

Board of County Commissioners

Workshop Request

Date of Meeting: January 6, 2009

Date Submitted: December 15, 2008

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Jennifer Langston, Special Projects Coordinator

Subject: Facilitate Board Discussion and Identification of the 2009 State & Federal Legislative Appropriation Requests.

Statement of Issue:

This workshop provides an opportunity for the Board to identify Wakulla County's State and Federal Legislative Priorities for the upcoming 2009 legislative cycle.

Background:

State and Federal legislative cycles begin early with the coming of each new calendar year. Planning by key constituent groups, such as cities and counties, to prioritize their own appropriation and substantive issue requests in preparation for these legislative sessions normally begins well before the first of the New Year. After this prioritization task is completed: elected leaders, staff and contract lobbyists can work with state and federal legislators to seek legislative appropriations for those critical local projects identified as being important by the Board and agreed to by legislators at the state and federal levels for fiscal support.

Last year, the State and Federal Legislative priorities were established during the Board Retreat. Staff and the county's contract lobbyists prepared documents ranging from pocket inserts (Attachment 1) to legislative budget request forms for use by state and federal legislators. In addition, staff and Commissioners represented the county at the congressional level during the National Association of Counties Legislative Conference (NACo) in March 2008 including meeting with congressmen and their appropriation staffs to seek federal funding for these projects.

State Requests:

State requests are submitted to members of the Legislative delegation through Community Budget Issue Requests (CBIRS). The deadline for these requests is typically at the beginning of January. To date, the CBIR submission deadline has not been published at this time. In 2008, the Board submitted five Community Budget Issue Requests (CBIRs) to the local delegation as member projects and one project was funded (Expanding Sewer in Wakulla Gardens). See table below.

Request	Amount Requested	Amount Funded
Wakulla Gardens Sewer Expansion- Request for collection, treatment, and disposal of wastewater in Wakulla Gardens subdivision and elimination of private septic systems.	\$1m	\$300,000
Crawfordville Storm water Study- Request for a study to be conducted to address storm water issues.	\$100,000	\$-0-
Right of Way Expansion of Hwy 319- Request for road reconstruction from US Hwy 319 East Ivan Road to US Hwy 98 to include right of way acquisition, engineering, and construction of an existing county maintained dirt road.	\$2.5m	\$-0-
Wakulla Community Center- Request for construction & establishment of the first and only community center to provide recreational and community service events to the public.	\$200,000	\$-0-
Wakulla Courthouse Expansion- Request for expansion and renovation of the historical Wakulla County courthouse. Enabling court functions to continue and provide for future growth due to the county's rapid growth.	\$1,050,000	\$-0-

Federal Requests:

Federal Appropriation Requests are submitted separately through each U.S. Congressman and U.S. Senators by separate submission procedures. Historically, the deadline for submitting Federal appropriation requests is in February.

Request	Amount Requested	Amount Funded
Sewer Expansion to Wakulla Gardens- <i>(Same as above)</i>	\$1m	-0-
Sewer Expansion to Live Oak Island- The Island is surrounded by the St. Marks National Wildlife Refuge and adjacent to Shell Point. All existing homes are on septic tanks located on small lot sizes combined with the high water table and extremely close proximity to coastal water directly contributes to local and federal water degradation.	\$1.9m	-0-
Improvements to US 98 & US 319 Intersection- Improvement of traffic flow and safety on two federal highways, US 98 and US 319 in Wakulla County.	\$2.9m	-0-

It was determined that, due to being a transition year of three newly elected Board of County Commissioners, the legislative priorities should be discussed following the Board Retreat.

Analysis:

Staff is seeking Board input at this time to approve a list of projects for pursuit as state and/or federal appropriation requests during 2009. Once approved by the Board, staff, (at the state level) the county's contract lobbyists, and each commissioner will work together to seek funding for these priorities.

Requested Parameters for Appropriation Requests:

While staff does not seek to limit discussion by Commissioners by preparing a specific slate of issues at this time for their approval, it is recommended that the Board adhere to the following principles when approving their list of state and federal requests:

- Limit the number of appropriation requests (no more than five is recommended);
- Have variety in your requests (2 transportation, 1 water quality, 1 sewer, 1 park, etc.);
- Identify projects that have County “match” funding (Attachment 2) is the Board’s CIP for FY 08/09 - this is a good list of Board-funded projects to select from);
- Identify projects that are “construction ready;”
- Repetition a plus (continuity of requests over time yields funding, especially in D.C.).

In short, legislators appreciate when requestors prove they can cull their own requests, seeking funding for only the most critical projects. Having a variety in the type of requests is critical at the federal level as there are a number of separate funding bills (differentiated by program type) in which line item appropriations are placed. As such, if you put forth five similar road paving requests, they all compete against each other (and against every other such transportation request) within the same bill for limited available funding. Every “granting” level of government seeks “match” funding from the requesting level as a sign of local commitment to the project. Similarly, those projects that are closest to “construction” are more inclined to receive limited available funding as legislators are interested that their constituents see the benefit of any appropriations they approve quickly. Finally, repetition pays off over time. The more you discuss a project over time with a legislator who has a large district, the more inclined they may be to support such a funding request.

The final element of a successful campaign for appropriation funding is solid communication and participation (especially by locally elected leadership) in the legislative process. Staff and the county’s lobbyists will work on filing the necessary paperwork for the Board’s selected issues and attend appropriate meetings. However, it is many times the participation of the elected officials that reaps the best rewards in the form of approved appropriations. Staff reminds the Board to become very active during the upcoming state legislative session and to attend the NACo Legislative Conference in Washington, D.C. to advocate for approved Board legislative issues on behalf of Wakulla County. The timing of the annual NACo conference is excellent as it is usually at the start of the federal appropriations process and access to Congressmen and their key staff is usually very good. As Wakulla County does not have contract lobbyist representation at the federal level (and staff does not believe it to be necessary), this commissioner participation is even more valuable.

In summary, staff supports the Board’s identification and approval of a slate of appropriation requests for which to pursue state and federal legislative appropriations at this time. Once approved, staff and the county’s contract lobbyists will continue to work with commissioners during the year ahead to gain legislative appropriations for same with routine reports to the Board on progress made.

Additional Considerations

- Staff anticipates Commissioners will utilize those priorities established at the Board Retreat when selecting 2009 Legislative Priorities. During the recent Board Retreat, held on December 8, 2008, the Board determined that one of the legislative priorities to be included in the submission would be: Expanding/Widening of U.S. Highway 319. The amount of

funding to be requested was not discussed. (See Attachment 3 for the recent Board Priorities)

- The Board recently approved Resolution #08-55 requesting full funding of Amendment 1 offset for fiscally constrained counties, and may want to include this as a top priority for 2009. (*Approximately- \$585,222*)
- Included by reference to this item, but not necessary for inclusion by the Board, staff will also continue to work with the Florida Association of Counties and the Small County Coalition staffs to advocate for priority substantive issues identified by each of those entities to which Wakulla County is a member. (See Attachment 4 for FAC's 2009 Priorities.)

Amendment One Offset Information:

During Special Session 2007 D held in October of 2007, the Florida Legislature committed to offset the impact of Amendment 1 in Fiscally Constrained counties. Wakulla County is considered a fiscally constrained county by state law. Following the passage of Amendment 1, the estimated loss to Wakulla County was estimated at \$985,699. In early 2008, Governor Crist's proposed budget outlined a request to fund the Amendment 1 Offset at \$26.4 million during the 2009 Legislative Session. This request was to fund the total impact of Amendment 1 during FY 2008-2009. Last session ONLY \$10.0 million was provided for funding the Amendment 1 offset in the fiscally constrained Counties. This amount did not fully fund the amount of the loss to counties and "hold harmless" as originally stated. Based on information from DOR form 420s, the total impact of Amendment 1 offset was estimated to be \$24.6 million in the 29 fiscally constrained counties.

In addition to the appropriation, additional direction was provided in SB 1588 that stated that on or before November 15 each year, beginning in 2008, each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of funds appropriated by the Legislature in the form and manner prescribed by the Department. For 2008, SB 1588 states that each fiscally constrained county's share of the appropriation shall be equal to 95% of the estimated reduction in taxable value due to Amendment 1 times the 2007 millage rate for each county taxing jurisdiction. If the appropriation is not sufficient to fund the entire reduction, the bill states that the funds shall be distributed based on each fiscally constrained county's proportion of the total reduction. That means **the anticipated funds distributed to Wakulla County are estimated to be \$400,477 in January 2009. That leaves a deficit of \$585,222 in funds not received as promised.**

Following the workshop it is anticipated that staff and contracted lobbyists will further discuss the lobbying strategy to advance the legislative priorities. Governance Services L.L.C., Inc. was selected on November 18, 2008, to perform state lobbying services on behalf of Wakulla County. It is anticipated that Commissioners and staff will meet with the Federal Delegation during the NACO Conference to discuss the legislative priorities. Additionally, it is anticipated that State Delegation representatives will be meeting with the Board in late February or early March.

Summary:

It is anticipated that the Board's 2009 State and Federal legislative program will consist of a brief list comprised from the following principles:

- 1) Build upon the 2008 Approved Legislative List
- 2) Inclusive of the Adopted FY 08/09 CIP project list
- 3) Reflective of approved 2009 Board Priorities recently compiled at annual retreat
- 4) Inclusive of Statewide priorities set by FAC and the SCC
- 5) Set of "Guiding Principles" for contract lobbyists and to pursue.

Staff looks forward to assisting the Board prioritize and cull the list of priorities, as well as, pursue them in the year ahead.

Options:

1. Identify and approve a slate of state and federal legislative appropriation requests.
2. Do not approve any appropriation requests at this time.
3. Board Direction.

Recommendation:

Option 1.

Attachments:

1. 2008 Legislative Priorities Distribution Material
2. Capital Improvement Program & Plan
3. 2009 Priorities Established at the Board Retreat
4. Florida Association of Counties Priorities
5. State & Federal Delegation Information