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GENERAL STATEMENTS ABOUT POLICY DEVELOPMENT

Each year, municipal officials from across the state volunteer to serve on one of the Florida League of Cities' five legislative policy committees:

- ▶ Finance, Taxation & Personnel
- ▶ Land Use & Economic Development
- ▶ Municipal Administration
- ▶ Transportation & Intergovernmental Relations
- ▶ Utilities, Natural Resources & Public Works.

The League's policy committees develop the League's Legislative Platform, which addresses priority issues most likely to impact daily municipal operations and governance statewide. (The Platform can be found on the [League's website](#) and could be handed out to attendees.)

The priorities in the League's Legislative Platform are considered and approved by the entire League membership.

Policy committee members help the League understand the real-world implications of proposed legislation and are asked to serve as advocates throughout the legislative process.

GENERAL STATEMENTS ABOUT LOCAL CONTROL/LOCAL DECISION-MAKING

In Florida, local government is the express will of the people.

The Florida Constitution states that cities may exercise any power for municipal purposes except as otherwise provided as law.

Citizens granted broad Home Rule powers to the cities for a good reason – because the old ways didn't work.

Interference with local government decision-making undermines citizens' power to govern themselves. Corporate special interests are pressuring state government to undermine local democracy with increasing frequency.

Local self-government empowers local voices to make local choices. Cities are citizen-driven representative democracies with citizen engagement, citizen input and citizen leadership.

As the government closest to the people, a city has a unique bond with its citizens. Florida's constitution enables cities to respond to their citizens' unique needs and preferences.

City leaders want to partner with state and federal leaders to protect cities' ability to control their destiny because it puts control of communities in the hands of citizens and the local leaders they elect.

Cities are committed to creating a stronger partnership with state government and working collaboratively to benefit all Floridians.

Each one of Florida's 411 cities is unique. But no matter their size or demographics, all cities have the same goal: to deliver diverse, high-quality services efficiently and responsively; enhance the quality of life of their citizens; and promote education, employment and economic development.

2023 LEGISLATIVE ISSUES

ENTERPRISE FUND TRANSFERS

The Florida League of Cities SUPPORTS the preservation of municipal authority to manage municipal revenue sources and realize a reasonable rate of return on their proprietary assets, investments and services.

During the 2022 Legislative Session, legislation was filed that would have prohibited specified state agencies and water management districts from disbursing state funds (including grants) to a local government for infrastructure, water and resiliency projects if that local government transferred its utility revenues (other than the costs of administrative and support services under a cost allocation plan) for use in providing general government functions and services.

Currently, cities can transfer utility revenues as needed to supplement their general funds for other municipal operations.

This continued flexibility by municipalities to transfer funds in support of other critical municipal operations is vital and supported by the League.

MOBILITY PLANS

The Florida League of Cities SUPPORTS legislation that defines and clarifies mobility plans to provide a clear and concise regulatory framework for Florida cities to acquire, construct and implement both traditional and alternative modes of transportation.

In 2009, the state convened a multimember panel to look at alternatives to transportation concurrency. That panel investigated options that would encourage and facilitate urban infill and redevelopment rather than simply maintaining the current practices, which focused on development everywhere.

In 2013, the Legislature further refined the existing transportation mitigation systems under Florida law, culminating in the creation of mobility plans and fees as a legally viable alternative to transportation concurrency. Three types of systems were identified in statute:

- ▶ Concurrency
- ▶ Mobility plan with an adopted mobility fee, and
- ▶ Non-mobility fee-based systems.

However, the revised legislation provided little guidance specific to mobility plans, and no new definitions were provided in statute.

MOBILITY PLANS (continued)

A mobility fee is a one-time fee paid by a developer to a municipality to fully cover the costs of the improvements necessary to mitigate the development's traffic impact on the transportation system.

A mobility plan identifies various multimodal projects necessary to permit redevelopment, infill projects and development.

Mobility fees must be calculated based on the multimodal projects adopted in the Mobility Plan and used to fund the identified multimodal projects in the Plan.

The Legislature established mobility fees to provide developers a simplified alternative to transportation concurrency, proportionate share and road impact fees. Therefore, a mobility fee is charged instead of an impact fee.

Mobility fees are not a tax, and they are not charged to existing homes, businesses or property unless there is an addition, change of use, expansion, modification or redevelopment that requires the issuance of a building permit and generates additional travel demand above the existing use of a property.

Unlike transportation (or "road") impact fees, mobility fees are not limited to expanding vehicular lane miles or road capacity.

Mobility fees may be expended on any transportation project in the mobility plan, including roads.

The current proposed mobility legislation, if adopted, would successfully accomplish three primary objectives to the benefit of both municipalities and developers:

1. It prohibits the imposition of a transportation (road) impact fee within the area designated for a mobility fee through a mobility plan – no double impact fee charge.
2. The mobility fee, as adopted, MUST fully mitigate the development's transportation impacts.
3. In a mobility plan area, only a mobility fee charged by the local government issuing the development's building permits may be collected. Another local government may NOT charge for the same travel demand.

Since 2013, 65 cities and 18 counties have adopted or are in various stages of approval or consideration for adopting a mobility plan or mobility fee.

Absent additional legislative guidance, city ordinances on mobility plans and mobility fees are subject to attack over differing legal interpretations of the current state statute.

Therefore, the Florida League of Cities supports legislation that provides clear guidelines for the creation and adoption of mobility plans and mobility fees.

SHORT-TERM RENTALS

The Florida League of Cities SUPPORTS legislation that restores authority to local governments for the regulation of short-term rental properties as necessary for quality of life, public safety and the creation of fair lodging standards.

The Florida League of Cities SUPPORTS legislation clarifying that existing, grandfathered municipal short-term rental ordinances can be amended without penalty.

The Florida League of Cities OPPOSES legislation that preempts municipal authority as it relates to the regulation of short-term rental properties.

Cities were preempted from regulating short-term vacation rentals in 2011. At that time, cities with an existing ordinance were “grandfathered” and allowed to keep what was already in place. Cities without an ordinance lost the ability to regulate the location of these properties, resulting in a proliferation of short-term rentals in areas that had traditionally been long-term residential neighborhoods.

Currently, available solutions for cities are inadequate and have not solved the problems that many communities are facing.

The restoration of zoning authority will allow cities to implement smart, targeted solutions to problems caused by vacation rentals and ensure the preservation of traditional residential communities and neighborhoods.

ACCESSIBLE HOUSING

The Florida League of Cities SUPPORTS legislation that requires all money from the Sadowski State and Local Housing Trust Fund be used for Florida’s affordable housing programs that are targeted to meet the needs of workforce housing, including home ownership and rental availability.

The development of accessible housing increases spending and employment in the surrounding economy. Without accessible housing, employers and entire regional economies can be at a competitive disadvantage because of the subsequent difficulty in attracting and retaining workers.

In 1992, the Florida Legislature added a tool to the toolbox when it enacted the Sadowski Act to ensure a dedicated revenue source for affordable housing. The funding source is the documentary stamp tax collected on the transfer of real property in Florida.

The Act created two separate trust funds under the umbrella of the affordable housing trust: the State Housing Initiatives Program (SHIP) and the State Apartment Incentive Loan program (SAIL).

It is vital that state and local governments work together to create and sustain an equitable system that offers all Floridians the ability to live in a safe and healthy neighborhood close to good jobs, good schools and other essentials at a price that meets the unique housing needs of each of Florida’s residents.

The Florida League of Cities SUPPORTS legislation establishing a statewide coordinated planning and prioritization approach for water resource investments that funds Florida's current and projected water needs equitably and authorizes Comprehensive Watershed Management projects to qualify for funding under the state Water Protection and Sustainability Trust Fund.

Statewide Water Resources Planning

Florida faces significant challenges in meeting its increasing needs for drinking water while also managing wastewater and protecting natural resources.

The Office of Economic and Demographic Research estimates a gap between the state's water needs and available funding in "every future year, growing to \$840.69 million by the end of the 10-year forecast period (excluding resiliency needs)."

State funding is subject to shifting legislative priorities and local perspectives rather than a strategic, holistic approach, leading to inefficiencies and a growing backlog of needed infrastructure.

The fractured responsibility for water resources planning among state, regional and local governments, and the uncoordinated investment of funds to meet various water needs, are additional obstacles.

To address these challenges, the League supports a comprehensive review of state water policy to develop recommendations relating to governance and long-term funding.

A review of governance issues would examine the current delineation of responsibilities between state, regional and local governments.

An examination of funding issues would contemplate the development of long- and short-term plans to address the growing funding gap, which may further require revising existing funding sources, developing new funding sources and developing new procedures for accessing state funding.

Comprehensive Watershed Management

The Florida Water Protection and Sustainability Program Trust Fund was established in 2005 and later modified.

The Trust Fund now provides a way for the Florida Department of Environmental Protection to make wastewater grants, provide cost-share assistance for alternative water supply projects and invest in water storage projects.

The Legislature appropriates funding.

Florida law specifies that proceeds from the Trust Fund may be used for the following purposes:

- ▶ The alternative water supply program
- ▶ The water storage facility revolving loan fund
- ▶ The wastewater grant program.

WATER RESOURCES PLANNING AND COMPREHENSIVE WATERSHED MANAGEMENT (continued)

As growth and increasing demands for water supply strain traditional water sources, utilities are beginning to develop new approaches that incorporate water supply, wastewater, stormwater and natural systems into integrated water management or "One Water" strategies.

This comprehensive approach can be more cost-effective than traditional alternative water supply development because it results in additional benefits to the watershed, natural systems and the surrounding population.

Despite the state's expressed policy preference for a comprehensive watershed management approach, comprehensive watershed management projects do not have a dedicated source of state cost-share assistance.

State funding sources are broken into specific silos that make it challenging to plan and construct projects incorporating comprehensive watershed management strategies successfully.

For example, a project might receive funding for one aspect of such a project but not receive funding for other components because each component must pursue funding through separate grant programs.

To overcome this siloed approach that stymies such projects, the League proposes an amendment to Section 403.890, Florida Statutes, the Water Protection and Sustainability Program, to include watershed management projects as a purpose eligible for funding from the Water Protection and Sustainability Program Trust Fund.

GENERAL CLOSING REMARKS

Thank you for your public service and commitment to bettering our state.

Many of you have shared the importance of having information related to the local impact of proposed legislation. To that end, we hope you will call upon us for this data before you make decisions affecting our mutual constituents.

We are here to help.

In closing, we look forward to working with you throughout the upcoming 2023 Legislative Session. Let's work together to enhance the quality of life in our communities.

Florida's cities stand ready to help legislators and to work cooperatively to serve the citizens of Florida.