per day (MGD). The pipeline may be constructed under the river by utilizing horizontal direction drilling (HDD) technology. The City of Cape Coral has hundreds of fire hydrants and commercial fire sprinkler systems that rely on this system to be continuously pressurized to operate correctly. The City of Cape Coral's permit only allows the City to pump the canals down to a pre-determined level and when this level is exceeded we have to shut down pump stations due to lack of sufficient water levels and supply. This proposed project will provide additional reclaimed water to supplement our current supply and remove the impact of being heavily reliant on the over stressed freshwater canal system. According to the Charlotte Harbor National Estuary Program (CHNEP), the funding for the Cities shared reclaimed water main project will benefit the two municipalities through cost savings, will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs. The CHNEP is a partnership program, created by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive

estuaries in Florida. Long term management, preservation and restoration activities within the CHNEP are guided by their Comprehensive Conservation and Management Plan (CCMP) 2008, developed and implemented by their partners. The CCMP lists four priority problems, accompanied by more specific quantifiable objectives and priority actions relating to improving water quality, hydrology, fish and wildlife habitat, and stewardship throughout the Charlotte Harbor watershed. Please see Feasibility Study – Reclaimed Water Transmission Main, Caloosahatchee River Crossing dated October 2008.

- 2) Does this project protect the public health or the environment? If so, how and what is the geographic area of the project's impact?

RESPONSE: Yes, the project will protect the environment. The River Crossing Project would eliminate nutrient loading in the Caloosahatchee River and Charlotte Harbor National Estuary from the Ft. Myers wastewater facility. Five National Wildlife Refuges depend on the Caloosahatchee River for water, including: J.N. "Ding" Darling National Wildlife Refuge, Caloosahatchee National Wildlife Refuge, Island Bay National Wildlife Refuge, Matlacha Pass National Wildlife Refuge, and Pine Island National Wildlife Refuge. Many are showing signs of impaired ecosystems as a result of the polluted waters of the Caloosahatchee. Over the past 5 years, the persistent drought that began in 2007 has left water levels in the canals extremely low and has posed a significant risk to our fire fighting capabilities. The geographic area will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the City of Cape Coral, Charlotte County, Punta Gorda, City of Fort Myers and the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs.

- 3) Has this project, or a portion of this project, received funding in prior year state appropriations? If yes, what year(s) and in what amount(s)?

RESPONSE: No, subject project has not received funding in prior year state appropriations.

- 4) Does this project implement a plan developed pursuant to the Surface water Improvement and Management Act created in part IV of chapter 373, F.S., other water restoration plans required by law, management plans prepared pursuant to s. 403.067, F.S., or other plans adopted by local government for water quality improvement and water restoration? If yes, please name the specific plan(s) implemented by this project. Also, please indicate any priority ranking the project has received by a local or state agency.

Response: Yes, the Caloosahatchee has been designated as an impaired water body by the EPA. This project is included in the Caloosahatchee River Watershed Protection Plan (CRE 126) according to the South Florida Water Management District.

- 5) Is the project ready to proceed with no additional planning, design, zoning, or permitting?
If no, then please indicate the status below:

PROJECT PHASE	ESTIMATED PERCENT COMPLETED	ESTIMATED TIME TO COMPLETE
Planning	100%	N/A
Design	15%	9 MONTHS
Permitting	0%	4 MONTHS
Construction	0%	24 MONTHS

Are all feasibility studies completed?

- **RESPONSE:** Yes, Consultant Black & Veatch completed a feasibility study in October 2008. Additionally, there will be some improvements necessary to the City of Ft. Myers wastewater treatment facility. The updated costs of the City of Ft. Myers' facilities are pending. If State funding is available for this project we will be able to spend the funds for final engineering design and permitting activities over the upcoming fiscal year. Please see attached Caloosahatchee Reclaimed River Crossing Feasibility Study dated October 2008.
- 6) Are you aware of any potential permitting problems (i.e. wetland impacts, threatened or endangered species, contamination issues, land use/zoning issues, etc.)?
- **RESPONSE:** Based on the preliminary investigations there do not appear to be any environmental permitting issues or land use/zoning issues that would prevent the construction of the pipeline under the Caloosahatchee River. Wetland areas will be flagged and field located prior to designing a site development plan for the property. A detailed survey for listed species will also be conducted to verify the presence or absence of such species on-site. A pre-application meeting with FDEP and COE staff will take place to formally introduce the project and get feedback from these agencies.
- 7) Are you pursuing funding from other sources, specifically including any local funding or funding from the Drinking Water/Wastewater Treatment Facility Construction State Revolving Loan Programs or Small Community Wastewater Treatment Grants, and provide the status of any such applications or agreements?
- **RESPONSE:** Yes.
- 8) Name of Other Funding Source(s): We are pursuing Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) for the Southwest 6 & 7 Utilities Extension Projects that will provide central potable water, irrigation water and gravity sewer service. The project will remove approximately 3,000 existing septic tanks and these new customers coming online in 2015 will need additional reclaimed water that this project will provide for irrigation of these properties. We have not pursued funding for the River Crossing Project to date as this is a competitive process and we would be competing against our other project that is scheduled to begin construction in 6

to 8 months. Attached is the Record of Final Agency Action from the February 13, 2013 public hearing. Please note the following pages: Page 10 of 18 reflects \$40,000,000 for Cape Coral on the Fundable List, Page 11 of 18 reflects \$34,178,918 for Cape Coral on the Contingency List which is to be included in the July/August 2013 public hearing. Page 14 of 18 showing the \$40,000,000 on the Fundable List. Page 16 of 18 showing the \$34,178,918 for Cape Coral on the Contingency List which is to be included in the July/August 2013 public hearing. It is our understanding that \$16,000,000 +/- will be included in the Drinking Water SRF public hearing in April 2013.

- 9) Are you providing an equal match to the request for state appropriations?

Match Amount: \$900,000

Match Percentage: 100%

- 10) If match is being proposed, please identify whether your project meets one of the criteria listed below:

- The matching requirement may be waived for counties with a population of 75,000 or less and municipalities with a population of 25,000 or less, or any county or municipality not included within a metropolitan statistical area. The match requirement waiver depends on the basis of fiscal hardship or environmental need for a particular project or activity. The applicant must certify that the cost of the match is a fiscal hardship due to one of the following factors, pursuant to s. 218.075, F.S., (Reduction or Waiver of Permit Processing Fees):
- Per capita taxable value is less than the statewide average for the current year; **RESPONSE:** No.
- Percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year; **RESPONSE:** No.
- Any condition specified in s. 218.503(1), F.S., that results in the county or municipality being in a state of financial emergency; or **RESPONSE:** No.
- Ad valorem operating millage rate for the current fiscal year is greater than 8 mills. (Attach documentation supporting applicant's pertinent waiver(s). **RESPONSE:** No.

- 11) City has budgeted \$1.8 million in FY-14' and FY-15' respectively and another \$10 million is budgeted in FY-16' and FY-17' respectively. Please see attached City Council approved FY-2013 Capital Improvement Projects spreadsheet page 2. Project is highlighted in yellow.

- 12) Please provide a description of the project and include metrics that will demonstrate the beneficial return on investment to Florida taxpayers. Metrics identify "before and after scenarios" with attached supporting documentation to quantify the anticipated return on investment.

- Difference in cost to consumers between using potable drinking water or using non-potable reclaimed water for outdoor irrigation and other non-potable water use is substantial. The City of Cape Coral currently charges \$9.50 per month for reclaimed water. Potable water charges per 1,000 gallons effective October 1, 2012 are as

follows: \$ 3.81 for 0 – 5,000 gallons, \$ 4.45 for 5,001 – 10,000 gallons, \$ 6.70 for 10,001 – 15,000 gallons, \$10.02 for 15,001 – 20,000 gallons, \$11.06 for 20,001 – 30,000 gallons, \$12.15 for 30,001 or more gallons. The commercial water charges per 1,000 gallons effective October 1, 2012 are as follows: \$4.95 for 0 – 25,000 gallons, \$5.57 for 25,001 – 50,000 gallons and \$6.70 for 50,001 or more gallons. The average combined non-commercial and residential customer uses approximately 23,000 gallons of irrigation water each month. EXAMPLE: A single family home using 23,000 gallons of potable drinking water for non-potable use such as outdoor watering, their water would cost **\$254.38**, versus the current rate of **\$9.50 per month** utilizing reclaimed water. The City of Cape Coral is in the process of expanding our current irrigation customer base from 41,000 to approximately 49,000 irrigation customers by 2019. The City of Ft. Myers would be able to immediately supply the City with enough reclaimed water to provide service to an additional 8,000 irrigation customers which equates to an annual savings of approximately \$23 million dollars for the City's utility customers to continue using irrigation water versus using expensive potable drinking water for irrigation and other non-potable uses. The annual savings calculation includes a \$1,611,840 payment to the City of Ft. Myers for purchase of the reclaimed water.

- 13) Please identify the sustainable revenue source for operating expenses of the project once constructed. This revenue source should not be attained through an increase in fees or taxes without an approved referendum of the increase by the affected taxpayers.

Sustainable Revenue Source: City of Cape Coral Utilities Enterprise Fund User Rates and Fees. See Burton & Associates 2012 Rate Sufficiency Analysis.

Estimated Operating Expenses on an Annual Recurring Basis: \$1,666,840 (Annual maintenance cost \$50,000, annual liability insurance premium \$5,000 and \$1,611,840 payment to the City of Ft. Myers for purchase of reclaimed water).

Please provide any additional supporting documents as an attachment.

ATTACHMENTS:

Feasibility Study – Reclaimed Water Transmission Main, Caloosahatchee River Crossing dated October 2008.

City of Cape Coral FY 2012 Utility Rate Revenue Sufficiency Analysis-Water, Sewer & Irrigation Rate Study Final Report dated September 10, 2012.

Charlotte Harbor National Estuary Program letter in support of project

Southwest Florida Regional Planning Council letter in support of project

City of Cape Coral FY-2013 approved Utilities Department Capital Improvement Plan

Lee County Board of County Commissioners letter in support of project

Lee County Utilities Department letter in support of project

FDEP CWSRF Final Action

City of Cape Coral City Council letter in support of project



CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM
1926 Victoria Avenue, Fort Myers, Florida 33901
239/338-2556, Fax 239/338-2560, www.chnep.org

March 14, 2012

Jeffrey L. Pearson, Utilities Director
City of Cape Coral
P.O. Box 150027
Cape Coral, Florida 33915-0027

RE: Cities of Cape Coral Fort Myers Shared Reclaimed Water Main

Dear Mr. Pearson:

The Charlotte Harbor National Estuary Program (CHNEP) supports the City of Cape Coral – City of Fort Myers Reclaimed Water Main project. This project will connect the City of Ft. Myers wastewater treatment facility to the City of Cape Coral's Everest Water Reclamation Facility in order to transmit up to 24 million gallons a day of reclaimed water from Fort Myers to Cape Coral. The project will eliminate the Fort Myers need for its NPDES permit, will increase the availability of reclaimed water for irrigation purposes in Cape Coral, save homeowners considerable expense and will decrease the load of nutrient pollution discharged to the Caloosahatchee River.

The CHNEP is a partnership program, created by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive estuaries in Florida. Long term management, preservation and restoration activities within the CHNEP are guided by our *Comprehensive Conservation and Management Plan* (CCMP) 2008, developed and implemented by our partners. The CCMP lists four priority problems, accompanied by more specific quantifiable objectives and priority actions relating to improving water quality, hydrology, fish and wildlife habitat, and stewardship throughout the Charlotte Harbor watershed.

This project implements the CHNEP's CCMP; specifically the project will implement the following Priority Actions:

- **HA-O:** Encourage, expand and develop incentives for the reuse of waters that are protective of water quality and natural hydrology.
- **WQ-E:** Implement projects to restore or protect water quality to offset anthropogenic impacts.
- **SG-J:** Identify and showcase accomplishments and excellent examples.

Funding the Cities Shared Reclaimed Water Main project will benefit the two municipalities through cost savings, will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs. Please contact me at lbeever@swfrpc.org if I can provide any additional information.

Sincerely,

Lisa Beever, AICP, PhD
Director



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

April 10, 2012

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

Michael D. Hunt
County Attorney

Diana M. Parker
County Hearing
Examiner

The Honorable Rick Scott
Office of the Governor
The Capitol
400 S. Monroe Street
Tallahassee, Florida 32399-0001

Subject: Cape Coral/Fort Myers Reclaimed Water Interconnect - \$900,000
(Budget Section 56)

Dear Governor Scott:

As you review the items included in the State of Florida's FY 2012-13 Budget for projects needed throughout the State, my colleagues and I on the Lee County Board of County Commissioners, would like to reiterate the importance of a particular project to this region. The following water project funding request appears in the State of Florida's 2012 General Government Appropriations Act: Cape Coral/Fort Myers Reclaimed Water Interconnect in the amount of \$900,000. This project remains very important to the City of Cape Coral, City of Fort Myers and the entire Southwest Florida Region.

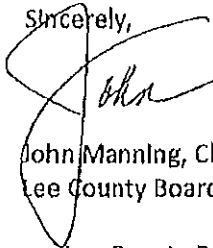
This project is supported by the Charlotte Harbor National Estuary Program (see attached letter), the Southwest Florida Regional Planning Council and the City of Fort Myers. We respectfully request that the funding remain in your budget, as it is vital to the health of our fragile estuary environment and local waterways including the Caloosahatchee River which is a federally listed impaired waterway.

This project would provide regional benefits to Southwest Florida. The project would eliminate the discharge of wastewater effluent into the Caloosahatchee River which terminates in the Gulf of Mexico along the beaches of Sanibel and Captiva Island. Finally, this project will support one of the largest reclaimed water systems in the United States by providing the additional reclaimed water needed by the City of Cape Coral to supplement the current supply. I have attached a short fact sheet on the project which lists the public policy importance of the project, job creation, and public safety benefits as well.

The Honorable Rick Scott
Page Two

My colleagues and I on the Lee County Board of County Commissioners would like to urge your favorable consideration of funding for this project. If you wish to discuss this further with me, please feel free to contact me at (239) 533-2224.

Sincerely,



John Manning, Chairman
Lee County Board of County Commissioners

cc: Lee County Board of County Commissioners District #2, #3, #4 & #5
Honorable Connie Mack, U.S. Congress
Honorable Gary Aubuchon, Florida House of Representatives
Honorable Garrett Richter, Florida Senate
Karen Hawes, County Manager
William Hammond, Deputy County Manager
Holly Schwartz, Assistant County Manager
Pete Winton, Assistant County Manager
Doug Meurer, Assistant County Manager/Public Works Director
Honorable John Sullivan, Mayor, City of Cape Coral
Steve Pohlman, Interim City Manager, City of Cape Coral

JM/ng

Attachments

FLORIDA SENATE

2014 WATER PROJECT INFORMATION SHEET

CITY OF CAPE CORAL

RECLAIMED WATER TRANSMISSION MAIN CALOOSAHCHEE RIVER CROSSING PROJECT

Sponsors: Senator Lizbeth Benacquisto, Florida State Senate 30th District

Senator Garrett Richter, Florida State Senate 23rd District

Project Title: Reclaimed Water Transmission Main Caloosahatchee River Crossing

Recipient: City of Cape Coral

County: Lee County

Contact: Jeff Pearson Utilities Director City of Cape Coral

Contact Address: PO Box 150027 Cape Coral, FL 33915-0027

Contact Phone: 239-574-0709

Contact Email: jpearson@capecoral.net

Project Description: This project addresses the construction of a new reclaimed water transmission main between the City of Fort Myers and the City of Cape Coral. There are a number of goals that this project will accomplish, which are as follows:

(A) At present the City of Fort Myers is allowed to discharge up to 11 million gallons per day (MGD) of wastewater effluent into the Caloosahatchee River and the Charlotte Harbor National Estuary. With the Reclaimed Water Transmission River Crossing, the City of Fort Myers will be allowed to eliminate their current National Pollutant Discharge Elimination System (NPDES) permit for discharges to the river and the estuary. The elimination of the wastewater effluent discharge from the City of Fort Myers would significantly reduce the nutrient loading (TN) in the Caloosahatchee River and the Charlotte Harbor Estuary. Five National Wildlife Refuges depend on the health of the Caloosahatchee River for water including: J.N. "Ding" Darling National Wildlife Refuge, Caloosahatchee National Wildlife Refuge, Island Bay National Wildlife Refuge, Matlacha Pass National Wildlife Refuge and Pine Island National Wildlife Refuge. All of the refuges' listed above are showing extreme signs of impaired ecosystems as a direct result of the polluted waters of the Caloosahatchee River. See attached letters of support from Lee County Board of County Commissioners and Southwest Florida Regional Planning Council.

(B) According to the Charlotte Harbor National Estuary Program (CHNEP), the proposed funding for the Cities' shared reclaimed water main project will: (1) benefit the two municipalities through cost savings (2) improve the water quality of the Caloosahatchee River and the Charlotte Harbor estuary and (3) have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs. The CHNEP is a partnership program, created

by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor Estuary. The Charlotte Harbor Estuary is recognized as an estuary of national significance and one of the most productive estuaries in Florida. Long term management, preservation and restoration activities within the CHNEP are guided by the Comprehensive Conservation and Management Plan (CCMP) of 2008, developed and implemented by their partners. The CCMP lists four priority problems, accompanied by more specific quantifiable objectives and priority actions relating to improving: water quality; hydrology; fish and wildlife habitat; and stewardship throughout the Charlotte Harbor watershed. See attached letter of support from Charlotte Harbor National Estuary Program.

(C) The 2012 South Florida Environmental Report, Appendix 10-2: Caloosahatchee River Watershed Protection Plan Update, BMAP Table A-1 CRWPP project updates cites ID CRE 126, Fort Myers-Cape Coral Reclaimed Water Interconnect Project, as a viable long term option over the near term option of construction of a disposal well as being less expensive, that will benefit water quality and water quantity for the local area. See attached Appendix 10-2.

(D) Consultant Black & Veatch completed a feasibility study. If State funding is available for this project, the City will be able to spend the funds (the \$900,000 State appropriation plus the City's \$900,000 match) for final engineering design and permitting activities over the upcoming fiscal year. This will result in immediate opportunities for local, Florida based businesses to create high-paying jobs for engineers, architects, and other consultants (surveyor, geologists, planners, etc.) in the design and permitting process. Based on the preliminary investigations there do not appear to be any environmental permitting issues or land use/zoning issues that would prevent the construction of the pipeline under the Caloosahatchee River.

(E) The City of Cape Coral has hundreds of fire hydrants and commercial fire sprinkler systems that rely on this system to be continuously pressurized to operate correctly. The City of Cape Coral's permit only allows the City to pump the canals down to a pre-determined level and when this level is exceeded, the pump stations must be shut down due to lack of sufficient water levels and supply. This proposed project will provide additional reclaimed water to supplement our current supply and remove the impact of being heavily reliant on the over stressed freshwater canal system.

(F) The City of Cape Coral will not assume any new debt for this project and the \$900,000 appropriations requested (and the City's \$900,000 match) will allow for the final design and permitting for the project. The City of Cape Coral has through Ordinance 55-13 adopted the City Budget, for Fiscal Years 2014-2016 as of September 20, 2013. Within this budget, under the Water and Sewer Capital Projects section, the proposed River Crossing project is budgeted for \$900,000 in FY 2014, \$900,000 in FY 2015, \$5,000,000 in FY 2016 and \$5,000,000 in FY 2017. The total amount of \$11,800,000 to \$12,700,000 is a fair representation of what a project of this magnitude should cost.

(G) The City of Cape Coral has planned for the ongoing expense of the River Crossing project by estimating Operating Expenses on an Annual Recurring Basis: \$1,666,840. This amount includes the following: Annual maintenance costs-\$50,000. Also the annual liability insurance premium- \$5,000 and a \$1,611,840 payment to the City of Ft. Myers for purchase of reclaimed water. All of these amounts have been planned for and are part of the budget for the City's Utilities Department. Resolution 35-13 which dictates and establishes the rates for Water, Sewer and Irrigation Services for FY 2014 will be the main provider of the revenue stream for ongoing operating expenses. Presently there are new areas of the city that are coming on line in terms of water, sewer and irrigation hookups, in the central portion of Cape Coral. As water services to

these areas of the City are being completed they too will also begin to share in the ongoing operating expenses that are needed. There will be no additional funding requests to the State after this initial \$900,000 request.

(H) In summary, the appropriations amount of \$900,000 and the City's matching \$900,000 (total of \$1.8 million) will result in immediate opportunities for local, Florida based businesses to create high-paying jobs for engineers, architects, and other consultants (surveyors, geologists, planners, etc.) in the design and permitting process. It will also allow the City to begin construction within 15 months of the July 1, 2014 fiscal year, bringing additional high-paying jobs to the residents of SW Florida. See attached timeline for project (River Crossing Gant Chart 11-12-13).

Statewide Goal Achieved: Alternative Water Supply
 Improved Water Body
 Basin Management Plan

Impaired Water Body and Alternative Water Supply: The River Crossing Project would allow the City of Ft. Myers to eliminate their current National Pollutant Discharge Elimination System (NPDES) permit that currently allows the City to discharge up to 11.0 MGD per day of wastewater effluent to the Caloosahatchee River and Charlotte Harbor National Estuary. The river crossing is approximately 8,000 feet long and is anticipated to be 24 to 30 inches in diameter suitable for a peak flow of up to 24 million gallons per day (MGD). The pipeline may be constructed under the river by utilizing horizontal direction drilling (HDD) technology. The City of Cape Coral has hundreds of fire hydrants and commercial fire sprinkler systems that rely on this system to be continuously pressurized to operate correctly. The City of Cape Coral's permit only allows the City to pump the canals down to a pre-determined level and when this level is exceeded we have to shut down pump stations due to lack of sufficient water levels and supply. This proposed project will provide additional reclaimed water to supplement our current supply and remove the impact of being heavily reliant on the over stressed freshwater canal system. According to the Charlotte Harbor National Estuary Program (CHNEP), the funding for the Cities shared reclaimed water main project will benefit the two municipalities through cost savings, will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs. The CHNEP is a partnership program, created by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive estuaries in Florida. Long term management, preservation and restoration activities within the CHNEP are guided by their Comprehensive Conservation and Management Plan (CCMP) 2008, developed and implemented by their partners. The CCMP lists four priority problems, accompanied by more specific quantifiable objectives and priority actions relating to improving water quality, hydrology, fish and wildlife habitat, and stewardship throughout the Charlotte Harbor watershed.

The River Crossing Project would eliminate nutrient loading in the Caloosahatchee River and Charlotte Harbor National Estuary from the Ft. Myers wastewater facility. Five National Wildlife Refuges depend on the Caloosahatchee River for water, including: J.N. "Ding" Darling National Wildlife Refuge, Caloosahatchee National Wildlife Refuge, Island Bay National Wildlife Refuge, Matlacha Pass National Wildlife Refuge, and Pine Island National Wildlife Refuge. Many are showing signs of impaired ecosystems as a result of the polluted waters of the Caloosahatchee. Over the past 5 years, the persistent drought that began in 2007 has left water levels in the canals extremely low and has posed a significant risk to our fire fighting

capabilities. The geographic area will improve the water quality of the Caloosahatchee River and Charlotte Harbor estuary and will have a positive impact on the City of Cape Coral, Charlotte County, Punta Gorda, City of Fort Myers and the downstream communities of Fort Myers Beach, Sanibel and Bonita Springs.

BMAP Task: The 2012 South Florida Environmental Report, Appendix 10-2: Caloosahatchee River Watershed Protection Plan Update, BMAP Table A-1 CRWPP project updates cites ID CRE 126, Fort Myers-Cape Coral Reclaimed Water Interconnect Project, as a viable long term option over the near term option of construction of a disposal well as being less expensive, that will benefit water quality and water quantity for the local area. (See attached Appendix 10-2).

Project Addressed in a Local, Regional, or State Plan? Yes

Plan Name: Caloosahatchee River Watershed Protection Plan CRE 126

Project Cost: \$11,800,000.00 to \$12,700,000

Amount Requested: \$900,000.00

Local Match Amount: \$900,000.00

Type of Match Pledged: Cash

Financially Disadvantaged: No

Population Economic Status: N/A

Project Previously Funded: No

Type of State Funding: N/A

Fiscal Year: N/A

Amount: N/A

Future Funding Requested? No

Applied for Alternative Funding: No

If not, why not? Any type of wastewater grants or revolving loan programs will automatically disqualify the City of Cape Coral because of population thresholds of less than 100,000 residents. All of these grants and loans are geared towards or will favor the smaller cities and rural communities. Cape Coral's population, at this time is roughly 161,000 residents.

Revenue Source for Ongoing Operating Expenses: Operational revenue sources will come from two streams. The first revenue source will come through on Cape Coral Resolution 35-13 which dictates and establishes rates for Water, Sewer and Irrigation Services for FY 2014. The second revenue stream in the near term comes from Ordinance 55-13 thereby adopting the City of Cape Coral's Budget for Fiscal Years 2014-2016 in which the aforementioned project is included in the Enterprise Funds-Water & Sewer Utility Fund under the Uses category as a Capital Expenditure item. Coupled with this adopted budget is the ongoing revenue stream from existing irrigation service residents and also the up and coming water, sewer and irrigation service projects in the central part of the City that have been budgeted revenue streams through to FY 2018.

Local Approval for the use of Identified Operating Funds? Yes

Status Planning: Ready

Percent Complete: 100%

Estimated Completion Date: 09/30/2014

Status of Design: Ready

Design Percent Complete: 10%

Estimated Design Completion Date: 09/30/2015

Required Permits: FDEP, US Army Corps of Engineers, Lee County, City of Fort Myers, City of Cape Coral, US Coast Guard

Status of Permitting: Planned

Status of Construction: Not Ready

Construction Percent Complete: 0%

Estimated Construction Completion Date: 09/30/2017

Return on State Investment (in Dollars/Time Period):

(1) The difference in cost to consumers between using potable drinking water or using non-potable reclaimed water for outdoor irrigation and other non-potable water use is substantial. The City currently charges \$9.50 per month for reclaimed water. Potable water charges per 1,000 gallons effective October 1, 2013 range from \$3.90 for 0-5,000 gallons to \$12.44 for 30,001 or more gallons. The commercial water charges per 1,000 gallons effective October 1, 2013 range from \$5.06 for 0-25,000 gallons to \$6.86 for 50,001 or more gallons. The average combined non-commercial and residential customer uses approximately 23,000 gallons of irrigation water each month. EXAMPLE: A single family home using 23,000 gallons of potable drinking water for non-potable use, such as outdoor watering, would pay \$179.08/month for water if the customer has a separate irrigation meter or \$408.07/month for water if the domestic meter is used also for irrigation. The current rate that the City charges for single family residences is \$9.50 per month for utilizing reclaimed water. The savings would be between \$169.58 and \$398.57 per month per single family home.

In addition, the City of Ft. Myers would be able to immediately supply the City of Cape Coral with enough reclaimed water to provide service to an additional 8,000 irrigation customers which equates to an annual minimum savings of \$15.5 million dollars for the City's utility customers to continue to use irrigation water versus using expensive potable drinking water for irrigation and other non-potable uses. The annual savings calculation includes a \$1,611,840 payment to the City of Ft. Myers for purchase of the reclaimed water. See attached City of Cape Coral's current rate Resolution 35-13.

The savings of approximately \$169.58 to \$398.57 per month per single family residential home will result in more disposable income for the residents, which will lead to increased consumer spending and sales tax revenues.

(2) Immediate opportunities for local, Florida based businesses to create high-paying jobs for engineers, architects, and other consultants (surveyors, geologists, planners, etc.) in the design and permitting process.

(3) Tourism to this area would increase as the beaches downstream from the wastewater plant are cleaner from no more pollutants being discharged into the river. Also eco-tourism to the area would increase for wildlife viewing because of the improved river habitat and estuary. Both of these revenue streams will bring sales tax and hotel tax revenues, and would lead to a general increase in spending back to the area.

(4) The State would also achieve cost savings related to beach renourishment. In the case of a major wind and rain event, since the TN & TDML levels would be greatly reduced, the need for beach renourishment could be done by localized sand pumping and dragging, which is significantly cheaper than trucking the sand from an interior location.

indoor public eating and drinking facilities where the aesthetic features and eating and drinking facilities are within the same room or building space.

(9) A setback distance of 200 feet shall be provided from unlined storage ponds to potable water supply wells. This setback distance shall be reduced, but in no case to less than 75 feet, if the applicant provides an affirmative demonstration in the engineering report that reclaimed water will not migrate to the potable water supply well as a result of conditions such as the following:

- (a) Confining units exist which preclude migration of the reclaimed water to the potable water supply well, or
- (b) Ground water flow will be away from the potable water supply well, or
- (c) Other hydrogeologic conditions preclude migration of the reclaimed water to the potable water supply well.

(10) Unless specifically stated otherwise, all setback distances shall be measured horizontally.

(11) For aquifer storage and recovery projects regulated under Rule 62-610.466, F.A.C., setback distance requirements for injection and recovery wells and for extended zones of discharge are contained in subsections 62-610.466(13) and (14), F.A.C.

Specific Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History – New 4-4-89, Amended 4-2-90, Formerly 17-610.471, Amended 1-9-96, 8-8-99, 11-19-07.

62-610.472 Supplemental Water Supplies.

(1) Rule 62-610.472, F.A.C., applies to projects for which complete permit applications involving the use of supplemental water supplies were received by the Department on or after [effective date]. Rule 62-610.472, F.A.C., shall also apply to any existing reuse system which proposes to add a new supplemental water supply or to expand the facilities, structures, or pumps used for an existing supplemental water supply; however, these rule requirements shall only apply to the expanded or modified portion of the project. Incorporation of a supplemental water supply into the reuse system shall require a permit modification.

(2) Other water supplies may be used by the permittee to supplement the supply of reclaimed water. Surface waters, ground waters, treated stormwater, and drinking water may be used to supplement the reclaimed water supply.

(3) Surface water and stormwater supplies.

(a) Surface water supplies may be used to supplement the reclaimed water supply, if all of the following conditions are met:

1. Disinfection is provided and the fecal coliform and TSS limits established for high-level disinfection in Rule 62-600.440(5), F.A.C., are met for the treated surface water or stormwater supply before mixing with the reclaimed water. Operating protocols and reject storage facilities are not required for the supplemental water supply.

2. The applicant shall provide an affirmative demonstration that the quality of the resulting mixture of reclaimed water and treated surface water or stormwater will be acceptable for the permitted uses of the reclaimed water within the reclaimed water distribution system. The following factors shall be evaluated in assessing the acceptability of the mixture of reclaimed water and supplemental water:

a. The mixture shall not harm vegetation or crops grown in the reuse system.

b. The mixture shall enable compliance with ground water standards at the edge of the zone of discharge.

c. Public health shall be protected.

3. A one-way flow device shall be provided on each surface water or stormwater supply line to prevent backflow of reclaimed water into the surface water or into the stormwater treatment facilities. This does not have to be an approved device as listed in Rule 62-555.360, F.A.C. A check valve, flap valve, or other device may be used.

4. Continuous monitoring for disinfectant residual shall be performed on the disinfected surface water or stormwater supply at a point before mixing with the reclaimed water. Fecal coliforms and TSS shall be monitored at this point in accordance with the schedule established in Chapter 62-601, F.A.C., for high-level disinfection facilities, based on the permitted capacity of the largest domestic wastewater treatment facility providing reclaimed water to the reuse system.

5. The supplemental water supply pipes and appurtenances shall be color coded and marked to differentiate them from the reclaimed water and potable water facilities.

(b) Rules 62-610.472(3)(a)1 through 5, F.A.C., shall apply to situations involving the introduction of stormwater or surface water directly into a reclaimed water distribution system. Cases involving storage of reclaimed water in lakes and ponds which are part of a stormwater management system are described in, and regulated by, Rules 62-610.464 and 62-610.830, F.A.C., and are not subject to Rule 62-610.472, F.A.C. Rule 62-610.472, F.A.C., shall not apply to system storage and reclaimed water distribution facilities that are on the property of and are operated by the user of reclaimed water (such as a golf course or farm).

(c) Stormwater may be introduced into the sanitary sewerage system to augment the supply of reclaimed water, if all of the following conditions are met:

1. The resulting mixture of stormwater and domestic wastewater receives the full level of treatment and disinfection required by Part III of Chapter 62-610, F.A.C.

2. The applicant provides an affirmative demonstration that the sewerage system and treatment facilities have sufficient capacities to accommodate the added volumes of stormwater.

3. Introduction of stormwater into the sewerage system shall be limited to dry-weather, low-flow conditions in the sanitary sewerage system.

(d) Monitoring for *Giardia* and *Cryptosporidium*.

1. For treatment plants having capacities of 1.0 mgd or larger, the permittee shall sample the reclaimed water for *Cryptosporidium* and *Giardia* as follows:

a. Sampling shall be conducted at one time during each two-year period. Intervals between sampling shall not be greater than two years.

b. Samples shall be taken at a point after treatment of the supplemental water supply (before blending with reclaimed water).

2. For treatment plants having capacities less than 1.0 mgd, the permittee shall sample the reclaimed water for *Cryptosporidium* and *Giardia* as follows:

a. Sampling shall be conducted at one time during each five-year period. Intervals between sampling shall not be greater than five years.

b. Samples shall be taken at a point after treatment of the supplemental water supply (before blending with reclaimed water).

(4) Ground water supplies.

(a) Ground water supplies may be used to supplement the reclaimed water supply, if all of the following conditions are met:

1. The applicant shall provide an affirmative demonstration that the quality of the resulting mixture of reclaimed water and ground water will be acceptable for the permitted uses of the reclaimed water within the reclaimed water distribution system. This shall include an evaluation of the factors contained in Rule 62-610.472(3)(a)2, F.A.C. This shall include an analysis of the ground water source for all of the parameters included in the ground water quality standards listed in Chapter 62-520, F.A.C.

2. An approved backflow prevention device, as described in Rule 62-555.360, F.A.C., shall be provided on the pipe from each well connected into the reclaimed water system.

3. Monitoring of the ground water supply shall be conducted quarterly for fecal coliforms, unless additional monitoring is required by Rule 62-610.472(4)(b), F.A.C. At the end of the first year of operation, monitoring of the ground water supply shall be reduced if the applicant provides an affirmative demonstration that the ground water supply meets the high-level disinfection criteria for fecal coliforms and that public health will be protected.

4. The supplemental water supply pipes and appurtenances shall be color coded and marked to differentiate them from the reclaimed water and potable water facilities.

(b) If the initial analysis of the ground water supply reveals that the ground water supply does not meet ground water quality standards in Chapter 62-520, F.A.C., the parameters for which the ground water standards are not met shall be added to the quarterly monitoring of the ground water supply.

(c) For purposes of Rule 62-610.472(4), F.A.C., water withdrawn at a springhead shall be considered as "ground water."

(5) Drinking water supplies. Drinking water from a public water supply system may be used to supplement the reclaimed water supply, if all of the following conditions are met:

(a) An air gap separation, as described in Rule 62-555.360, F.A.C., shall be provided on each connection from the public water supply system into the reclaimed water system.

(b) The reuse permit shall not include requirements for monitoring of the drinking water supply.

(c) The supplemental water supply pipes and appurtenances shall be color coded and marked to differentiate them from the reclaimed water facilities.

(d) The number of connections from the public water supply system into the reclaimed water system shall be minimized.

(6) A consumptive use permit for the use of surface water or ground water to supplement the reclaimed water supply may be required by the appropriate water management district. A consumptive use permit from the water management district shall not be required at the time of application for a permit from the Department. The permittee shall be responsible for securing any needed consumptive use permits from the water management district before using ground water or surface water to supplement the reclaimed water supply.

(7) Facilities used to connect supplemental water supplies into the reclaimed water distribution system shall be located and documented in the record drawings for the reuse system.

Specific Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History - New 8-8-99.

62-610.473 Hydraulic Loading Rates.

Loading rates generally shall be as specified in Rule 62-610.423, F.A.C.

Specific Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History - New 4-4-89, Formerly 17-610.473.

62-610.474 Monitoring of Ground Water. (Repealed)

Specific Authority : 403.061, 403.087 FS. Law Implemented 403.021, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History - New 4-4-89, Formerly 17-610.474; Repealed 1-9-96.

62-610.475 Edible Crops.

(1) Irrigation of edible crops that will be peeled, skinned, cooked or thermally processed before consumption is allowed. Direct contact of the reclaimed water with such edible crops is allowed.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 601 (2014)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

Committee/Subcommittee hearing bill: Agriculture & Natural
Resources Subcommittee

Representative Ray offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Use of reclaimed water, stormwater, and excess
surface water.-

(1) The Department of Environmental Protection, in
coordination with the Department of Agriculture and Consumer
Services and the five water management districts, shall conduct
a comprehensive study and submit a report on the expansion of
the beneficial use of reclaimed water, stormwater, and excess
surface water in this state.

(2) The report must:

(a) Identify factors that prohibit or complicate the
expansion of the beneficial use of reclaimed water, stormwater,

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Amendment No. 1

18 and excess surface water and recommend how those factors can be
19 mitigated or eliminated.

20 (b) Identify the environmental, engineering, public
21 health, public perception, and fiscal constraints of such an
22 expansion, including utility rate structures for reclaimed
23 water.

24 (c) Identify areas in the state where traditional water
25 supply sources are limited and the use of reclaimed water,
26 stormwater, or excess surface water for irrigation or other uses
27 is necessary.

28 (d) Recommend permit incentives, such as extending current
29 authorizations for long-term consumptive use permits for all
30 entities that substitute reclaimed water for traditional water
31 sources that become unavailable or otherwise cost prohibitive.

32 (e) Determine the feasibility, benefit, and cost estimate
33 of the infrastructure needed to construct regional storage
34 features on public or private lands for reclaimed water,
35 stormwater, and excess surface water, including the collection
36 and delivery mechanisms for beneficial uses such as agricultural
37 irrigation, power generation, public water supply, wetland
38 restoration, groundwater recharge, and waterbody base flow
39 augmentation.

40 (3) The departments shall:

41 (a) Hold a public meeting to gather input on the study
42 design.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 601 (2014)

Amendment No. 1

43 (b) Provide an opportunity for public comment before
44 submitting the report.

45 (4) The report shall be submitted to the Governor, the
46 President of the Senate, and the Speaker of the House of
47 Representatives no later than December 1, 2015.

48
49 Section 2. This act shall take effect July 1, 2014.
50
51

52 -----
53 **T I T L E A M E N D M E N T**

54 Remove everything before the enacting clause and insert:

55 A bill to be entitled

56 An act relating to reclaimed water; requiring the Department of
57 Environmental Protection to conduct a study in coordination with
58 the Department of Agriculture and Consumer Services and water
59 management districts on the expansion of the beneficial use of
60 reclaimed water, stormwater, and excess surface water and to
61 submit a report based upon such study; providing requirements
62 for the report; requiring the department provide the public an
63 opportunity for input and for public comment; requiring that the
64 report be submitted to the Governor and the Legislature by a
65 specified date; providing an effective date.
66

OCCUPATIONAL **LICENSE**

Bernie Friedman
City of Hollywood



CITY OF HOLLYWOOD
TREASURY SERVICES DIVISION
LOCAL BUSINESS TAX RECEIPTING
2600 HOLLYWOOD BLVD, ROOM 103
HOLLYWOOD, FL 33020

FRIEDMAN BERNIE
3111 STIRLING RD
FORT LAUDERDALE FL 33312

356 5888



CITY OF HOLLYWOOD LOCAL BUSINESS TAX RECEIPT

PRINT DATE: 10/14/13

THIS IS YOUR LOCAL BUSINESS TAX RECEIPT. PLEASE DETACH AND POST IN A CONSPICUOUS PLACE AT THE BUSINESS LOCATION. PLEASE DO NOT REMIT ANY PAYMENT. **THIS IS NOT A BILL.**

Business Name: FRIEDMAN BERNIE
Business Location: 3111 STIRLING RD
Business Class: ATTORNEY
Tax Basis: 1 WORKER (OWNER)
Receipt Number: 14 00011777
Receipt Year: 10/01/13
Expiration Date: 09/30/14

NEW CHARGES: (Itemized Below) 286.00
Base Fee 286.00
Additional Charges:

Comments:

TOTAL NEW CHARGES: 286.00
Penalty Amount: .00
Previous Balance Due: .00
TOTAL AMOUNT PAID: 286.00

PURSUANT TO STATE LAW, THE LOCAL BUSINESS TAX IS LEVIED ON THE PRIVILEGE OF DOING BUSINESS WITHIN A CITY'S LIMITS, AND IS NON-REGULATORY IN NATURE. ISSUANCE OF A LOCAL BUSINESS TAX RECEIPT BY THE CITY OF HOLLYWOOD DOES NOT MEAN THAT THE CITY HAS DETERMINED THAT THE EXISTING OR PROPOSED USE OF A LOCATION IS LAWFUL. ISSUANCE OF A LOCAL BUSINESS TAX RECEIPT DOES NOT LEGALIZE OR CONDONE THE NATURE OF THE BUSINESS BEING CONDUCTED IF CONTRARY TO ANY LOCAL, STATE OR FEDERAL LAWS OR REGULATIONS.



CITY OF HOLLYWOOD
TREASURY SERVICES DIVISION
LOCAL BUSINESS TAX RECEIPTING
2600 HOLLYWOOD BLVD, ROOM 103
HOLLYWOOD, FL 33020

BERNIE FRIEDMAN
BECKER & POLOAKOFF PA
2001 HOLLYWOOD BLVD - #205
HOLLYWOOD FL 33020

27 43968



CITY OF HOLLYWOOD LOCAL BUSINESS TAX RECEIPT

PRINT DATE: 11/15/13

THIS IS YOUR LOCAL BUSINESS TAX RECEIPT. PLEASE DETACH AND POST IN A CONSPICUOUS PLACE AT THE BUSINESS LOCATION. PLEASE DO NOT REMIT ANY PAYMENT. **THIS IS NOT A BILL.**

Business Name: BERNIE FRIEDMAN
Business Location: 2001 HOLLYWOOD BLVD
Business Class: ATTORNEY
Tax Basis: 1 WORKER (OWNER)
Receipt Number: 14 00052876
Receipt Year: 10/01/13
Expiration Date: 09/30/14

NEW CHARGES: (Itemized Below)	311.00
Base Fee	286.00
Additional Charges:	
APPLICATION FEE	25.00

Comments:

TOTAL NEW CHARGES:	311.00
Penalty Amount:	.00
Previous Balance Due:	.00
TOTAL AMOUNT PAID:	311.00

PURSUANT TO STATE LAW, THE LOCAL BUSINESS TAX IS LEVIED ON THE PRIVILEGE OF DOING BUSINESS WITHIN A CITY'S LIMITS, AND IS NON-REGULATORY IN NATURE. ISSUANCE OF A LOCAL BUSINESS TAX RECEIPT BY THE CITY OF HOLLYWOOD DOES NOT MEAN THAT THE CITY HAS DETERMINED THAT THE EXISTING OR PROPOSED USE OF A LOCATION IS LAWFUL. ISSUANCE OF A LOCAL BUSINESS TAX RECEIPT DOES NOT LEGALIZE OR CONDONE THE NATURE OF THE BUSINESS BEING CONDUCTED IF CONTRARY TO ANY LOCAL, STATE OR FEDERAL LAWS OR REGULATIONS.