

RESOLUTION NO. 2010 – 11

**RESOLUTION OF THE VILLAGE COMMISSION OF THE
VILLAGE OF BISCAYNE PARK URGING MEMBERS OF THE
FLORIDA LEGISLATURE TO SUPPORT AND OPPOSE
CERTAIN ISSUES DURING THE 2010 LEGISLATIVE SESSION;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
EFFECTIVE DATE.**

WHEREAS, a majority of Florida's municipalities are challenged to meet the increasing infrastructure, affordable housing, transportation, service demands and water quality needs of their citizens; and

WHEREAS, Florida municipalities are dependent on other governmental entities for financial stability and presently the state, counties, and school districts, control most funding sources authorized for implementing growth management capital improvements and complying with concurrency requirements; and

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

WHEREAS, the role and function of municipal government is constantly evolving from new demands from its citizens and businesses;

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

Section 1: Urges Governor Charlie Crist and members of the Florida Legislature to act on the following issues:

- A. Department of Community Affairs (DCA) Agency Sunset Review: Support legislation resulting from agency sunset review that maintains the DCA as a distinct department; but, that clarifies the role of the state in the local comprehensive planning process while respecting municipal home rule, and which provides the DCA and municipalities with the necessary tools to carry out state growth management mandates.
- B. Effective Public Notice: Support legislation that authorizes municipalities to provide effective public notice and advertising for various appropriate matters by means other than newspapers, such as direct mailings, physical posting of property, Internet posting, free publications, government access television channels, and other suitable alternatives. (Ad valorem millage-setting notices would continue to be provided in newspaper ads.)
- C. Energy Policy: Support legislation that provides incentives for the development and implementation of renewable and alternative energy and transportation fuel sources; encourages mass transit and energy-efficiency practices; provides funding for local

governments to assist in state energy policies such as green building and carbon emission reductions; and provides technical assistance and funding to municipalities to implement a comprehensive sustainable energy policy. But oppose legislation that authorizes oil and gas exploration within Florida's territorial waters until an unbiased study commission comprised of scientists, local governments, business interests, other experts and interested parties has analyzed the economic and environmental impacts resulting from all new energy sources, including solar, tidal, biomass and other alternative options, as well as oil and gas exploration within Florida's territorial waters.

- D. Foreclosures: Support legislation that provides increased lien superiority for municipal repair and maintenance liens on properties that have undergone foreclosure proceedings.
- E. Issue Campaign Financing/Prohibition on Local Government Expenditures: Support legislation to remove any restrictions on municipalities when they make expenditures in issue campaigns.
- F. Municipal Firefighter or Police Officer Pension Plans: Support legislation that provides comprehensive municipal firefighter and police officer pension reform. Any comprehensive pension reform package should address the issue of statutory presumptions, and maximum benefits should be based on actual base salary. Alternatives to defined benefit programs should be incentivized and cities that join the Florida Retirement System for firefighters or police officers should be allowed to purchase past service credit at the 3 percent rate, rather than the current law 2 percent rate. Pensions boards should not consist of a majority of plan members and all plans and plan expenses should receive third party independent review. If a firefighter or police officer pension plan does not accept insurance premium tax revenues, then the insurance premium tax should not be charged in that jurisdiction.
- G. Revenue Caps: Oppose legislation that includes "one size fits all" caps on revenues and expenditures. If the Legislature chooses to move forward with a Taxpayer Bill of Rights (TABOR) proposal, such a proposal must address the following principles:
 - (1) Any revenue cap proposal must include a complete prohibition on unfunded mandates to local governments or an exemption of any unfunded mandates from the cap.
 - (2) Any revenue cap proposal must apply equally to all levels of government in Florida, including state government;
 - (3) Any revenue cap proposal must focus on revenues or expenditures, but not both;
 - (4) The following revenue sources should be exempt from any revenue cap proposal: proprietary funds; state and federal funds; referendum expenditures, if any; one-time revenues including but not limited to donations, grants, sale of property, settlement of disputes, etc.; revenues not subject to the control of the receiving government; revenues committed to the repayment of debt; franchise fees and contractual revenues; revenues from voluntary recreational services; and funds received or expended in response to a catastrophic event.

- (5) Any revenue cap proposal should exempt all cities with a population of 10,000 or less.
 - (6) Any revenue cap proposal should include a "time-out" provision in case it becomes necessary to suspend the revenue cap proposal.
 - (7) Any growth multiplier should reflect the inflation of the expenses incurred by local governments in providing services to citizens.
- H. Unfunded Mandates: Support legislation that strengthens the prohibition on existing and new unfunded mandates, requires enhanced quantification of the costs to cities and necessitates full funding sources be assigned whenever unfunded mandates are identified.
- I. Water Management District Governance: Support legislation that amends the powers and duties of water management districts. Such legislation should:
- (1) require legislative ratification of any proposed rule change by a water management district that imposes a financial impact on a local government;
 - (2) require water management districts to conduct a comprehensive assessment of existing water supplies and analyze the impact of the existing consumptive-use permitting process on regional water supplies;
 - (3) clarify that water management districts lack authority over reclaimed water;
 - (4) specify that water management districts have no authority to require local government adoption or repeal of ordinances or to mandate the review or approval of any ordinance; and
 - (5) Restore the authority of the governing boards, eliminated by SB 2080 during the 2009 legislative session, to take final action on permit applications or petitions for variances or waivers of permitting requirements.

Section 2: Directs the Clerk of the Village to transmit copies of this Resolution to the Governor, Senate President, Speaker of the House, the Miami-Dade County Legislative Delegation and the Florida League of Cities.

Section 3: Directs the Village Manager to include this item in the 2010 state legislative package, and Village elected officials to advocate for the issues identified in Section 1, above.

Section 4: Severability: Should any section, paragraph, sentence, phrase, clause or other part of any provision of this Resolution be declared by a court of competent jurisdiction to be invalid, unlawful, or unconstitutional, the same shall not affect the validity of this Resolution as a whole or any part thereof and to that extent, the terms of this Resolution are hereby declared to be severable.

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

PASSED AND ADOPTED this 6th day of April, 2010.

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



Roxanna Ross, Mayor

Attest:



Village Clerk

Approved as to form:


John P. Hearn, Village Attorney
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Mayor Ross: Yes

Vice Mayor Childress: Yes

Commissioner Anderson: Yes

Commissioner Bernard: Yes

Commissioner Cooper: Yes

2009-2010 MIAMI-DADE COUNTY LEGISLATIVE DELEGATION

Chair: Representative Juan C. Zapata
Vice Chair: Representative Luis R. Garcia

Delegation Office
 13550 SW 88th Street, Suite 150
 Telephone: 305-273-3288
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 212 Capitol
 Tallahassee, Florida 32399
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FLORIDA SENATE

Name and District	District Office	Tallahassee Office	Committee Assignments
<p>Sen. Frederica Wilson 33rd District wilson.frederica.web@flsenate.gov</p> <p>Staff: Angela Lane Patricia Lightfoot Shaquita Rahming</p>	<p>(305) 654-7150 Fax: (305) 654-7153</p> <p>18425 NW 2nd Avenue Suite 310 Miami Gardens, Fl 33169</p>	<p>(850) 487-5116</p> <p>202 Senate Office Building 404 South Monroe Street Tallahassee, Fl 32399</p>	<p>Criminal and Civil Justice Appropriations, Vice Chair</p> <p>Criminal Justice, Vice Chair</p> <p>Education Pre-K - 12, Vice Chair</p> <p>Policy and Steering Committee on Social Responsibility</p> <p>Florida Legislative Committee on Intergovernmental Relations</p> <p>Policy and Steering Committee on Ways and Means</p>
<p>Sen. Nan H. Rich 34th District rich.nan.web@flsenate.gov</p> <p>Staff: Erica Ortiz Kristin Carter Ellen Navarro</p>	<p>(954) 747-7933 Fax:(954) 747-7935</p> <p>777 Sawgrass Corporate Pkwy Sunrise, FL 33325</p>	<p>(850) 487-5103</p> <p>214 Senate Office Building 404 South Monroe Street Tallahassee, Fl 32399</p>	<p>Policy and Steering Committee on Energy, Environment, and Land Use, Vice Chair</p> <p>Children, Families, and Elder Affairs, Vice Chair</p> <p>Health and Human Services Appropriations, Vice Chair</p> <p>Policy and Steering Committee on Ways and Means</p> <p>Commerce</p> <p>Environmental Preservation and Conservation</p> <p>Ethics and Elections</p> <p>Joint Legislative Sunset Committee</p>
<p>Sen. Dan Gelber 35th District gelber.dan.web@flsenate.gov</p> <p>Staff: Alexis Moseley Debra Schwartz Ashley Ligas</p>	<p>(305) 535-5485</p> <p>1920 Meridian Avenue 3rd Floor Miami Beach, Fl 33139</p>	<p>(850) 487-5121</p> <p>226 Senate Office Building 404 South Monroe Street Tallahassee, Fl 32399</p>	<p>Commerce, Vice Chair</p> <p>Higher Education Appropriations, Vice Chair</p> <p>Policy and Steering Committee on Social Responsibility</p> <p>Policy and Steering Committee on Ways and Means</p> <p>Joint Committee on Public Counsel Oversight</p> <p>Communications, Energy, and Public Utilities</p> <p>Judiciary</p> <p>Select Committee on Florida's Economy</p>

FLORIDA SENATE

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Florida Senate

<p>Sen. Rodolfo "Rudy" Garcia 40th District garcia.rudy.web@flsenate.gov</p> <p>Staff: Susie Martin David Marin Ana Pereira</p>	<p>(305) 364-3191 Fax: (888) 284-8594</p> <p>7475 West 4 Avenue, Suite B Hialeah, FL 33014</p>	<p>(850) 487-5106</p> <p>414 Senate Office Building 404 South Monroe Street Tallahassee, FL 32399</p>	<p>Commerce, Chair</p> <p>Policy and Steering Committee on Commerce and Industry</p> <p>Policy and Steering Committee on Ways and Means</p> <p>Children, Families, and Elder Affairs</p> <p>Community Affairs</p> <p>Joint Committee on Public Counsel Oversight</p> <p>Education Pre-K - 12 Appropriations</p> <p>Rules</p>
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FLORIDA HOUSE OF REPRESENTATIVES

<p>Rep. Eduardo "Eddy" Gonzalez 102th District eddy.gonzalez@myfloridahouse.gov</p> <p>Staff: Manny Cid Victoria Llerena</p>	<p>(305) 364-3066 Fax (305) 364-3055</p> <p>10001 NW 87 Avenue Hialeah Gardens, FL 33016</p>	<p>(850) 488-1683</p> <p>209 House Office Building 402 South Monroe Street Tallahassee, FL 32399</p>	<p>Economic Development & Community Affairs Policy Council, Vice Chair</p> <p>Energy & Utilities Policy Committee</p> <p>Full Appropriations Council on Education & Economic Development</p> <p>Health & Family Services Policy Council</p>
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FLORIDA HOUSE OF REPRESENTATIVES

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Revised 061809