



2019  
LEGISLATIVE  
ACTION  
AGENDA

# MIAMI-DADE COUNTY LEAGUE OF CITIES 2018-2019 EXECUTIVE BOARD



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# Home Rule = Local Control \*

Florida's cities, towns and villages are centers of economic, social and cultural energy. Each city is a catalyst for the quality of life enjoyed by its residents.

## WHAT IS A CITY IN FLORIDA?

Under Florida's Constitution, municipalities are corporations – vested with broad governmental and proprietary powers. Each city is a corporation with a board of directors (council or commission) elected by the people (stock- holders) to provide services and self-determination. Each city in Florida has a charter detailing its elections, administrative structure and scope of services. Details are found in policies, ordinances and administrative codes.

## HOME RULE

Since 1968, Floridians have recognized the need for cities to have Home Rule powers, as included in the Constitution (Article VIII, Section 2(b)) and ratified by the Legislature in 1973. This right gives each city the flexibility to craft its laws specifically to its own unique needs. After all, with 412 cities ranging in size from Westlake (pop. 5) to Jacksonville (pop. 891,207), one size does not fit all. This right means any city can adopt its laws so long as the law doesn't conflict with state or federal law. Cities in Florida are not "of" the state, but "in" the state; an important distinction between municipal authority and other local governments.

## WHY CITIES ARE CREATED

Services and self-determination. Cities provide their residents with essential services, such as water, wastewater, storm water utilities, police, fire prevention and EMS, road building and maintenance, parks and recreation, land-use codes, planning and code enforcement, animal control, solid waste and recycling, neighborhood services, libraries and cemeteries.

## FLORIDA POPULATION – 20,721,532

Incorporated – 10,538,097                      50.86%

Unincorporated – 10,183,435                      49.14%

\* Adopted from the Florida League of Cities 2019 Legislative Action Agenda.

Self-determination is the ability to make local decisions locally. Cities are citizen-driven representative democracies with citizen engagement, citizen input and citizen leadership.

## CATALYSTS FOR ACTION

A city is a key player in economic development, business retention and regional commerce. City leaders work with county, state and federal resources to help provide new business incubators, workforce placement, affordable housing, educational and technical needs, and public transportation. City leaders also help with redevelopment when an area is faced with blight or struggles to overcome other challenges.

## REVENUES AND EXPENDITURES

Florida's cities receive an average of half of their revenues from user fees and charges for service. The largest sources of tax revenue come from the property tax; state shared revenue, which includes a portion of the state sales tax and gas tax; and the public service tax, also called utilities tax. Cities also rely upon intergovernmental revenue, grants, license fees and permit fees.

## FOCUSED ON EXCELLENCE

Cities are the only optional level of local government in Florida. Cities must provide their services as cost effectively as possible. Councils and commissions know their success often rests upon that bottom line and achieving their key goals with a balance of efficiency, effectiveness and innovation to create a city that residents are proud to call their hometown.

## QUICK FACTS

Number of municipalities: 412

Number of elected municipal officials: 2,252

Largest city: Jacksonville: 891,207

Smallest city: Westlake: 5

Median municipal population: 5,864

Percentage of Floridians living in a city, town or village: 50.6%

Source: Populations from BEBR December 2017 population estimates.

## A BREAKDOWN OF FLORIDA CITIES BY POPULATION

46% <5,000 population (190 cities)

21% 5,000-15,000 population (87 cities)

22% 15,000-60,000 population (90 cities)

11% >60,000 population (45 cities)

Source: Populations from BEBR December 2017 population estimates.

## Communications Services Tax Protection \*

### PRIORITY STATEMENT:

The Florida League of Cities and the Miami-Dade County League of Cities **SUPPORTS** legislation to reform the Communications Services Tax in a manner that is revenue neutral; provides for a broad and equitable tax base; provides for enhanced stability and reliability as an important revenue source for local government; and provides a uniform method for taxing communication services in Florida. Reform should promote a competitively neutral tax policy that will free consumers to choose a provider based on tax-neutral considerations.

### BACKGROUND:

In 2000, the Florida Legislature restructured taxes and fees on telecommunications, cable, direct-to-home satellite and related services under the Communication Services Simplifications Act. This act replaced and consolidated seven different state and local taxes and fees into a single tax that has two centrally administered parts, the state and the local communications services tax (CST). The intent of this legislation was to provide a fair, efficient and uniform method for taxing communications services sold in Florida, including a competitively neutral tax policy for consumers. The local CST is one of the main sources of locally levied general revenue for municipalities, providing them with almost \$400 million annually. Counties collect more than \$200 million a year. The State of Florida collects approximately \$687 million, including direct-to-home satellite, and shares a portion of those revenues with cities through the Municipal Revenue Sharing Program and Local Half-Cent Sales Tax Program. These revenues may be used for any public purpose, including pledging the revenues to secure bonds.

\* Adopted from the Florida League of Cities 2019 Legislative Action Agenda.

The CST applies to telecommunications, video, direct- to-home satellite and related services. The definition of communications services encompasses voice, data, audio, video, or any other information or signals transmitted by any medium. Examples of services subject to the tax include local, long distance and toll telephones; voice over internet protocol telephones; video services; video streaming; direct-to-home satellite; and mobile communications. The tax is imposed on retail sales of communications services that originate and terminate in Florida or are billed to an address within the state. A county or municipality may authorize the levy of a local CST. The local tax rates vary depending on the type of local government. In addition to the local CST, any local option sales tax that a county or school board has levied is imposed as a local CST.

Over the past few years, the economy, legislation and changes in technology have eroded the tax base for the CST. Additionally, there has been a movement by the Florida Legislature to reduce the total tax rate, both on the state and local CST. The Florida League of Cities recognizes that because technology has evolved over the past two decades, it is important to take a comprehensive look at how Florida taxes communication services and how to best modernize the revenue stream.

## Community Redevelopment Agencies \*

### PRIORITY STATEMENT:

The Florida League of Cities and the Miami-Dade County League of Cities **SUPPORTS** legislation to protect and improve municipalities' use of community redevelopment agencies to effectively carry out redevelopment and community revitalization in accordance with Home Rule.

### BACKGROUND:

There are 222 active community redevelopment agencies (CRAs) in Florida. They were established to encourage new investment and job creation in urban areas that were blighted as a result of substantial growth moving away from the urban core.

For many years, residential development and commercial and governmental facilities were being built outside central urban areas. As these central urban areas became vacant or underutilized, high crime rates followed, creating a decline in the economic and social vitality of many municipalities. Faced with these challenges, municipalities, working with their respective counties, have exercised their discretion to establish a CRA as a means for economic recovery in these areas.

\* Adopted from the Florida League of Cities 2019 Legislative Action Agenda.

Under Florida law (Chapter 163, Part III), local governments are able to designate areas as CRAs when certain conditions exist. These conditions include: the presence of substandard or inadequate structures, a shortage of affordable housing, inadequate infrastructure, insufficient roadways and inadequate parking. To document that the required conditions exist, the local government must survey the proposed redevelopment area and prepare a "Finding of Necessity."

If the Finding of Necessity determines that the required conditions exist, the local government may create a CRA to provide the tax increment financing tools needed to foster and support redevelopment of the targeted area, and to spur job growth. This redevelopment tool is used by Florida counties and cities of all sizes, from Miami-Dade County, Tampa, Orlando and Jacksonville, to Hernando County, Madison and Apalachicola, to improve their targeted areas.

The tax increment used for financing projects is the difference between the amount of property tax revenue generated before the CRA designation and the amount of property tax revenue generated after the CRA designation. Monies used in financing CRA activities are, therefore, locally generated. CRA redevelopment plans must be consistent with local government comprehensive plans. This makes CRAs a specifically focused financing tool for redevelopment.

This financing system is successful because it provides specific public services without increasing or levying any new taxes. Both residents and business owners favor this system because the taxes they pay on their investment are rewarded with direct benefits from the CRA. Also, unlike a city or county government, a CRA may utilize tax increment financing as a way to leverage these local public funds with private dollars to make redevelopment happen in public/private partnerships.

## Short-Term Rentals \*

### PRIORITY STATEMENT:

The Florida League of Cities and the Miami-Dade County League of Cities **SUPPORTS** legislation that restores local zoning authority with respect to short-term rental properties, thereby preserving the integrity of Florida's residential neighborhoods and communities. The Florida League of Cities **OPPOSES** legislation that preempts municipal authority as it relates to the regulation of short-term rental properties.

\* Adopted from the Florida League of Cities 2019 Legislative Action Agenda.



## BACKGROUND:

In 2011, the Florida Legislature prohibited cities from regulating short-term vacation rentals. A short-term vacation rental is defined as a property that is rented more than three times a year for less than 30 days at a time. The legislation passed in 2011 included a provision that “grandfathered” any ordinance regulating short-term rentals prior to June 1, 2011. Since that time, a number of cities, both “grandfathered” cities and those that did not have an ordinance in place, have experienced problems with these properties. The effect of the 2011 law is that two separate classes of cities were created respective to short-term rentals, those with Home Rule authority and those without.

In 2014, the Legislature passed SB 356 (Thrasher), which diminished the preemption on short-term rentals. The 2014 law allows local governments to adopt ordinances specific to these rentals so that they can address some of the noise, parking, trash and life-safety issues created by their proliferation in residential neighborhoods. Unfortunately, SB 356 left in place existing statutory language stating that cities cannot “prohibit” short-term rentals or regulate the duration or frequency of the rental.

Those cities fortunate enough to have had an ordinance in place prior to the 2011 preemption are still allowed to regulate short-term rentals, but the question remains whether these ordinances will continue to be valid if amended. Some city attorneys believe these ordinances are “frozen” and any future amendments would cause a loss of the “grandfather.” The problem with this is twofold. First, with the rise of popular rental websites like Vacation Rental by Owner (VRBO) and AirBnB making it easier to advertise and rent these properties, the number of properties used as short-term rentals in Florida has exponentially increased in the last four years. Second, as a result of this enormous growth in the rental market, the scope of the problem has changed, and ordinances adopted before 2011 may no longer be effective.

It is important to note that many of Florida’s larger cities (with a larger professional staff) fell into the grandfathered category. They have retained the ability to regulate these properties through zoning and may have duration and frequency requirements. Some of these cities may want to amend their ordinances to adjust to a changing problem. They are reluctant to do so out of fear of losing their existing ordinance and with it their Home Rule authority relating to short-term rentals. Recognizing that the ordinances on the books are no longer effective, cities want the ability to come up with solutions that work for their respective community, but because of the potential loss of the “grandfather,” they are unable to do so. It is important to note that any potential amendments to existing ordinances would be vetted through numerous public hearings that allow neighboring homeowners, short-term rental owners, property managers and local businesses to weigh in on proposed legislation.



Cities without short-term rental regulations in place prior to June 1, 2011, have had their zoning authority stripped and are now seeing these rentals completely overtaking residential neighborhoods. Long-time residents are moving out as a result, and the residential character of traditional neighborhoods is slowly being destroyed.

## Affordable Housing \*

### STATEMENT:

The Florida League of Cities and the Miami-Dade County League of Cities **SUPPORTS** legislation that requires all money from the Sadowski State and Local Housing Trust Fund be used only for Florida's affordable housing programs.

## School Resource Officers Funding \*

### STATEMENT:

The Florida League of Cities and the Miami-Dade County League of Cities **SUPPORTS** legislation that creates a dedicated and recurring state revenue stream to offset any impacts on those cities providing School Resource Officers (SROs) to schools.

## Sober Homes \*

### STATEMENT:

The Florida League of Cities and the Miami-Dade County League of Cities **SUPPORTS** legislation that requires businesses classified as "Day or Night Treatment with Community Housing" to comply with current statutory requirements for certified recovery residences. In addition, the League **SUPPORTS** legislation clarifying the fire-safety standards that can be imposed on sober homes to ensure compliance with federal fair housing laws.

\* Adopted from the Florida League of Cities 2019 Legislative Action Agenda.

# MIAMI-DADE COUNTY PUBLIC SCHOOLS

## 2019 Legislative Priorities

### Funding:

- **Increase funding using the following strategies:**
  - ✓ **Increase the Base Student Allocation in the funding formula.** This provides the maximum flexibility to school districts. Everything else comes with instructions on how to spend. For 2018-2019, the BSA increased 0.47 cents per student.
  - ✓ **Discontinue the policy of rolling back the Required Local Effort (RLE)**  
This policy began in 2016-2017. For 2016-2017 and 2017-2018, the impact was approximately \$860 million statewide (\$430 million annually) of lost potential funding that will never be recovered. For Miami-Dade, this represents \$112 million (\$56 million each year). For 2018-2019, the statewide impact was \$342 million statewide, of which Miami-Dade's share was \$45 million.  
Typically, property values naturally increase each year, which is an indication of a healthy economy. For the last three years, counties and cities have benefited from the increase in ad valorem values, but education has not. Police, fire, and other local services had the opportunity for growth but not education.
  - ✓ **Reinvest current state funding for Best and Brightest to increase the Base Student Allocation.**
  - ✓ **Eliminate the new "Funding Compression Adjustment" created by the 2018 Legislature** in the implementing bill, resulting in M-DCPS' total Funding per Student: **0.87% or \$65 increase**  
Average Statewide increase: 1.39% or \$102  
Maximum Statewide increase: 4.04% or \$332  
Miami-Dade increase rank out of 67 counties → 65<sup>th</sup>  
Total Funding per Student after new spending mandates: **0.11% decrease**
- **Equitable distribution of education funding**
  - ✓ District Cost Differential - The DCD study funded in the GAA. Need to engage in the discussion to ensure the desired outcome is achieved. Since the change in 2004, M-DCPS has lost approximately \$950 million in potential funding. **In November 2015**, the Bureau of Economic and Business Research at the University of Florida, the same research institute that proposed the amenity-adjusted index, concluded that **58% of the variance in teacher salaries across counties is unexplained by the current DCD formula.**  
  
The high cost of living is pricing out teachers from living in Miami-Dade. The current FPLI statistically smoothed so that low-cost districts' FPLI is equal to or greater than high cost-of-living districts. In 2004-2005, M-DCPS' funding was 39% from local funds and 61% from state funds. Currently, 58% of our funding is from local funds, and 42% from the state. As a result, the taxpayer in MD pays \$1,088 from local dollars to get \$82 state funds. This is the result of the change in the DCD and the addition of the Compression adjustment.
- **Capital funding**
  - ✓ Fund charter school capital from General Revenue. Discontinue required sharing of the 1.5 mills.
- **Title I**
  - ✓ Provide additional flexibility. Exclude the district's indirect rate from the administration.
- **Safety**
  - ✓ Fully fund the cost of having a police officer(s) at every school and redirect the guardian program funding into funding police officers.
- **Level the playing field with charter schools-**
  - ✓ Provide school districts rated at least a B the same flexibility that charters receive. Currently, school districts have to be A-rated for two out of three years for the flexibility, while charter schools have the flexibility regardless of letter grade.
  - ✓ Allow districts where at least 20 percent of the student population is served by charter schools to require new charters to locate to address overcrowding, failing schools, and provide a specific area not being addressed by the district.
- **Appropriations** from the State School Trust fund to M-DCPS from the sale of federal lands.

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- Oversight, Transparency & Public Management Subcommittee
- Commerce Committee
- PreK-12 Innovation Subcommittee
- Health Market Reform Subcommittee



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- Oversight, Transparency & Public Management Subcommittee
- Energy & Utilities Subcommittee
- Joint Administrative Procedure Committee
- Insurance & Banking Subcommittee
- Education Committee
- PreK-12 Subcommittee



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- Agriculture & Natural Resources Subcommittee
- Gaming Control Subcommittee
- Agriculture & Natural Resources Appropriations Subcommittee
- Insurance & Banking Subcommittee
- Education Committee



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- Appropriations Subcommittee
- Joint Legislative Budget Commission



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- State Affairs Committee
- Transportation & Tourism Appropriations Subcommittee
- Business & Professions Subcommittee
- Workforce Development & Tourism Subcommittee
- Higher Education & Career Readiness Subcommittee



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- Justice Appropriations Subcommittee
- Business & Professions Subcommittee
- Children, Families & Seniors Subcommittee
- Judiciary Committee
- Criminal Justice Subcommittee



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- State Affairs Committee
- Agriculture & Natural Resources Subcommittee, *Vice Chair*
- Appropriations Committee
- Agriculture & Natural Resources Appropriations Subcommittee, *Chair*
- Rules Committee
- Joint Administrative Procedures Committee



# BOARD OF DIRECTORS

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Hon. Seth E. Salver  
Assistant Mayor  
Bal Harbour Village

Hon. Robert Yaffe  
Councilman  
Town of Bay Harbor Islands

Hon. Tracy Truppman  
Mayor  
Village of Biscayne Park

Hon. Vince Lago  
Commissioner  
City of Coral Gables

Hon. Tim Meerbott  
Mayor  
Town of Cutler Bay

Hon. Claudia Mariaca  
Vice Mayor  
City of Doral

Hon. Harold Mathis  
Councilman  
Village of El Portal

Hon. R.S. Shiver  
Vice Mayor  
City of Florida City

Hon. Jaime Mendal  
Vice Mayor  
Town of Golden Beach

Hon. Yiozet De La Cruz  
Mayor  
City of Hialeah Gardens

Hon. Jeff Porter  
Mayor  
City of Homestead

Hon. Bernard Klepach  
Mayor  
Village of Indian Creek

T.B.A.  
Village of Key Biscayne

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Mayor  
Town of Medley

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Commissioner  
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Hon. Esteban L. Bovo, Jr.  
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Miami-Dade County

Hon. Susie Castillo  
Board Member  
Miami-Dade County School Board

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City of Miami Beach

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Councilman  
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Town of Miami Lakes

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Councilman  
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City of Miami Springs

T.B.A.  
North Bay Village

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Councilman  
City of North Miami

T.B.A.  
City of North Miami Beach

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Village of Palmetto Bay

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Vice Mayor  
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Commissioner  
City of South Miami

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Commissioner  
City of Sunny Isles Beach

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Commissioner  
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Mayor  
City of Sweetwater

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Councilman  
Village of Virginia Gardens

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City of West Miami



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