

**TOWN OF DAVIE
LEGISLATIVE AGENDA WORKSHOP
OCTOBER 12, 2011**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 4:33 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Hattan and Councilmember Starkey. Councilmember Caletka was absent and Councilmember Luis arrived late. Also present were Town Administrator Lemack, Town Attorney Rayson and Town Clerk Muniz recording the meeting.

Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to excuse Councilmembers Luis and Caletka. In a voice vote, all voted in favor. (Motion carried 3-0)

3. LEGISLATIVE AGENDA

Intergovernmental Affairs Manager Phil Holste stated staff had begun the process by meeting with Ericks Consulting, sending out the proposed initiatives and receiving feedback. After the agenda was approved, staff would meet with local legislators in November and December to discuss the top issues and priorities.

Grant Appropriation requests:

- \$200,000 Florida Recreation Development Assistance (FRDAP) grant for the Davie Wetland Preserve. Mr. Holste was unsure if FRDAP would be funded in the upcoming budget cycle; they would request that the State fully fund the FRDAP program.
- \$2.5 million Agricultural Education funding appropriation for Governor Leroy Collins Park. Mr. Holste stated this program had not received funding for the past four to five years due to the bad economy, but staff would continue to submit the application.

Budget and Finance Initiatives:

- Communication Services Tax. Mr. Holste said legislation had been proposed to reduce the amount local governments received. He estimated Davie's revenue reduction could be \$400,000 to \$500,000.
- CCNA Purchasing Guidelines Modifications. Mr. Holste said they would support modifications to allow for competitive bids once qualified design professionals were selected.
- Sales Tax on Internet Sales. Mr. Holste said they recommended supporting this legislation because revenue would be distributed based on population to municipalities.
- Unfunded Mandates. Mr. Holste said they opposed any legislation that entailed unfunded mandates.
- Taxpayer Bill of Rights / Amendment 4. Mr. Holste explained that Amendment 4 would prohibit increases in the assessed value of Homesteaded properties if the fair market values decreased. It would also reduce the percentage that a non-Homesteaded property could increase from 10% to 3%, and introduce a new home buyer Homesteader exemption of \$200,000 over a five-year period. Mr. Holste said this would result in the loss of millions of dollars in ad valorem tax collection.

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Public Safety Initiatives

- Request for FDOT to cover the Town's costs of emergency response to incidents on the I-595 Express Lanes.
- Modification to Davie's firearm ordinance. Mr. Holste said they would support legislation that would allow the Town to regain Home Rule in order to re-establish previous ordinances.

Water and Waste Water Initiatives

- Elimination of water surcharge Davie resident pay to receive water from other municipalities.
- Septic Tank inspections. Mr. Holste said a bill had already been proposed to eliminate the five-year inspection requirement.

Environmental Initiatives

- Plastic Bags. Mr. Holste said there had been legislation to impose a tax on plastic bags.
- Plastic bottle deposit. Mr. Holste said there had some movement to require a deposit on plastic bottles to reduce litter and encourage recycling.

Other Initiatives

- Public Notices. Mr. Holste said legislation had been proposed to allow a municipality to post notices on its website instead of in the local paper, saving advertising fees.
- Foreclosure Legislation. Mr. Holste said legislation had been introduced to reduce banks' responsibility to maintain foreclosed properties; they opposed this type of legislation.
- State Housing Initiatives Partnership (SHIP) Funding. Mr. Holste said SHIPP had not been funded in the past couple of years and they supported any legislation that would re-fund the program.

Mayor Paul said the I-595 Truck Stop had been trying to get access to their property from the Turnpike. FDOT had indicated they would not oppose this and she wanted the Town to coordinate with Mr. Browner to get formal approval and to seek funding. Mayor Paul wanted to investigate whether the Town could receive revenue from the jet fuel lines that traversed Davie on Town property.

Mayor Paul wanted to discourage the use of paper bags as well as plastic; she felt they must concentrate on encouraging the use of reusable bags. She noted there were biodegradable plastic bags as well.

Dave Ericks, legislative lobbyist, informed Council that they were monitoring progress on Cassius House. Mr. Ericks said there was currently a "glitch bill" related to the gun law, which would prompt a "big fight with the NRA." He stated FDOT knew there was a problem with I-595 and he would continue discussions with FDOT. Mr. Ericks said newspapers did not want to allow municipalities to post public notices on websites instead of publishing in newspapers because this would lead to a loss of revenue. Regarding red light cameras, Mr. Ericks said this issue would be revisited in Tallahassee. There had also been a bill filed to require all yellow traffic light times to be the same.

Mr. Ericks stated two bills had already been filed to repeal the septic tank inspections. There was also a bill addressing unfunded mandates that they were monitoring.

Councilmember Starkey remarked on the fact that municipalities were expected to continue losing revenue while people were losing their jobs. She said they must do something to take advantage of the Governor's job incentives. Mr. Ericks said the Governor continued to initiate jobs plans and they would wait until this was finished and the Town could determine which of these would be appropriate to pursue.

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Councilmember Starkey asked to keep this on their legislative agenda so they could act as soon as possible.

Councilmember Luis arrived at 5:00 p.m.

Councilmember Starkey was concerned about how reductions in funding for the South Florida water budget and how this would affect water quality enhancement projects. Councilmember Starkey believed the new county ethics rules were unconstitutional and some municipal attorneys agreed. She felt the State might intervene to adopt a unified ethics code. Mr. Ericks said the State had its own ethics code with which it was not happy, but could not overturn. He did not think the State would be willing to get involved in this issue.

Mr. Ericks informed Council that the Gaming Bill would relate to three locations in South Florida. It would create a Gaming Commission and establish checks and balances. Councilmember Starkey asked if the State had studied possible revenue from new gaming venues. Mr. Ericks said the State had not, but he was certain that every casino that wanted a resort had done a study. An Ericks representative said when they had met with one of the bills' sponsors, he had indicated he wanted an accord between local governments and groups planning to expand before applying for a license.

Vice-Mayor Hattan asked about the possibility that Tallahassee would hold back the monies they usually sent for pensions. Marty Cassini did not see how this was possible.

Mr. Cassini stated in order for an unfunded mandate to be constitutional, it must pass by a two-thirds vote. This year, they were examining what constituted an unfunded mandate. A bill had been filed regarding the definition of the term "insignificant impact." This bill indicated that insignificant impact was under \$.10 per municipal or county resident, which would obviously carry an impact.

4. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 5:21 p.m.

Approved _____

Mayor/Councilmember

Town Clerk