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2
3 RESOLUTION NO. 2012-03
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5 RESOLUTION OF THE VILLAGE COMMISSION
6 OF THE VILLAGE OF BISCAYNE PARK URGING
7 MEMBERS OF THE FLORIDA LEGISLATURE TO
8 SUPPORT AND OPPOSE CERTAIN ISSUES
9 DURING THE 2012 LEGISLATIVE SESSION;
10 PROVIDING FOR SEVERABILITY; PROVIDING
11 FOR EFFECTIVE DATE.
12

13 WHEREAS, a majority of Florida's municipalities are challenged to meet increasing
14 infrastructure, water and sewer, affordable housing, transportation, education service needs of
15 their citizens; and
16

17 WHEREAS, Florida municipalities are dependent on other governmental entities for
18 financial stability and presently the state, counties and a number of taxing authorities control
19 most funding sources authorized for implementing growth management capital improvements
20 and complying with concurrency requirements; and
21

22 WHEREAS, municipal self-determination and local self-determination are constantly
23 under challenge from a variety of public and private interests; and
24

25 WHEREAS, the role and function of municipal government is constantly evolving in
26 response to new demands from its citizens and businesses; and
27

28 WHEREAS the Miami Dade County League of Cities, formed in 1953 to assist its
29 members in cultivating and maintaining the most proficient ways of administering government
30 for the general welfare of the residents and business of the County, compiled its Legislative
31 Action Agenda for 2012, stating common interests of its member cities.
32

33 NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE
34 VILLAGE OF BISCAYNE PARK, FLORIDA, this Commission:
35

36 Section 1: Supports the 2012 Legislative Action Agenda, and joins the Miami Dade County
37 League of Cities in urging Governor Rick Scott and members of the Florida Legislature to act
38 on the following issues:
39

40 **REDISTRICTING**

41 The Miami-Dade League encourages the Florida Legislature to make all efforts in redistricting
42 the state to maintain the geographic integrity of municipal boundaries, where feasible, and to
43 ensure that districts are able to elect representatives that reflect the composition of the
44 community, so as to preserve the integrity of communities of like interest.
45

46 **COMMUNITY DEVELOPMENT**

47 The Miami-Dade County League of Cities will support legislation that strives to strengthen and
48 expand the economy of Miami-Dade County through the creation of job and business
49 development opportunities. Such legislation should:

- 1 - Enact an urban economic development policy that acknowledges and puts to use Miami-Dade
- 2 County's physical, natural and human resources;
- 3 - Support the efforts of municipalities to revitalize their centers of commerce and culture by
- 4 promoting redevelopment and infill development through policies that fund public
- 5 infrastructure projects, encourage public/private partnerships, and leverage state funds or
- 6 credits to attract private investment;
- 7 - Address the problems in the transit surtax law, by providing the specific parameters requiring
- 8 new cities' allotment to be taken from the County's portion and not from funds that were
- 9 previously allocated to municipalities.

10 11 **PENSION REFORM**

12 The Miami-Dade County League of Cities will continue to support legislation that provides

13 comprehensive municipal pension-reform. Any such comprehensive pension-reform

14 legislation should address the following:

- 15 - Allow local governments to deviate from state requirements or change to pension plan that best
- 16 suits the municipality short-term and long-terms needs and conditions;
- 17 - Change the governance structure of pension boards of trustees to move away from having plan
- 18 participants serve on the boards;
- 19 - Remove statutory provisions requiring that municipalities and other governments offer post-
- 20 employment benefits (subsidized health and other insurance coverage to retirees);
- 21 - Require average final compensation in defined-benefit pension plans be defined to include
- 22 salary only, excluding pay for overtime, unused leave time or any other additional payments;
- 23 - Modify the current statutory disability presumptions for firefighters, law enforcement officers
- 24 and correctional officers relating to tuberculosis, heart disease or hypertension; and
- 25 - Allow recipients of insurance premium tax revenues to use these funds to pay for the costs of
- 26 current plans and to lower required plan contributions from the plan sponsor and to continue to
- 27 receive such funds.

28 29 **LAW ENFORCEMENT**

30 The Miami-Dade County League of Cities will support legislation that expands the criteria for

31 use of law enforcement trust fund dollars to include certain law enforcement non-recurring

32 capital expenditures, which create or expand physical facilities, purchase equipment that

33 extend capabilities or otherwise increase law enforcement service programs and/or related

34 initiatives.

35 36 **URBAN AREA SECURITY INITIATIVE**

37 The Miami-Dade League of Cities will support legislation that amends current law to allow the

38 Urban Area Security Initiative representative to become a voting member on the "Domestic

39 Security Oversight Council," so as to further ensure that homeland security measures in urban

40 areas receive appropriate funding.

41 42 **GUN SAFETY**

43 The Miami-Dade League of Cities will support legislation that allows municipalities the ability

44 to ban any person from openly carrying a handgun or carrying a concealed weapon or firearm

45 into a public park or public playground and/or any public community center.

1 LOCAL OPTION FUEL TAX

2 The Miami-Dade League of Cities will support legislation that addresses the discrepancies
3 among interpretations of the in the Local Option Fuel Tax, especially by the Office of the
4 Attorney General, as well as expands the definition of “transportations expenditures” to include
5 installation, operation and maintenance in the categories of “Roadway and right-of-way
6 drainage; street lighting; traffic signs, and traffic engineering, signalization, and pavement
7 markings.”

8
9 EARLY COST RECOVERY

10 The Miami-Dade County League of Cities support legislation that eliminates the Florida Public
11 Service Commission’s ability to approve any Early Cost Recovery measures and that repeals
12 the Early Cost Recovery statute.

13
14 ELECTRICAL TRANSMISSION LINES

15 The Miami-Dade County League of Cities will support legislation that addresses the following
16 issues with regard to electrical transmission lines:

- 17 – Require the undergrounding of transmission lines or the selection of alternative corridors, when
18 meant to lessen health, visual blight and environmental impacts in highly dense urban areas;
- 19 – Require the Public Service Commission revisit its decision that only the requesting
20 municipality be required to pay for the costs associated with undergrounding transmission lines;
21 and
- 22 – Institute a cost-sharing policy for all Florida rate payers for the costs associated with the
23 undergrounding of transmission lines for projects that originate directly from nuclear facilities
24 or that are of a significant size (more than ten (10) miles) in urban areas.

25
26 MIAMI-DADE COUNTY PUBLIC SCHOOL PRIORITIES

27 The Miami-Dade League of Cities will support legislation, as it pertains to education in Miami-
28 Dade County, that:

- 29 – Improves funding condition of Miami-Dade County public schools systems by:
 - 30 – Modifying the penalty for non-compliance with the Constitutional Class Size Requirement
31 to loss of the Class Size Reduction Categorical allocation and not loss of the full Base
32 Student Allocation;
 - 33 – Investing in education by designated a percentage of economic growth dollars to education
34 as the State’s economy recovers and grows;
 - 35 – Replacing federal “Jobs for Education” funds embedded in the Florida Education Finance
36 Program with State Revenue;
 - 37 – Maintaining the current required employers’ contribution rate to the Florida Retirement
38 System by absorbing the planned increase for the 2012-2013 fiscal year;
 - 39 – Facilitates the expansion of Capital Funding for the district by:
 - 40 – Extending the term of general obligations funds from 20 years to 30 years and allow the
41 schedule of maturities to be determined by the local School Board;
 - 42 – Expanding the allowable use of locally voted upon sales to include operating expenses that
43 maintain, renovate or repair existing school facilities, or maintain, secure or upgrade school
44 technology equipment;
 - 45 – Fully fund provisions of Florida Statute 1013.64 pertaining to funding of the Public
46 Education Capital Outlay Program that involves construction and maintenance programs of
47 public school districts;

- 1 - Continues to allow co-enrollment as a strategy for high school students who need credit
2 recovery or improve their cumulative grade point average for graduation purposes; and
3 - Ensured the criteria for placing school on intervene status and the existing procedures under
4 Differentiated Accountability are clear, consistent and fair
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6 Section 2: Directs the Clerk of the Village to transmit copies of this Resolution to the
7 Governor, Senate President, Speaker of the House, the Miami Dade County Legislative
8 Delegation and the Miami Dade County League of Cities.
9

10 Section 3: Directs the Village Manager to include this item in the 2012 state legislative
11 package, and Village elected officials to advocate for the issues identified in Section 1, above.
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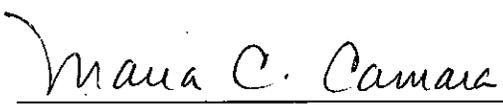
13 Section 4: Severability: Should any section, paragraph, sentence, phrase, clause or other part
14 of any provision of this Resolution be declared by a court of competent jurisdiction to be
15 invalid, unlawful or unconstitutional, the same shall not affect the validity of this Resolution as
16 a whole or any part thereof and to that extent, the terms of this Resolution are hereby declared
17 to be severable.
18

19 Section 5: Effective Date: This Resolution shall become effective immediately upon its
20 passage and adoption by majority vote of the Commission of the Village of Biscayne Park,
21 Florida.
22

23 PASSED AND ADOPTED this 12th day of January, 2012.
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29 _____
30 Noah Jacobs, Mayor

31 Attest:

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33 
34 _____
35 Maria C. Camara, Village Clerk
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37 Approved as to form:
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40

41
42 
43 _____
Village Attorney

**The foregoing resolution upon being
put to a vote, the vote was as follows:**

Mayor Jacobs: No
Vice Mayor Watts: Yes
Commissioner Anderson: Yes
Commission Cooper: Yes
Commissioner Ross: Yes