St. Johns County
2021 Legislative Action Plan

September 15, 2020

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# 2021 Legislative Action Plan

## St. Johns County

### Matrix of Legislative Priorities

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St. Johns County
2021 Legislative Action Plan
Summary of Legislative Priorities

1. Transportation

a. State Road 312, including the State Road 313 Bypass – Request $95 million for the proposed State Road 313 Extension/Bypass, the Lower Segment, from State Road 207 to State Road 16; request $135 million for proposed State Road 313 Extension/Bypass, the Upper Segment, from State Road 16 north to U.S. 1.

b. County Road 2209/County Road 210 to State Road 16 – Request $90 million for the proposed County Road 2209 from County Road 210 to State Road 16; ensure maximum eligibility of State, Federal, and regional funding sources for County Road 2209 by designating it as a Strategic Intermodal System (SIS) Facility from the State Road 9B Extension to the First Coast Expressway.

c. First Coast Expressway – Provide additional capacity across the St. Johns River as part of an overall corridor that addresses the area’s transportation deficiencies and serves existing and future development; construct First Coast Expressway from Interstate 95 to U.S. 17 as the next top priority segment, including interchanges at Interstate 95, County Road 2209, County Road 16A Spur, and U.S. 17, with a bridge replacement and expansion of the Shands Bridge crossing the St. Johns River.

d. Interchange Area Improvement at Interstate 95/State Road 16/County Road 208 – Request $12 million for the purpose of improving traffic safety and congestion at this interchange of Interstate 95 and State Road 16. Construction includes conversion of a diamond interchange configuration into a diverging diamond interchange (DDI) configuration, lane addition, turn lanes, directional islands, and signal improvements.

e. Race Track Road (Bartram Park Blvd to Bartram Springs Pkwy) – Request $30 million for the purpose of expanding this important east/west corridor to a four-lane road, with ultimate expansion to a six-lane facility, improving traffic safety and congestion currently experienced.

f. State Road 207 Improvements – Request $20 million for the widening of State Road 207 from a four-lane facility to a six-lane facility; ensure maximum eligibility of State, Federal, and regional funding sources for State Road 207 by designating it as a Strategic Intermodal System (SIS) Facility from Interstate 95 to State Road 312.

g. County Road 5A Safety Improvements – Request $11.5 million for the purpose of improving traffic safety and congestion, pedestrian and bike safety, and water quality on County Road 5A. Construction includes turn lanes, bike lanes, sidewalks, and stormwater ponds.

h. County Road 210 Overpass at U.S. 1 – Request $32 million for the purpose of constructing a full interchange connecting the County Road 210 overpass to U.S. 1.

i. Expansion of St. Johns County Public Transit – Ensure maximum eligibility of State, Federal, and regional funding sources to provide funds to expand transit service in St. Johns County. Expand transit service provided by St. Johns County to include decreasing transit headways and expand operating time. Support collaboration with local transit agencies toward a more regional structure.
j. **County Road 305 Extension from County Road 13S to State Road 206** – Request funding for the construction of a segment of County Road 305 to connect County Road 13S and State Road 206. (At the request of the Flagler Estates Community Redevelopment Area.)

k. **Support for St. Augustine-St. Johns County Airport Authority Charter Re-adoption with Amendments** – Request Legislative Delegation support for re-adoption of the N.E. Regional Airport Charter with amendments as they are related to the powers, duties, and obligations of the Independent Special District as requested by the St. Augustine – St. Johns County Airport Authority. (At the request of the St. Augustine-St. Johns County Airport Authority.)

l. **State Road A1A Intersection Improvements** – Request $17.15 million for State Road A1A and Palm Valley Road intersection improvements to include nine intersections from JT Butler Boulevard to Mickler Road and intersections on Palm Valley Road and Mickler Road from the Intracoastal Waterway to State Road A1A, and ensure maximum eligibility of State, Federal, and regional funding sources for State Road A1A and Palm Valley Road intersection improvements.

2. **Economic Development**

   a. **Public Record and Open Meeting Exemptions for Economic Development Agencies** – Amend Sections 286.0113 and 288.075, Florida Statutes, to enhance the confidentiality of economic development activities by allowing the Board of County Commissioners to deliberate in private regarding an economic development proposal and allow confidential information in the possession of an economic development agency to be provided to a member of the Board of County Commissioners without such communication being considered a disclosure which would terminate the confidential nature of the information.

   b. **Funding of State-level Economic Development and Workforce Education and Training Programs** – To support prioritization of Economic Development programs and maintain funding of initiatives aimed at helping existing businesses expand and the attraction of new businesses to enhance Florida’s job creation efforts.

   c. **University Recruitment and Development** – Request funding for the recruitment and development of public and private universities within St. Johns County.

   d. **Florida Sales Tax on Commercial Rent** – Urge the St. Johns County legislative delegation to support the further reduction of and the eventual elimination of Florida’s sales tax on commercial rent during the 2021 Legislative Session. (At the request of the St. Johns County Chamber of Commerce.)

3. **Amend Select Florida Statutes**

   a. **Offer of Judgment and Demand for Judgment** – Amend Section 768.79(1), Florida Statutes, to allow for offers of judgment or offers of settlement pertaining to individual claims for damages, and thereby preserve the purpose of the statute.

   b. **Uniform Minimum Standards of County Roads** – Amend Section 336.045, Florida Statutes, to include an additional paragraph expressly authorizing Florida counties to plan to determine the reasonable level and frequency of road maintenance.

   c. **Recognize Inherent Danger of Surf and Other Naturally Occurring Beach Conditions along Florida’s Coast** – Amend paragraph 380.276(6), Florida Statutes, to recognize that property and access may be damaged by naturally occurring conditions along Florida’s coast. In addition, amend 62B-33.014(1), Florida Statutes, to include county and municipal governments.
d. Reform Consultants Competitive Negotiation Act to Introduce an Optional "Best Value" Alternative – Amend section 287.055, Florida Statutes, to establish an optional (alternative) process for state and local entities to consider cost in the award of professional services agreements pursuant to the Consultants Competitive Negotiation Act (CCNA).

e. Attorney’s Fees for Raising Unsupported Claims – Amend Section 57.105, Florida Statutes, so that the statute applies to any type of administrative proceeding.

f. Florida False Claims Act – Amend portions of Sections 68.081-68.09, Florida Statutes, to make the Florida False Claims Act applicable to a county or municipality.

g. Tax Exempt Bond Status – Oppose legislation, as cited by both the Florida Association of Counties and the National Association of Counties, that would limit the tax exempt status of municipal bonds, as doing so could increase borrowing costs for local governments and significantly diminish demand for bonds, making it more difficult to finance local infrastructure projects.

h. Communication Services Tax – Recommend Communication Services Tax legislation reform, supported by both the Florida Association of Counties and the Florida Government Finance Officers Association, that would ensure the Communication Services Tax remains a locally controlled revenue and remove competitive advantages within the industry by providing similar tax treatment to similar services.

i. Internet Sales Tax – Address the issue of internet-based businesses without a physical presence in Florida having an unfair competitive advantage over businesses physically located within the State relative to collecting sales taxes.

j. Protection of Local Government Revenue Options – Oppose legislation with the potential to further constrain local revenue and negatively impacting home rule, and support revisions to current unfunded mandates and/or legislation impacting local revenues and local control.

k. Flood Insurance Map Litigation Protection – Support for legislative change to protect municipalities regarding flood hazard mapping and sea level rise. (At the request of the City of St. Augustine.)

l. Short-term and Vacation Rental Regulations – Support legislation to rescind the State of Florida’s pre-emption to allow cities and counties to further regulate short-term and vacation rentals. (At the request of the City of St. Augustine and City of St. Augustine Beach.)

4. Housing and SHIP Funding

a. State Housing Initiatives Partnership (SHIP) Funding – To encourage our delegation to support the County’s request for the full amount funds collected from St. Johns County Documentary Stamp Taxes that are paid into the Sadowski Housing Trust Fund be allocated back to the County through its annual SHIP allocation and the State not redirect affordable housing funds to other programs.

5. Failing Septic Tanks and Sewer Rehabilitation

a. Funding for Failing Septic Tanks – To encourage the delegation to support the County’s request for funding of this critical public and environmental health issue in West Augustine, Armstrong, North Hastings, and other areas throughout St. Johns County in need of assistance with this matter.

b. Inflow/Infiltration Program and Sewer Rehabilitation – Request $6,860,000 for the purpose of eliminating sanitary sewer overflows into local water and the waters of the State of Florida. (At the request of the City of St. Augustine.)
6. Beach Renourishment

a. North Ponte Vedra Beach and Dune Restoration, St. Johns County R-1 through R-46 – Request $3,000,000 to support the final design and construction of the selected beach management actions to protect shoreline along North Ponte Vedra within St. Johns County.


7. Health and Human Services

a. Human Services Funding and Program Reform – Request the State continue to support community-based solutions to local health and human services needs and oppose any State directives compelling local governments to provide services without providing appropriate funding.

b. Maintain Florida Assertive Community Treatment Team – Maintain funding for the Florida Assertive Community Treatment (FACT) Team to address the chronic, persistent, and growing mental health issues in our most seriously affected mental health population by assisting them with medication, therapy, case management, housing, and general health issues.

c. Medicaid Cost Sharing Percentages – Implement a maximum increase on growth in individual county Medicaid costs.

d. High-risk Senior Care Programs – Request funding to serve high-risk seniors on the Department of Elders Affairs waiting list for the Community Care for the Elderly, Alzheimer’s Respite Care, and Home Care for the Elderly programs. (At the request of Council on Aging.)

e. Community Based Care Funding and Program Reform – Request the State to continue supporting Community Based Care agencies providing services to children and families involved in the child welfare system, reform policies to provide enhanced service levels, and oppose any unfunded state mandates or directives compelling Community Based Care agencies to provide services without providing appropriate funding.

f. Flagler Hospital Medicaid Payment Policy – Request the State continue supporting the current enhanced Medicaid payment policy for Flagler Hospital and other community hospitals. (At the request of Flagler Hospital.)

g. Homelessness Services Funding – Support for funding to combat homelessness and provide services necessary to address the needs of the growing homeless and transient population in the City of St. Augustine as well as within the County. (At the request of the City of St. Augustine.)

8. Judicial Priorities

a. Bonding and Pretrial Release – Request the Florida Legislature to support judicial discretion for setting bonds and establishment of pretrial release practices due to rising jail populations and the impact on county budgets.

b. Department of Juvenile Justice Cost Share – Request Legislative Delegation support for a bill that would clarify a new juvenile detention billing process that is fair and balanced for Florida counties, prevents future billing disagreements, and equitably resolves billing disputes.
c. **Allocation of Court Costs** – Amend Florida Statute section 939.185 to provide boards of county commissioners with discretion concerning allocation of additional court cost proceeds carried forward to the next fiscal year.

d. **Legislative Support and Funding for an Additional County Judge** – Request the Florida Legislature approve and fund an additional county judge to provide residents timely access to the courts. (At the request of the St. Johns County Clerk of Courts.)

e. **Legislative Support and Funding for an Additional Circuit Judge** - Request the Florida Legislature approve and fund an additional circuit judge to provide residents timely access to the courts. (At the request of the St. Johns County Clerk of Courts.)

9. **Library and Museum Funding**

   a. **State Aid and Cooperative Grant Funding** – Request State and Federal funding that encourages the establishment and continued development of free library services, including opportunities for expansion and innovation.

   b. **Lincolnville Museum and Cultural Center Infrastructure Repair Funding and Title Transfer** – Request a title transfer from the State of Florida for ownership of Excelsior High School and $750,000 in State funding to repair Excelsior High School, which now houses the Lincolnville Museum and Cultural Center. Repairs to the deteriorating infrastructure of the building are necessary for both the interior and exterior. (At the request of the Lincolnville Museum and Cultural Center.)

10. **Recreation, Open Space, and Land Conservation**

    a. **Grant Funding for Florida Forever Program and Scenic and Historic Byways** – Request continued State grant funding for the Florida Forever Program through the Department of Community Affairs and continued State and Federal grant funding for Scenic and Historic Byways.

    b. **Preservation of Agricultural Land** – Request the 2021 Florida Legislature to support legislation to assist counties in acquiring development rights to reserve land for working agricultural lands, and to revise legislation encouraging farm-to-consumer marketing.

    c. **Funding for Parks, Trails, and Recreational Projects** – Allocate increased or additional funding to local governments for park, trail, and recreational infrastructure development and acquisition with special emphasis on connecting in-county segments of the State-wide bike path systems.


    e. **Maximize Use of Land Acquisition Trust Fund Monies** – Request Legislative Delegation support for St. Johns County’s efforts to utilize Land Acquisition Trust Fund monies to protect local habitat, beaches, and water sources.

11. **Unfunded Mandates**

    a. **State Cooperation** – Request that the State cooperate with local governments to collectively serve the citizens of Florida in the best way possible, consider the financial condition of local governments when passing down unfunded mandates, and ensure local jurisdictions retain local control through legislation supporting home rule.
b. **Transfer Terms for Incarceration Amendments** – Oppose legislation that would prevent or delay the transfer of incarcerated individuals from county jail to state prisons, as such a measure could greatly increase the St. Johns County jail population and create an unfunded mandate of an estimated $1,621,851 million annually.

c. **75% Recycling Goal** – Request that policies adopted by the Florida Legislature assure that no unfunded mandates, such as those included in HB 7243, are imposed on local jurisdictions in either the short term or for the future.

d. **Utility Relocation Cost Shift Opposition** – Recommend that the Legislative Delegation continue efforts to oppose legislation that would require local governments to fund the relocation of infrastructure for private and public utilities.

e. **Federal and State Funding for Hurricane Matthew and Hurricane Irma Recovery** – Request support for Federal and State funding for long-term Hurricane Matthew and Hurricane Irma recovery efforts within all impacted Florida counties.

f. **Medical Care for Arrested Persons** – Recommend revision to Section 901.35, Florida Statutes, to reduce the potential burden on local governments with respect to the payment of expenses incurred in providing medical care to persons ill, wounded, or otherwise injured during or at the time of arrest for any violation of a state law or a county or municipal ordinance.

12. **Water Conservation/Water Quality**

a. **Sustainable Florida and Water Conservation** – Request the Florida Legislature support legislation that enhances regional and local financial capacity to address water supply development and the flexibility of all available funding sources.

b. **Storm Water Trust Fund Pilot Program** – Request the Florida Legislature support legislation that establishes a pilot program for small coastal cities to improve resiliency to sea level rise. (At the request of the City of St. Augustine.)

c. **City of St. Augustine Water, Wastewater, and Stormwater Infrastructure Funding** – Support appropriations to increase funding for increasing resiliency in water, wastewater, and stormwater infrastructure in the City of St. Augustine. (At the request of the City of St. Augustine.)

d. **St. Johns County Drainage Improvements Funding** – Request $19 million for numerous drainage system improvements and repairs throughout St. Johns County to alleviate flooding, improve traffic safety, and minimize future damage to roads, agriculture, businesses, and homes.

13. **Public Safety and Emergency Management**

a. **St. Johns County Fire Rescue Hazardous Response Team Training and Equipment Funding** – Request $150,000 in funding to support training and required detection and mitigation equipment upgrade for the St. Johns County Fire Rescue (SJCFR) Regional Hazmat Team, which responds to chemical, biological, radiological, nuclear, and explosive emergencies.

b. **Joint Regional Fire Training Center Funding** – Request support for a collaborative project between St. Johns County Fire Rescue (SJCFR) and the City of St. Augustine Fire Department (SAFD) that would include critical equipment acquisition and development of a Fire and Emergency Services Training Center located in St. Johns County utilizing current property available to SJCFR.
c. **Allow County Jurisdictions to Extend Local State of Emergency to a Maximum of 30 Days** – Request the Florida Division of Emergency Management to revise §252.38(3)(a)5 to allow for County Jurisdictions to extend Local State of Emergency to a maximum of 30 days.

d. **Healthcare Facility Construction** – Support legislation and land use regulations preventing nursing homes and assisted living facilities from building new facilities in evacuation zones A and B.

e. **Healthcare Facility Regulations** – Support legislation directing the Agency for Healthcare Administration (AHCA) to update and revise Comprehensive Emergency Management Planning Criteria for Nursing Homes and Assisted Living Facilities. This must include the ability for AHCA to enforce the requirements set forth in the criteria by imposing fines for facilities in non-compliance.

f. **Sea Level Rise Infrastructure Funding** – Support increased funding for infrastructure grants to combat sea level rise. (At the request of the City of St. Augustine.)

g. **Anastasia Mosquito Control District Sterile Insect Technology Facility** – Request $890,000 in State funding for a Sterile Insect Technology (SIT) facility for the Anastasia Mosquito Control District. (At the request of the Anastasia Mosquito Control District.)
Subject: State Road 312, including the State Road 313 Bypass

1. PURPOSE:

   a) Request $95 million for the proposed State Road 313 Extension/Bypass, the Lower Segment, from State Road 207 to State Road 16.

   b) Request $135 million for the proposed SR 313 Extension/Bypass, the Upper Segment, from State Road 16 north to U.S. 1.

2. DISCUSSION/FACTS:

   a) The St. Johns County Board of County Commissioners has included this project among their top three priorities for several years and it is now the County’s top roadway priority. The State Road 313 Bypass will create a half-loop around St. Augustine to relieve excessive congestion along U.S. 1 and provide an improved non-local travel route for our fast-growing county. The secondary effect is the improvement of local traffic conditions along the U.S. 1 corridor through St. Augustine.

   b) The North Florida Transportation Planning Organization (NFTPO) fully supports this project, which is included in the NFTPO Transportation Improvement Program.

   c) The St. Johns County Chamber of Commerce adopted a resolution in support of this project on October 19, 2012. A copy of that resolution is included below.

   d) The Final Environmental Impact Statement (PD&E) was completed in 1995 by the Florida Department of Transportation (FDOT). This study proposed a tentative alignment for the controlled access bypass with two intersections between the State Road 207 and U.S. 1 north connections. Intersections would be located at County Road 214 and State Road 16.

   e) In FY 2003-2004, St. Johns County funded a $2 million update of the original PD&E study. Included was an update of the Environmental Impact Statement for the project and design sufficient to produce right-of-way maps identifying parcels to be acquired for right-of-way.

   f) As a 2005 Federal Earmark, the State Road 313 project was included in the Federal transportation budget. These funds allowed the FDOT to include final design and the acquisition of some rights-of-way in subsequent versions of the Work Program. The programmed funds are not sufficient to acquire all needed rights-of-way or initiate construction of any portion of the State Road 313 Bypass.

   g) In 2010, St. Johns County approved the Cordova Palms Development of Regional Impact (DRI). This approved DRI will, as mitigation for its transportation impact, provide all of the rights-of-way and mitigation for the State Road 313 Extension from Woodlawn Road north to U.S. 1, and will construct two lanes of an ultimate four-lane design along this segment;
however, the Cordova Palms DRI was abandoned in 2016. State assistance is needed for the Upper Segment in its entirety.

h) Funding assistance is requested for two portions of the State Road 313 Extension/Bypass: the Lower Segment of the State Road 313 Bypass, between the State Road 16 interchange, and the current terminus of State Road 312 at State Road 207. This portion will provide the greatest improvement to traffic congestion on the downtown St. Augustine portion of U.S. 1. Future rights-of-way parcels are seriously threatened by new development demands in the area. Recently, adequate funds for right-of-way for this southern portion of State Road 313 have been added to the FDOT’s 5-Year Work Program. This leaves construction unfunded and next in line for appropriate actions as requested.

i) Due to the abandonment of the Cordova Palms DRI in 2016, State assistance is needed. The cost for this Upper Segment of State Road 313 is estimated to be $135 million.

3. CONCLUSION/RECOMMENDATION:

a) St. Johns County requests $95 million in State funds for the design, right-of-way acquisition, and construction of the State Road 313 Bypass from State Road 207 to State Road 16, the Lower Segment.

b) St. Johns County requests $135 million in State funds for the design, right-of-way acquisition, and construction of the State Road 313 Bypass from State Road 16 north to U.S. 1, the Upper Segment.
St. Johns County Chamber of Commerce
Resolution of Support

WHEREAS The St. Johns County Chamber of Commerce seeks to support the health of the St. Johns County and State of Florida economies;

WHEREAS, Florida's local and state transportation system directly impacts the costs and capabilities of St. Johns County and Florida businesses to transport materials and products;

WHEREAS, the development of the State Road 313 corridor was first requested by the St. Johns County Government in 1988, the PD&E work begun by Florida Department of Transportation in 1989, and the alignment of the Road established in 1998;

WHEREAS, a significant sum of local, state and federal funds and staff resources have been invested in the State Road 313 corridor project to date;

WHEREAS, the design is approximately 45% complete and approximately 23% of the right of way purchased for the northern section from SR 16 to SR 207;

WHEREAS, the Project has remained among the County Commissions top 3 transportation priorities since 1995;

WHEREAS, the development of transportation infrastructure requires a multi-year investment, multi-agency coordination and long-term outlook by business leaders, policy makers and planners;

WHEREAS, the proposed State Road 313 roadway will provide enhanced capacity and connectivity between SR 312 and SR 16 and offer an alternative to US 1;

THEREFORE, IT IS HEREBY RESOLVED by the St. Johns County Chamber of Commerce that the State of Florida should be strongly encouraged to retain the SR 313 Corridor, to include both the southern section from SR 16 to SR 207 and the northern section from SR 16 to US 1, as a critical priority transportation project due to its potential impact on the St. Johns County and State of Florida economies.

St. Johns County Chamber of Commerce Chairman

Date
St. Johns County - 2021 Legislative Priority
Transportation

Subject: County Road 2209/County Road 210 to State Road 16

1. PURPOSE:

   a) Request $90 million for the proposed County Road 2209 from County Road 210 to State Road 16.

   b) Ensure maximum eligibility of State, Federal, and regional funding sources for County Road 2209 by designating it as a Strategic Intermodal System (SIS) Facility from the State Road 9B Extension to the First Coast Expressway.

2. DISCUSSION/FACTS:

   a) Interstate 95 is the only interstate and SIS Facility connecting Duval County to the north and Flagler County to the south. County Road 2209 from County Road 210 to State Road 16 is proposed to be a new north/south roadway (six lane) providing necessary mobility and connections. County Road 2209 will also provide a reliever to the already congested I-95 as a parallel corridor.

   b) An I-95 Rule Variance was granted in 2002 by the Florida Department of Transportation to St. Johns County to the level of service of I-95, therefore triggering the need for a parallel corridor facility connecting Race Track Road to the north and County Road 208 to the south. St. Johns County has complied with every aspect of the Rule Variance by acquiring the required rights-of-way to date and by constructing County Road 2209 (St. Johns Parkway) connecting Race Track Road to County Road 210.

   c) CR 2209 has been an established high priority for St. Johns County for several years. This corridor is included in the North Florida Transportation Planning Organization (NFTPO) Cost Feasible Plan of the 2040 Long Range Transportation Plan adopted in December 2014. This corridor is planned to eventually connect Race Track Road to County Road 204 as a critical north/south arterial collector serving the entire county.

   d) The segment of CR 2209 from CR 210 to Silverleaf Parkway is currently completed as a four-lane divided facility that was constructed by the Silverleaf Development of Regional Impact (DRI). The County is requesting funding to expand this new facility to a six-lane facility in order to accommodate the anticipated traffic volume from the Silverleaf DRI and the pass-through traffic volume as the result of the First Coast Expressway. The estimated cost to expand to two additional lanes is $35 million.

   e) The next segment of CR 2209 connecting Silverleaf Parkway to International Golf Parkway (IGP), west of I-95, is a key corridor to accommodating new growth in this area of the County. The new six-lane roadway segment improves traffic safety and congestion. The project includes travel lanes, turn lanes, sidewalk, signal improvements, and is intended to enhance safety and alleviate congestion at the intersection of SR 16 and IGP. The estimated cost for this new six-lane facility is $40 million.
f) The last segment of CR 2209 within this request is a short stretch connecting International Golf Parkway to State Road 16; however, it provides significant improvements to local and commuter traffic by connecting all other east/west corridors in northwest area of the County. The estimated cost is $15 million.

3. CONCLUSION/RECOMMENDATION:

a) St. Johns County requests $90 million in State funds for this important north/south and parallel corridor to I-95 as adopted in the NFTPO Cost Feasible Plan of the 2045 Long Range Transportation Plan.

b) St. Johns County requests to ensure maximum eligibility of State, Federal, and regional funding sources for County Road 2209 by designating it as a SIS Facility from State Road 9B Extension to the First Coast Expressway.
Subject: First Coast Expressway

1. PURPOSE:
   
a) Provide additional capacity across the St. Johns River as part of an overall corridor that addresses the area’s transportation deficiencies and serves existing and future development.

b) Construct the First Coast Expressway from Interstate 95 to U.S. 17 as the next top priority segment, including interchanges at I-95, County Road 2209, County Road 16A Spur, and U.S. 17, with a bridge replacement and expansion of the Shands Bridge crossing the St. Johns River.

2. DISCUSSION/FACTS:
   
a) The combination of the Branan Field Chaffee Road (State Road 23) and St. Johns River Crossing Corridor from the First Coast Outer Beltway around the Jacksonville metropolitan area. The First Coast Expressway would provide a direct connection, outside of the Interstate 295 Beltway, between Interstate 10 to I-95.

b) The First Coast Expressway segment from I-10 to one mile north of Argyle Forest Boulevard will be constructed as a design-build project where a design firm and contractor team up to complete design plans and construct the project.

c) The First Coast Expressway segment from one mile north of Argyle Forest Boulevard to Blanding Boulevard (State Road 21) will be constructed as a design-build project where a design firm and contractor team up to complete design plans and construct the project.

d) The planned southern First Coast Expressway segment (from State Road 21 south and east to I-95 in St. Johns County) involves right-of-way purchasing that is well under way and eventual construction of a new bridge over the St. Johns River (current Shands Bridge). First Coast Expressway projects in Middleburg and Green Cove Springs began in January 2019. The construction of the new bridge and First Coast Expressway segment to I-95 is more than five years away.

e) The First Coast Outer Beltway connection from I-95 to U.S. 17 as the next segment would provide the greatest mobility for freight and home-to-work travel from Clay County to St. Johns County to the Jacksonville area and would provide the needed capacity crossing the St. Johns River.

f) Right-of-way funding has been programmed in the FDOT’s Five-Year Work Program. Construction has been appropriated for FY 2023 in the FDOT’s Five-Year Work Program
3. CONCLUSION/RECOMMENDATION:

a) Continue the current appropriation in the FDOT Work Program adequate funds to move this critical project of the First Coast Expressway from I-95 to U.S. 17 to construction at the earliest possible date.

b) Ensure the highest funding prioritization for this critical First Coast Expressway segment eligible for the greatest possible range of funding resources.
Subject: Interchange Area Improvement at Interstate 95/State Road 16/County Road 208

1. PURPOSE: Request $12 million for the purpose of improving traffic safety and congestion at this interchange of Interstate 95 and State Road 16. Construction includes conversion of a diamond interchange configuration into a diverging diamond interchange (DDI) configuration, lane addition, turn lanes, directional islands, and signal improvements.

2. DISCUSSION/FACTS:
   a) The intersections of SR 16 at County Road 208 and I-95 have historically experienced high levels of traffic conflicts. Continued traffic growth has caused an increase in traffic congestion in this area. A series of interchange/intersection improvements are warranted. The County is seeking funding to address these pressing issues.

3. CONCLUSION/RECOMMENDATION:
   a) St. Johns County requests $12 million in State funds for these needed interchange area improvements.
   
b) St. Johns County requests to ensure maximum eligibility of State, Federal, and regional funding sources.
Subject: Race Track Road (Bartram Park Boulevard to Bartram Springs Parkway)

1. PURPOSE: Request $30 million for the purpose of expanding this important east/west corridor to a four-lane road with ultimate expansion to a six-lane facility, improving traffic safety and congestion currently experienced.

2. DISCUSSION/FACTS:
   a) Race Track Road from Bartram Park Boulevard to Bartram Springs Parkway is a two-lane roadway and is experiencing heavy congestion for both morning and afternoon travel. This segment includes an overpass over Interstate 95. With the State Road 9B connection to St. Johns Parkway and to Race Track Road at this segment, Race Track Road widening to four lanes is necessary. Right-of-way has been acquired. The County requests funding for design and construction.

   b) Construction includes an overpass replacement to accommodate six lanes over I-95 and expansion of Race Track Road to a four-lane road.

3. CONCLUSION/RECOMMENDATION:
   a) St. Johns County requests $30 million in State funds for this needed interchange area improvements.

   b) St. Johns County requests to ensure maximum eligibility of State, Federal, and regional funding sources.
Subject: State Road 207 Improvements

1. PURPOSE:

   a) Request $20 million for the widening of State Road 207 from a four-lane facility to a six-lane facility.

   b) Ensure maximum eligibility of State, Federal, and regional funding sources for SR 207 by designating it as a Strategic Intermodal System (SIS) Facility from Interstate 95 to State Road 312.

2. DISCUSSION/FACTS:

   a) The County has determined that based on the increase in traffic volume reaching roadway capacity on SR 207 as measured during the last five years, there is a need to widen the current SR 207 to six lanes from I-95 to SR 312.

   b) State Road 207 west of I-95 is already an SIS facility. The SR 207 corridor east of I-95 is a natural extension of the existing SIS west corridor connecting to the City of St Augustine and the City of St. Augustine Beach.

3. CONCLUSION/RECOMMENDATION:

   a) St. Johns County requests to ensure maximum eligibility of State, Federal, and regional funding sources for the widening of SR 207 from I-95 to SR 312 and by designating it as an SIS Facility from I-95 to SR 312.

   b) St. Johns County requests $20 million in State funds for this important east/west state corridor connecting to the I-95 as well as connection to and from the City of St Augustine and Palatka.
Subject: County Road 5A Safety Improvements

1. PURPOSE: Request $11.5 million for the purpose of improving traffic safety and congestion, pedestrian and bike safety, and water quality on County Road 5A. Construction includes turn lanes, bike lanes, sidewalks, and stormwater ponds.

2. DISCUSSION/FACTS:
   
a) County Road 5A is classified as a major collector roadway and is a mix of urban and rural roadway sections. It is a parallel corridor to U.S. 1, offering residents alternative access to commercial and professional services that front on U.S. 1 and State Road 312. Enhancing this corridor will also benefit traffic flow on U.S. 1 and State Road 312.

b) This major collector roadway provides access to several large shopping areas including a Publix plaza, Lowe’s, Walmart, Veteran’s Clinic, and other professional and medical facilities.

c) Safety concerns include lack of connected sidewalks and bike lanes that require sharing the vehicle lanes. This increases risk to non-motorized vehicles and negatively affects traffic flow.

d) The turn lanes in some locations increase the risk of accidents as vehicles make left turns across traffic.

e) The County’s consultant authored an Improvement Study in 2013 and provided recommendations. This project is based on this study and will implement improvements from Lewis Point Road north to the intersection of State Road 312.

3. CONCLUSION/RECOMMENDATION: St. Johns County requests $11.5 million in State funds for construction of pedestrian and bicycle safety improvements, stormwater facilities, and capacity improvements to reduce traffic congestion.
Subject: County Road 210 Overpass at U.S. 1

1. PURPOSE: Request $32 million for the purpose of constructing a full interchange connecting the County Road 210 overpass to U.S. 1.

2. DISCUSSION/FACTS:
   a) County Road 210 currently intersects U.S. 1 at two “T” intersections, separated in distance by almost one mile, due to the close proximity and significantly lower grade of the parallel Florida East Coast (FEC) railroad track. This decreases the capacity of County Road 210, increases congestion on both County Road 210 and U.S. 1, and degrades safety on both roads. During FY 2012, the North Florida Transportation Planning Organization (NFTPO) programmed funding for the needed two-lane overpass and the FDOT has subsequently let a design/build project.

   b) A grade separated, two-lane overpass connecting County Road 210 directly across the FEC railroad and U.S. 1 was completed and opened for traffic in late 2014 thus providing the needed capacity, reducing congestion on both County Road 210 and U.S. 1, and improving safety on both roads.

   c) The Twin Creeks Development of Regional Impacts (DRI) is currently constructing a six-lane County Road 210 from its western property boundary to the CR 210 overpass at U.S. 1, and has a commitment to expand the current overpass to a four-lane overpass. This commitment has not commenced but is anticipated to be constructed in Phase 2 of the DRI development.

   d) The addition of interchange ramps to the County Road 210 overpass at U.S. 1 and expansion to a four-lane overpass would add additional capacity, further reduce congestion, and further improve safety. The full interchange, including expansion to a four-lane overpass with ramps, is a design-approved and permit-ready project.

   e) This project is included in the Cost Feasible Plan of the NFTPO’s 2035, 2040, and 2045 Long Range Transportation Plan.

   f) The FDOT and St. Johns County have been working cooperatively on this project for several years. In 2004, St. Johns County provided $400,000 for a Project Development and Environmental Study, completed in 2007.

   g) In 2007, two Federal earmarks for the County Road 210 overpass/interchange at U.S. 1 was included in the Federal transportation budget. These funds allowed FDOT to include final design and some right-of-way in subsequent versions of the Work Program.

3. CONCLUSION/RECOMMENDATION: St. Johns County requests $32 million in State funds for construction of a full interchange, including ramps, for the County Road 210 overpass over U.S. 1.
Subject: Expansion of St. Johns County Public Transit

1. PURPOSE: Ensure maximum eligibility of State, Federal, and regional funding sources to provide funds to expand transit service in St. Johns County. Expand transit service provided by St. Johns County to include decreasing transit headways and expand operating time. Support collaboration with local transit agencies toward a more regional structure.

2. DISCUSSION/FACTS:
   a) St. Johns County’s number one goal, noted in our Transit Development Plan, is to define mobility market needs in St. Johns County and design feasible service plans. An important objective of this goal is to develop public transportation services with a focus on employment. The routes are designed to serve employment areas in the County as well as a route to Jacksonville, providing riders access to further employment opportunities. Expanding the system will increase access to employment by those who need it most.
   
   b) The typical Sunshine Bus passenger is dependent on public transportation. The current level of service provides an average wait time of 45 minutes between buses with no service after 7:30 p.m. or on Sundays. This level of service is inadequate for riders who need transportation to work. Most riders using transit work in service industries where work hours can be extremely varied, with schedules after hours, and on weekends. Life-sustaining activities such as grocery shopping and medical appointments must also be accomplished using public transportation. Because of these factors, there is a direct relationship between transit and the economic viability of our community. Expanding the system will improve the quality of life for those dependent on this service.
   
   c) As noted in the Transit Development Plan, along with population growth in the County, ridership continues to grow as well. The number of riders per revenue mile and riders per revenue hour is also increasing, indicating that service effectiveness is improving. Expanded service is necessary to accommodate our growing population and to provide access to employment and essential life sustaining activities.

3. CONCLUSION/RECOMMENDATION: Support legislation that will increase funds deposited in the Transportation Trust Fund, such as, 1) Any legislation that promotes funds deposited in Transportation Trust funds; 2) Efforts to return money to the Transportation Trust funds that have been diverted; and/or, 3) Opposition to any future measures that divert funding from Transportation Trust funds for non-transportation use. Support efforts to maintain funding for the Transportation Disadvantaged Program and support the continuation of the Coordinated System within Chapter 427, F.S.
Subject: County Road 305 Extension from County Road 13S to State Road 206*

1. **PURPOSE:** Request funding for the construction of a segment of County Road 305 to connect County Road 13S and State Road 206.

2. **DISCUSSION/FACTS:**
   
   a) County Road 305 currently extends north and south, and east and west, from State Road 206 to County Road 13.

   b) Extending the north/south segment of County Road 305 from County Road 13S to State Road 206 would greatly increase the effectiveness of the County’s public safety first responders, including St. Johns County Fire Rescue and the St. Johns County Sheriff’s Office, in responding to emergencies within the southwest quadrant of St. Johns County.

   c) The extension of County Road 305 would relieve traffic congestion and reduce the number of vehicular trips for residents and service providers on State Road 206, County Road 13/State Road 207, and Interstate 95.

   d) The extension of County Road 305 would also potentially delay required improvements and funding requirements for the expansion of surrounding County roads that are not intended to facilitate traffic of the magnitude that currently exists.

   e) The extension of County Road 305 would spur growth, including residential and economic development, within the southwest quadrant of St. Johns County.

3. **CONCLUSION/RECOMMENDATION:** St. Johns County requests State funds for the County Road 305 extension from County Road 13S to State Road 206 to improve traffic flow, expedite emergency services, and spur economic development.

* At the request of the Flagler Estates Community Redevelopment Area.
Subject: Support for St. Augustine-St. Johns County Airport Authority Charter Re-adoption with Amendments

1. PURPOSE: Request Legislative Delegation support for re-adoption of the N.E. Regional Airport Charter with amendments as they are related to the powers, duties, and obligations of the Independent Special District as requested by the St. Augustine – St. Johns County Airport Authority.

2. DISCUSSION/FACTS:
   a) Change the formal Airport Authority name from “St. Augustine – St. Johns County Airport Authority” to “St. Johns County Airport Authority”.
   b) Provide for a specific reference and acknowledgement of “Northeast Florida Regional Airport” as it pertains to governance.
   c) Insert “Economic Development”-related language allowing the Authority to assert the exemptions pertaining to public records laws already in Florida Statutes (F.S. 288.075).
   d) Create a limited scope stipend for elected Authority members, the eligibility for which is conditioned on the Special District being supported by its own revenues and not ad valorem taxation.

3. CONCLUSION/RECOMMENDATION: The St. Augustine – St. Johns County Airport Authority requests Legislative Delegation support for several Charter amendments as they pertain to the powers, duties, and obligations of the Independent Special District.
Subject:  State Road A1A Intersection Improvements

1. PURPOSE: Request $17.15 million for State Road A1A and Palm Valley Road intersection improvements to include nine intersections from JT Butler Boulevard to Mickler Road and intersections on Palm Valley Road and Mickler Road from the Intracoastal Waterway to State Road A1A, and ensure maximum eligibility of State, Federal, and regional funding sources for SR A1A and Palm Valley Road intersection improvements.

2. DISCUSSION/FACTS:
   a) The North Florida Transportation Planning Organization (North Florida TPO) conducted the North Ponte Vedra Beach Traffic Study completed in June 2016 for the North Ponte Vedra Beach area to address existing traffic congestions. The study has identified and recommended intersection improvements at Marsh Landing Parkway at SR A1A and Ponte Vedra Lakes Boulevard at SR A1A, among other non-state road intersection improvements. The estimated cost for both intersection improvements is $1.8 million.

   b) The North Florida TPO conducted another study the following year for a wider area of Ponte Vedra and Palm Valley. The study areas encompassed all of Ponte Vedra and Palm Valley and more specifically areas bounded to the north JT Butler and to the south Palm Valley Road/Mickler Road, and to the west bounded by the Intracoastal Waterway and to the east bounded by the Atlantic Ocean. The Ponte Vedra Palm Valley Traffic Study completed in June 2017 for which it identified and recommended five additional intersection improvements on State Road A1A and two intersections along Palm Valley Road: one at Mickler Road (currently a Roundabout configuration) and the second one at Roscoe Boulevard.

   c) Since June 2017, St Johns County has conducted further evaluations of these intersections and has worked closely with the FDOT to identify suitable concepts that meet the FDOT ICE (intersection control evaluations) process. The estimated costs are provided below.

   d) The estimated costs for the all nine intersection improvements are as follows:

   - State Road A1A at Marsh Landing to Marlins: $1.5 million
   - State Road A1A at Solana Road area: $5.4 million
   - State Road A1A at Sawgrass Village Drive to PGA Tour Boulevard: $4.8 million
   - State Road A1A at Mickler Road: $3.5 million
   - Palm Valley Road at Mickler Road: $2.2 million
   - Palm Valley Road at Roscoe Boulevard: $1.25 million

   **Total estimated cost:** $18.65 million*

The 2019 Spring Legislative Session authorized $500,000 in response to the County’s $5.2 million request for the seven intersection improvements on A1A. The 2020 Spring Legislative Session authorized $1,000,000 in response to the County’s $6.05 million request for the seven intersection improvements on A1A. With further evaluations as stated above, the probable cost increased to $18.65 million less Legislative authorization to date of $1.5 million total; therefore the County is requesting additional funding of $17.15 million.
3. **CONCLUSION/RECOMMENDATION:**

a) St. Johns County requests $17.15 million in State funds for these important intersections as recommended by the North Ponte Vedra Beach Traffic Study and the Ponte Vedra Palm Valley Area Wide Traffic Study.

b) St. Johns County requests to ensure maximum eligibility of State, Federal and regional funding sources for State Road A1A and Palm Valley Road intersection improvements.

*Note: Estimated costs are in 2019 dollars with preliminary engineering and may need to be adjusted.*
Subject: Public Record and Open Meeting Exemptions for Economic Development Agencies

1. PURPOSE: To revise Sections 286.0113 and 288.075, Florida Statutes, to read (addition of underlined phrases; deletion of strikethrough phrases):

   **286.0113 General exemptions from public meetings.**

   (1) That portion of a meeting that would reveal a security system plan or portion thereof made confidential and exempt by s. 119.071(3)(a) is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

   (2) For purposes of this subsection:

   (a)1. “Competitive solicitation” means the process of requesting and receiving sealed bids, proposals, or replies in accordance with the terms of a competitive process, regardless of the method of procurement.

   2. “Team” means a group of members established by an agency for the purpose of conducting negotiations as part of a competitive solicitation.

   (b)1. Any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, or at which a vendor answers questions as part of a competitive solicitation is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

   2. Any portion of a team meeting at which negotiation strategies are discussed is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

   (c)1. Any portion of a meeting to discuss or deliberate regarding commercial or financial information that has been received through an economic development agency, regarding information from a private corporation, partnership, or person concerning plans, intentions, or interests of such private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state.

   2. Any portion of a meeting to discuss or deliberate the offer of a financial or other incentive regarding a private corporation, partnership, or person regarding intentions or interests of such private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state.

   (d)1. A complete recording shall be made of any portion of an exempt meeting. No portion of the exempt meeting may be held off the record.
2. The recording of, and any records presented at, the exempt meeting are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision or until 30 days after opening the bids, proposals, or final replies, whichever occurs earlier.

3. If the agency rejects all bids, proposals, or replies and concurrently provides notice of its intent to reissue a competitive solicitation, the recording and any records presented at the exempt meeting remain exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until such time as the agency provides notice of an intended decision concerning the reissued competitive solicitation or until the agency withdraws the reissued competitive solicitation. A recording and any records presented at an exempt meeting are not exempt for longer than 12 months after the initial agency notice rejecting all bids, proposals, or replies.

288.075. Confidentiality of records.

(1) Definitions.— As used in this section, the term:

(a) “Economic development agency” means:

1. The Department of Economic Opportunity;

2. Any industrial development authority created in accordance with part III of chapter 159 or by special law;

3. Space Florida created in part II of chapter 331;

4. The public economic development agency of a county or municipality or, if the county or municipality does not have a public economic development agency, the county or municipal officers or employees assigned the duty to promote the general business interests or industrial interests of that county or municipality or the responsibilities related thereto;

5. Any research and development authority created in accordance with part V of chapter 159;

or

6. Any private agency, person, partnership, corporation, or business entity when authorized by the state, a municipality, or a county to promote the general business interests or industrial interests of the state or that municipality or county.

(b) “Proprietary confidential business information” means information that is owned or controlled by the corporation, partnership, or person requesting confidentiality under this section; that is intended to be and is treated by the corporation, partnership, or person as private in that the disclosure of the information would cause harm to the business operations of the corporation, partnership, or person; that has not been disclosed unless disclosed pursuant to a statutory provision, an order of a court or administrative body, or a private agreement providing that the information may be released to the public; and that is information concerning:

1. Business plans.

2. Internal auditing controls and reports of internal auditors.
3. Reports of external auditors for privately held companies.

(c) “Trade secret” has the same meaning as in s. 688.002.

(2) Plans, intentions, and interests.

(a) If a private corporation, partnership, or person requests in writing before an economic incentive agreement is signed that an economic development agency maintain the confidentiality of information concerning plans, intentions, or interests of such private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state, the information is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for 12 months after the date an economic development agency receives a request for confidentiality or until the information is otherwise disclosed, whichever occurs first.

2. An economic development agency may extend the period of confidentiality specified in subparagraph 1 for up to an additional 12 months upon written request from the private corporation, partnership, or person who originally requested confidentiality under this section and upon a finding by the economic development agency that such private corporation, partnership, or person is still actively considering locating, relocating, or expanding its business activities in this state. Such a request for an extension in the period of confidentiality must be received prior to the expiration of any confidentiality originally provided under subparagraph 1.

If a final project order for a signed economic development agreement is issued, then the information will remain confidential and exempt for 180 days after the final project order is issued, until a date specified in the final project order, or until the information is otherwise disclosed, whichever occurs first. However, such period of confidentiality may not extend beyond the period of confidentiality established in subparagraph 1 or subparagraph 2.

3. Any communication from an economic development agency, or any member thereof, to an elected official of the governing board of a county or municipality concerning plans, intentions, or interests of a private corporation, partnership, or person to locate, relocate, or expand any of its business activities in this state shall not be considered a disclosure and will not waive the an existing request for confidentiality.

4. An economic development agency may extend the period of confidentiality specified in paragraph (a) for up to an additional 12 months upon written request from the private corporation, partnership, or person who originally requested confidentiality under this section and upon a finding by the economic development agency that such private corporation, partnership, or person is still actively considering locating, relocating, or expanding its business activities in this state. Such a request for an extension in the period of confidentiality must be received prior to the expiration of any confidentiality originally provided under this section.

(b) A public officer or employee may not enter into a binding agreement with any corporation, partnership, or person who has requested confidentiality of information under this subsection until 90 days after the information is made public unless:
1. The public officer or employee is acting in an official capacity;

2. The agreement does not accrue to the personal benefit of such public officer or employee; and

3. In the professional judgment of the officer or employee, the agreement is necessary to effectuate an economic development project.

(3) Trade secrets - Trade secrets held by an economic development agency are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(4) Proprietary confidential business information. –Proprietary confidential business information held by an economic development agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution, until such information is otherwise publicly available or is no longer treated by the proprietor as proprietary confidential business information.

(5) Identification, account, and registration numbers. –A federal employer identification number, unemployment compensation account number, or Florida sales tax registration number held by an economic development agency is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(6) Economic Incentive Programs.

(a) The following information held by an economic development agency pursuant to the administration of an economic incentive program for qualified businesses is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution for a period not to exceed the duration of the incentive agreement, including an agreement authorizing a tax refund or tax credit, or upon termination of the incentive agreement:

1. The percentage of the business’s sales occurring outside this state and, for businesses applying under s. 288.1045, the percentage of the business’s gross receipts derived from Department of Defense contracts during the five years immediately preceding the date the business’s application is submitted.

2. An individual employee’s personal identifying information that is held as evidence of the achievement or non-achievement of the wage requirements of the tax refund, tax credit, or incentive agreement programs or of the job creation requirements of such programs.

3. The amount of:
   a. Taxes on sales, use, and other transactions paid pursuant to chapter 212;
   b. Corporate income taxes paid pursuant to chapter 220;
   c. Intangible personal property taxes paid pursuant to chapter 199;
   d. Insurance premium taxes paid pursuant to chapter 624;
   e. Excise taxes paid on documents pursuant to chapter 201;
   f. Ad valorem taxes paid, as defined in s. 220.03(1); or
   g. State communications services taxes paid pursuant to chapter 202.
However, an economic development agency may disclose in the annual incentives report required under s. 288.907 the aggregate amount of each tax identified in this subparagraph and paid by all businesses participating in each economic incentive program.

(b)1. The following information held by an economic development agency relating to a specific business participating in an economic incentive program is no longer confidential or exempt 180 days after a final project order for an economic incentive agreement is issued, until a date specified in the final project order, or if the information is otherwise disclosed, whichever occurs first:
   a. The name of the qualified business.
   b. The total number of jobs the business committed to create or retain.
   c. The total number of jobs created or retained by the business.
   d. Notwithstanding s. 213.053(2), the amount of tax refunds, tax credits, or incentives awarded to, claimed by, or, if applicable, refunded to the state by the business.
   e. The anticipated total annual wages of employees the business committed to hire or retain.

2. For a business applying for certification under s. 288.1045 which is based on obtaining a new Department of Defense contract, the total number of jobs expected and the amount of tax refunds claimed may not be released until the new Department of Defense contract is awarded.

(7) Penalties - Any person who is an employee of an economic development agency who violates the provisions of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

2. DISCUSSION/FACTS:

   a) The proposed change to section 286.0113 would allow the Board of County Commissioners to deliberate in private regarding an economic development proposal. Currently, an economic development proposal remains confidential while it is before an economic development agency. However, the confidentiality does not extend to the point where any such proposal goes to the Board of County Commissioners. The increased confidentiality may spur additional economic development from entities that may otherwise not be amenable to discussing economic development activities due to the lack of confidentiality.

   b) The proposed change to section 288.075 would allow confidential information in the possession of an economic development agency to be provided to a member of the Board of County Commissioners without the possibility of such communication being considered a disclosure which would terminate the confidential nature of the information.

3. CONCLUSION/RECOMMENDATION: Amend Sections 286.0113 and 288.075, Florida Statutes, to enhance the confidentiality of economic development activities by allowing the Board of County Commissioners to deliberate in private regarding an economic development proposal and allow confidential information in the possession of an economic development agency to be provided to a member of the Board of County Commissioners without such communication being considered a disclosure which would terminate the confidential nature of the information.
Subject: Funding of State-level Economic Development and Workforce Education and Training Programs

1. **PURPOSE:** To support prioritization of Economic Development programs and maintain funding of initiatives aimed at helping existing businesses expand and the attraction of new businesses to enhance Florida’s job creation efforts.

2. **DISCUSSION/FACTS:**

   a) Florida has incentive programs intended to promote economic development in the State. These programs are collectively referred to as the economic development “toolkit” and come in a variety of forms including tax credits, tax refunds, and tax exemptions. The toolkit is used to incentivize highly competitive projects to remain, locate, or expand in the state.

   b) In the 2017 Legislative Session, Florida’s Economic Development Incentive Toolkit was restored to $85 million from zero funding in 2016 through a newly-created Florida Job Growth Grant Fund, and focused on public infrastructure and workforce training programs not to benefit any single business enterprise. The Legislature maintained the Florida Job Growth Grant Fund at $85 million in the 2018 Legislative Session.

   c) The Florida Job Growth Grant Fund benefits local governments in their ability to attract new company locations and support existing business expansion projects by providing dollars to construct public infrastructure that may not be available on the local level, thus benefitting the community as a whole.

   d) Following the 2016 Legislative Session, lack of funding for Florida’s Economic Development Toolkit negatively impacted statewide project flow through Enterprise Florida, and was a concern of leadership at Enterprise Florida and among economic development professionals around the state.

   e) Lack of State incentive funding put Florida at a competitive disadvantage with other incentive-rich states such as Georgia, South Carolina, and Texas when competing for large-scale capital investment and job creation projects, also known as “mega-projects”.

   f) Lack of State incentive funding shifts the financial burden of providing incentives to the local level, thereby challenging local government’s ability to fund projects at a comparable level required to compete for projects, and puts the State at a competitive disadvantage for attracting new company locations and supporting existing business expansion projects.

3. **CONCLUSION/RECOMMENDATION:** Maintain funding for the State-level Economic Development Incentive Toolkit and Workforce Education and Training Programs, including performance-based programs to keep Florida competitive with other states to attract high-impact projects, diversify our economy, and create jobs.
Subject: University Recruitment and Development

1. PURPOSE: Request funding for the recruitment and development of public and private universities within St. Johns County.

2. DISCUSSION/FACTS:

   a) Public and private universities serve as economic engines that generate funds and sustain local economies through the creation of jobs and support for local businesses.

   b) Higher education contributes to the long-term health of not only local economies but the community as a whole by improving the quality of life through decreased crime, better job opportunities, an educated workforce, and a variety of other social and economic benefits.

3. CONCLUSION/RECOMMENDATION: Support legislation that would request economic development funding to assist local governments in the recruitment and development of higher education institutions.
Subject: Florida Sales Tax on Commercial Rent*

1. PURPOSE: Urge the St. Johns County legislative delegation to support the further reduction of and the eventual elimination of Florida’s sales tax on commercial rent during the 2021 Legislative Session.

2. DISCUSSION/FACTS:
   
a) Beginning in 1969, Florida has imposed a sales tax of six percent on the total rent charged under a commercial lease of real property. The Florida Legislature began to systematically lower that rate in 2017.

b) As of January 1, 2020, sales tax is due at the rate of 5.5 percent on the total rent paid for the right to use or occupy commercial real property. Local option sales surtaxes also apply. The commercial rent tax collected nearly $2 billion in 2019 statewide, which goes into the State’s general fund.

c) Removal of the commercial lease sales tax will improve the State of Florida’s business climate with respect to overall competitiveness and tax policy.

d) A 2013 study entitled “Economic Impact of Sales Tax Exemption for Commercial Leases in the State of Florida” concluded, “regression analysis indicates that the removal of the commercial lease sales tax will result in annual employment growth of approximately 184,500 new jobs/year in Florida”.

e) In addition, the study concluded, “The removal of the commercial lease sales tax revenue represents an estimated five-fold increase in economic benefits to the State of Florida”. (Fishkind & Associates, September 15, 2013)

3. CONCLUSION/RECOMMENDATION: Recommend that the existing 5.5 percent Florida sales tax on commercial leases continue to be gradually lowered in 2021 with the goal of eventual elimination.

* At the request of the St. Johns County Chamber of Commerce.
Subject: Offer of Judgment and Demand for Judgment

1. PURPOSE: To revise Section 768.79(1), Florida Statutes, to read (addition of underlined phrases):

   In any civil action that includes one or more claims for damages filed in the courts of this state, if a defendant files an offer of judgment pertaining specifically to said claim(s) which is not accepted by the plaintiff within 30 days, the defendant shall be entitled to recover reasonable costs and attorney’s fees incurred by her or him or on the defendant’s behalf pursuant to a policy of liability insurance or other contract from the date of filing of the offer if the judgment is one of no liability or the judgment obtained by the plaintiff is at least 25 percent less than such offer, and the court shall set off such costs and attorney’s fees against the award. Where such costs and attorney’s fees total more than the judgment, the court shall enter judgment for the defendant against the plaintiff for the amount of the costs and fees, less the amount of the plaintiff’s award. If a plaintiff files a demand for judgment which is not accepted by the defendant within 30 days and the plaintiff recovers a judgment in an amount at least 25 percent greater than the offer, she or he shall be entitled to recover reasonable costs and attorney’s fees incurred from the date of the filing of the demand. If rejected, neither an offer nor demand is admissible in subsequent litigation, except for pursuing the penalties of this section.

2. DISCUSSION/FACTS:

   a) The purpose of Section 768.79(1) is to encourage resolution of disputed claims without the unnecessary consumption of scarce judicial resources.

   b) The purpose of Section 768.79(1) can be defeated by a plaintiff by merely including one or more claims for equitable relief in the civil action, thereby making the civil action not wholly a civil claim for damages, and ineligible for an offer of judgment or settlement under Section 768.79(1) (see Palm Beach Polo Holdings, Inc. v. Equestrian Club Estates Property Owners Association, Inc., 22 So.3d 140 (Fla. 4th DCA 2009); see also Winter Park Imports, Inc. v. JM Family Enterprises, 66 So. 3d 336 (Fla. 5th DCA 2011).

3. CONCLUSION/RECOMMENDATION: Amend Section 768.79(1), Florida Statutes, to allow for offers of judgment or offers of settlement pertaining to individual claims for damages, and thereby preserve the purpose of the statute.
Subject: Uniform Minimum Standards of County Roads

1. **PURPOSE:** To add a new paragraph to Section 336.045, Florida Statutes, to read:

   7) Counties are authorized to plan and conduct county road maintenance at a level and frequency reasonable under the circumstances, as determined by each county, considering public safety, the quality of the road, traffic volume, traffic speed, environmental conditions, economic considerations, signage, and other related factors.

2. **DISCUSSION/FACTS:**

   a) Florida counties and other local governments are best situated to determine local conditions and determine the reasonable level and frequency of road maintenance.

   b) St. Johns County has a wide variety of inventory pertaining to its county roads, including different quality levels of paved roads, gravel roads, dirt roads, and beach roads.

   c) With budget constraints, counties are challenged to prioritize available transportation funds for the purposes of matching road maintenance with the pertinent factors of public safety, the quality of the road, traffic volume, traffic speed, environmental conditions, and other related factors.

3. **CONCLUSION/RECOMMENDATION:** Amend section 336.045, Florida Statutes, to include an additional paragraph expressly authorizing Florida counties to plan to determine the reasonable level and frequency of road maintenance.
Subject: Recognize Inherent Danger of Surf and Other Naturally Occurring Beach Conditions along Florida’s Coast

1. PURPOSE: To amend paragraph 380.276(6), Florida Statutes, to recognize that property and access may be damaged by naturally occurring conditions along Florida’s coast. In addition, amend 62B-33.014(1), Florida Statutes, to include County and municipal governments.

2. DISCUSSION/FACTS:
   a) It is unfair and against public policy to hold Florida taxpayers, in general, responsible for unfortunate losses of property or access caused by changing surf and other naturally occurring conditions along coastal areas.
   b) Paragraph 380.276(6), Florida Statutes, already provides that any injury or loss of life caused by changing surf and other naturally occurring conditions are not matters that the State, State agencies, local and regional government entities or authorities, and their individual employees and agents can be held liable for. The same concept should apply to property and access caused by changing surf and other naturally occurring conditions along coastal areas.

3. CONCLUSION/RECOMMENDATION: Amend paragraph 380.276(6) to include property and access to the present description of any injury or loss of life as matters that the Florida taxpayers, through governmental entities and their employees and agents, will not be held liable for damages or loss due to surf or other naturally occurring conditions. In addition, amend 62B-33.014(1), Florida Statutes, to include County and municipal governments.

Paragraph 380.276(6) should be amended to read (recommended change underlined):

380.276(6) Due to the inherent danger of constantly changing surf and other naturally occurring conditions along Florida’s coast, the state, state agencies, local and regional government entities or authorities, and their individual employees and agents, shall not be held liable for any injury or loss of life, property, or access caused by changing surf and other naturally occurring conditions along coastal areas, whether or not uniform warning and safety flags or notification signs developed by the department are displayed or posted.

Paragraph 62B-33.014(1) should be amended to read (recommended change underlined):

62B-33.014 (1) A “shoreline emergency” declared by the Governor or the Department, or any County or Municipal Government (i.e. a local state of emergency) is any unusual incident resulting from a hurricane, storm, or other violent coastal disturbance that has resulted in erosion, beach or coastal damage, sudden and unpredictable hazards to navigation, damage to upland structures, or any other unusual incident from natural or unnatural causes that endangers the coastal system or health, safety, welfare, or resources of the citizens of the state.
Subject: Reform Consultants Competitive Negotiation Act (CCNA) to Introduce an Optional “Best Value” Alternative

1. **PURPOSE:** To amend section 287.055, Florida Statutes, known as the Consultants Competitive Negotiation Act (CCNA), to introduce an optional “Best Value” (BV) alternative procurement method that public agencies could use at their discretion to meet their tactical needs.

2. **DISCUSSION/FACTS:**
   
   a) Section 287.055, Florida Statutes, or the CCNA, has been a law in Florida since 1973. The law has been amended on various occasions to modify existing or insert new procedural requirements and options. From its inception, the law has prescribed the use of a qualifications-based selection (QBS) and negotiation process for the procurement of professional services.

   b) A coalition of professionals across Florida is advocating amending the law to give public agencies the discretion to continue to select professionals based strictly upon qualifications or elect to hire Architectural/Engineering services on a “best value” basis where both price and qualifications are ultimately part of the selection process.

   c) Agencies supporting this initiative include the National Institute of Governmental Purchasing, the Florida Association of Counties, the Florida Association of Public Purchasing Officers, the Florida Government Finance Officers Association, several city and county agencies and several licensed professionals working in the public sector.

   d) The alternative BV procedure being requested, like the QBS method, would focus primarily upon the qualifications of the competing firms. Unlike QBS, however, the BV method would introduce limited price competition, but only among the most qualified firms.

   e) The reform would provide these benefits: a more objective and transparent method of selection; an additional method for procuring professional services that in some instances would better meet the needs of an agency and its constituents; the promotion of small business development, as qualified firms with lower overhead costs may be more competitive; and a means to more competitively evaluate and justify the overall value of each contract.

3. **CONCLUSION/RECOMMENDATION:** Amend section 287.055, Florida Statutes, to establish an optional (alternative) process for state and local entities to consider cost in the award of professional services agreements pursuant to the Consultants Competitive Negotiation Act.
Subject: Attorney’s Fees for Raising Unsupported Claims

1. PURPOSE: To revise Section 57.105, Florida Statutes, to read (addition of underlined phrases):

57.105 Attorney’s fee; sanctions for raising unsupported claims or defenses; exceptions; service of motions; damages for delay of litigation.—

(1) Upon the court’s or administrative adjudicator’s initiative or motion of any party, the court or administrative adjudicator shall award a reasonable attorney’s fee, including prejudgment interest, to be paid to the prevailing party in equal amounts by the losing party and the losing party’s attorney on any claim or defense at any time during a civil or administrative proceeding or action in which the court or administrative adjudicator finds that the losing party or the losing party’s attorney knew or should have known that a claim or defense when initially presented to the court or administrative forum or at any time before trial or final administrative hearing:

(a) Was not supported by the material facts necessary to establish the claim or defense; or

(b) Would not be supported by the application of then-existing law to those material facts.

(2) At any time in any civil or administrative proceeding or action in which the moving party proves by a preponderance of the evidence that any action taken by the opposing party, including, but not limited to, the filing of any pleading or part thereof, the assertion of or response to any discovery demand, the assertion of any claim or defense, or the response to any request by any other party, was taken primarily for the purpose of unreasonable delay, the court or administrative adjudicator shall award damages to the moving party for its reasonable expenses incurred in obtaining the order, which may include attorney’s fees, and other loss resulting from the improper delay.

(3) Notwithstanding subsections (1) and (2), monetary sanctions may not be awarded:

(a) Under paragraph (1)(b) if the court or administrative adjudicator determines that the claim or defense was initially presented to the court or administrative forum as a good faith argument for the extension, modification, or reversal of existing law or the establishment of new law, as it applied to the material facts, with a reasonable expectation of success.

(b) Under paragraph (1)(a) or paragraph (1)(b) against the losing party’s attorney if he or she has acted in good faith, based on the representations of his or her client as to the existence of those material facts.

(c) Under paragraph (1)(b) against a represented party.
(d) On the court’s or administrative adjudicator’s initiative under subsections (1) and (2) unless sanctions are awarded before a voluntary dismissal or settlement of the claims made by or against the party that is, or whose attorneys are, to be sanctioned.

(4) A motion by a party seeking sanctions under this section must be served but may not be filed with or presented to the court or administrative forum unless, within 21 days after service of the motion, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected.

(5) In administrative proceedings under chapter 120, an administrative law judge shall award a reasonable attorney’s fee and damages to be paid to the prevailing party in equal amounts by the losing party and a losing party’s attorney or qualified representative in the same manner and upon the same basis as provided in subsections (1)-(4). Such award shall be a final order subject to judicial review pursuant to s. 120.68. If the losing party is an agency as defined in s. 120.52(1), the award to the prevailing party shall be against and paid by the agency. A voluntary dismissal by a nonprevailing party does not divest the administrative law judge of jurisdiction to make the award described in this subsection.

(6) The provisions of this section are supplemental to other sanctions or remedies available under law or under court rules.

(7) If a contract contains a provision allowing attorney’s fees to a party when he or she is required to take any action to enforce the contract, the court may also allow reasonable attorney’s fees to the other party when that party prevails in any action, whether as plaintiff or defendant, with respect to the contract. This subsection applies to any contract entered into on or after October 1, 1988.

2. DISCUSSION/FACTS:

   a) The purpose of Section 57.105 is to prevent the filing of frivolous legal claims.

   b) Section 57.105 currently only applies to civil lawsuits and state administrative proceedings that are governed by Chapter 120, Florida Statutes. There are many other types of administrative proceedings that §57.105 does not currently apply to. In such proceedings, someone could bring a claim that is not supported by facts (i.e., a potentially frivolous claim) without having the prospect of liability for attorney’s fees being a factor that is considered in determining whether or not to bring such a claim. If §57.105 were to apply to additional types of administrative proceedings, the number of filed administrative claims that are not supported by facts would likely decrease substantially due to the potential for attorney fee liability.

3. CONCLUSION/RECOMMENDATION: Amend Section 57.105, Florida Statutes, so that the statute applies to any type of administrative proceeding.
St. Johns County - 2021 Legislative Priority
Amend Select Florida Statutes

Subject: Florida False Claims Act

1. PURPOSE: To revise portions of Sections 68.081–68.09, Florida Statutes, to read (addition of underlined phrases):

68.081 Florida False Claims Act; short title; purpose.—

(1) Sections 68.081-68.09 may be cited as the “Florida False Claims Act.”

(2) The purpose of the Florida False Claims Act is to deter persons from knowingly causing or assisting in causing state or local government to pay claims that are false or fraudulent, and to provide remedies for obtaining treble damages and civil penalties for state or local government when money is obtained from state or local government by reason of a false or fraudulent claim.

68.082 False claims against the state or local government entities; definitions; liability.—

(1) As used in this section, the term:

(a) “Agency” means any official, officer, commission, board, authority, council, committee, or department of a county, a municipality, or the executive branch of state government.

(b) “Claim” includes any written or electronically submitted request or demand, under a contract or otherwise, for money, property, or services, which is made to any employee, officer, or agent of an agency, or to any contractor, grantee, or other recipient if the agency provides any portion of the money or property requested or demanded, or if the agency will reimburse the contractor, grantee, or other recipient for any portion of the money or property requested or demanded.

(c) “Knowing” or “knowingly” means, with respect to information, that a person:
1. Has actual knowledge of the information;
2. Acts in deliberate ignorance of the truth or falsity of the information; or
3. Acts in reckless disregard of the truth or falsity of the information.

No proof of specific intent to defraud is required. Innocent mistake shall be a defense to an action under this act.

(d) “State government” means the government of the state or any department, division, bureau, commission, regional planning agency, board, district, authority, agency, or other instrumentality of the state.

(e) “Department” means the Department of Legal Affairs, except as specifically provided in ss. 68.083 and 68.084.
(2) Any person who:

(a) Knowingly presents or causes to be presented to an officer or employee of an agency a false or fraudulent claim for payment or approval;

(b) Knowingly makes, uses, or causes to be made or used a false record or statement to get a false or fraudulent claim paid or approved by an agency;

(c) Conspires to submit a false or fraudulent claim to an agency or to deceive an agency for the purpose of getting a false or fraudulent claim allowed or paid;

(d) Has possession, custody, or control of property or money used or to be used by an agency and, intending to deceive the agency or knowingly conceal the property, delivers or causes to be delivered less property than the amount for which the person receives a certificate or receipt;

(e) Is authorized to make or deliver a document certifying receipt of property used or to be used by an agency and, intending to deceive the agency, makes or delivers the receipt without knowing that the information on the receipt is true;

(f) Knowingly buys or receives, as a pledge of an obligation or a debt, public property from an officer or employee of an agency who may not sell or pledge the property lawfully; or

(g) Knowingly makes, uses, or causes to be made or used a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to an agency, is liable to the state or agency for a civil penalty of not less than $5,500 and not more than $11,000 and for treble the amount of damages the agency sustains because of the act or omission of that person.

(3) The court may reduce the treble damages authorized under subsection (2) if the court finds one or more of the following specific extenuating circumstances:

(a) The person committing the violation furnished officials of the agency responsible for investigating false claims violations with all information known to the person about the violation within 30 days after the date on which the person first obtained the information;

(b) The person fully cooperated with any official investigation of the violation;

(c) At the time the person furnished the agency with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced under this section with respect to the violation, and the person did not have actual knowledge of the existence of an investigation into the violation; in which case the court shall award no less than 2 times the amount of damages sustained by the agency because of the act of the person. The court shall set forth in a written order its findings and basis for reducing the treble damages award.
(1) The department may diligently investigate a violation under s. 68.082. If the department finds that a person has violated or is violating s. 68.082, the department may bring a civil action under the Florida False Claims Act against the person. The Department of Financial Services may bring a civil action under this section if the action arises from an investigation by that department and the Department of Legal Affairs has not filed an action under this act.

(2) A person may bring a civil action for a violation of s. 68.082 for the person and for the affected agency. Civil actions instituted under this act shall be governed by the Florida Rules of Civil Procedure and shall be brought in the name of the State of Florida or in the name of the county or municipality bringing the action. Prior to the court unsealing the complaint under subsection (3), the action may be voluntarily dismissed by the person bringing the action only if the department gives written consent to the dismissal and its reasons for such consent.

(3) The complaint shall be identified on its face as a qui tam action and shall be filed in the circuit court of the Second Judicial Circuit, in and for Leon County. Immediately upon the filing of the complaint, a copy of the complaint and written disclosure of substantially all material evidence and information the person possesses shall be served on the Attorney General, as head of the department, and on the Chief Financial Officer, as head of the Department of Financial Services, by registered mail, return receipt requested. The department, or the Department of Financial Services under the circumstances specified in subsection (4), may elect to intervene and proceed with the action, on behalf of the state, within 60 days after it receives both the complaint and the material evidence and information.

(4) If a person brings an action under subsection (2) and the action is based upon the facts underlying a pending investigation by the Department of Financial Services, the Department of Financial Services, instead of the department, may take over the action on behalf of the state. In order to take over the action, the Department of Financial Services must give the department written notification within 20 days after the action is filed that the Department of Financial Services is conducting an investigation of the facts of the action and that the Department of Financial Services, instead of the department, will take over the action filed under subsection (2). If the Department of Financial Services takes over the action under this subsection, the word “department” as used in this act means the Department of Financial Services, and that department, for purposes of that action, shall have all rights and standing granted the department under this act.

(5) The department may, for good cause shown, request the court to extend the time during which the complaint remains under seal under subsection (2). Any such motion may be supported by affidavits or other submissions in camera. The defendant is not required to respond to any complaint filed under this section until 20 days after the complaint is unsealed and served upon the defendant in accordance with law.

(6) Before the expiration of the 60-day period or any extensions obtained under subsection (5), the department shall:
(a) Proceed with the action, in which case the action is conducted by the department on behalf of the state; or
(b) Notify the court that it declines to take over the action, in which case the person bringing the action has the right to conduct the action.
(7) When a person files an action under this section, no person other than the department on behalf of the state may intervene or bring an action under this act based on the facts underlying the pending action.

(8) If a county or municipality files an action under this section, or an action is filed on behalf of a county or municipality, then the provisions of paragraph (3) of this section shall not apply. The complaint shall be identified on its face as a qui tam action and shall be filed in the judicial circuit in which the county or municipality is located.

2. **DISCUSSION/FACTS:**

   a) The purpose of the Florida False Claims Act is to deter persons from knowingly causing or assisting in causing state government to pay claims that are false or fraudulent, and to provide remedies for obtaining treble damages and civil penalties for state government when money is obtained from state government by reason of a false or fraudulent claim.

   b) The Florida False Claims Act does not presently apply to local governments (Florida Attorney General Advisory Legal Opinion 2011-10).

3. **CONCLUSION/RECOMMENDATION:** Amend portions of Sections 68.081-68.09, Florida Statutes, to make the Florida False Claims Act applicable to a county or municipality.
Subject: Tax Exempt Bond Status

1. PURPOSE: Federal-level interest in limiting the tax exempt status of municipal bonds has been noted. As such, legislation could potentially be incorporated into tentative Federal Tax Code reform, priority is to oppose any measure that would do so.

2. DISCUSSION/FACTS:
   a) Limiting or “capping” the tax-exempt status on municipal bonds could increase borrowing costs for local governments and significantly diminish demand for bonds, making it harder to finance local infrastructure projects.
   b) Cited in December 2010 report by the National Commission on Fiscal Responsibility and Reform.
   c) Such legislation is opposed by the National Association of Counties and the Florida Association of Counties.

3. CONCLUSION/RECOMMENDATION: Oppose legislation that would limit the tax exempt status of municipal bonds, as doing so could increase borrowing costs for local governments and significantly diminish demand for bonds making it more difficult to finance local infrastructure projects.
Subject: Communication Services Tax

1. **PURPOSE:** Communication Services Tax legislation reform to ensure communication services tax remains locally-controlled revenue, and remove competitive advantages within the industry by providing similar tax treatment to similar services.

2. **DISCUSSION/FACTS:**

   a) Current cellular phone communication services of similar purpose do not receive equal tax treatment, which in turn provides an unfair competitive advantage within the industry.

   b) Updated Communication Services Tax legislation is supported by both the Florida Association of Counties and the Florida Government Finance Officers Association.

3. **CONCLUSION/RECOMMENDATION:** Recommend Communication Services Tax legislation reform that would ensure the Communication Services Tax remains locally-controlled revenue, and remove competitive advantages within the industry by providing similar tax treatment to similar services.
Subject: Internet Sales Tax

1. PURPOSE: Address the issue of internet-based businesses without a physical presence in Florida having an unfair competitive advantage over businesses physically located within the State relative to collecting sales taxes.

2. DISCUSSION/FACTS:
   a) Sales tax should be collected and remitted by all businesses, regardless of how a sale is made.
   b) Sales tax revenue is the largest source of revenue for the State of Florida, generating 55 percent of total state taxes and fees, and is also a major source of revenue for local governments. In Fiscal Year 2017-2018, more than $29 billion in sales and use-tax revenue were collected by the Florida Department of Revenue.
   c) Current law does not require businesses without a physical presence in the State to collect sales tax on remote transactions. Instead, consumers are required to self-enforce by submitting sales tax on Internet purchases, leaving sales taxes on Internet transactions primarily unpaid.
   d) According to a January 2017 presentation to the Florida House Ways and Means Committee, it was estimated that the loss of income due to not requiring online companies to collect and remit sales tax could be as much as several hundred million dollars a year.

3. CONCLUSION/RECOMMENDATION: Recommend changing the law governing the collection and remittance of sales tax on internet purchases to require internet-based businesses to collect and remit sales tax consistent with the standards set forth in the United States Supreme Court decision of South Dakota v. Wayfair.
Subject: Protection of Local Government Revenue Options

1. PURPOSE: Oppose legislation with the potential to further constrain local revenue and negatively impacting home rule, and support revisions to current unfunded mandates and/or legislation impacting local revenues and local control.

2. DISCUSSION/FACTS:

   a) The Florida Legislature has previously enacted legislation constraining the ability of local government to raise revenue necessary for local government to provide programs and services, construct necessary public infrastructure, and sustain the quality of life desired by the residents residing within their jurisdiction.

   b) These actions have and will continue to inhibit the ability of local government to recover from the recent recession affecting the State and nation.

3. CONCLUSION/RECOMMENDATION: These requested actions would restore local control to the appropriate levels of local government and allow local government to properly fund programs and services, construct necessary public infrastructure, and sustain the quality of life desired by the residents residing within their jurisdiction. Request that the Florida Legislature oppose any legislation that would further erode the ability of local government to capture revenue in the form of ad valorem values, impact fees, concurrency compensation, and/or user fees. In addition, request that the legislature support revisions to current unfunded mandates, legislation, and the Florida Constitution that negatively impacts local control and the ability of local government to rightfully capture the revenue necessary to meet community service demands.
Subject: Flood Insurance Map Litigation Protection*

1. PURPOSE: Support for legislative change to protect municipalities regarding flood hazard mapping and sea level rise.

2. DISCUSSION/FACTS:

   a) Current law provides exemption from lawsuit for actions taken by counties with respect to the adoption of a Flood Insurance Map.

   b) The statute does not clearly indicate that municipalities are also intended to be covered under this immunity from litigation.

   c) The City of St. Augustine believes that the intent of the statute was to provide this necessary ability to adopt flood maps as a matter of public policy.

3. CONCLUSION/RECOMMENDATION: The City of St. Augustine supports a glitch bill amendment to Chapter 70.001(10)(b), Florida Statues, that would clarify that municipalities are also intended to be given the same exemption as Florida counties.

* At the request of the City of St. Augustine.
Subject: Short-term and Vacation Rental Regulations*

1. PURPOSE: Support legislation to rescind the State of Florida’s pre-emption to allow cities and counties to further regulate short-term and vacation rentals.

2. DISCUSSION/FACTS:
   a) Current State law limits and preempts local governments’ ability to regulate short-term or vacation rentals.
   b) Local governments are forbidden from adopting any new regulations regarding frequency or duration of stays.
   c) There has been a proliferation of short-term and vacation rentals throughout the City of St. Augustine and City of St. Augustine Beach over the past few years.
   d) The current law is an incursion into the traditional local zoning authority of counties and cities, and takes away the ability to respond to local conditions that affect the quality of life of residents.

3. CONCLUSION/RECOMMENDATION: Local jurisdictions need the ability to enact local zoning authority to ensure the quality of life for its residents remains intact. The City of St. Augustine and City of St. Augustine Beach support an amendment to Chapter 509.032(7)(b), Florida Statutes, to remove State preemption to frequency and duration limitations on short-term and vacation rentals.

*At the request of the City of St. Augustine and City of St. Augustine Beach.
Subject: State Housing Initiatives Partnership (SHIP) Funding

1. **PURPOSE:** Encourage our delegation to support the County’s request for the full amount funds collected from St. Johns County Documentary Stamp Taxes that are paid into the Sadowski Housing Trust Fund be allocated back to the County through its annual SHIP allocation and the State not redirect affordable housing funds to other programs. The Sadowski Housing Trust Fund supports the State Housing Initiatives Partnership (SHIP) Program. The SHIP program provides for the rehabilitation of low-income housing, down-payment assistance for first-time low and moderate-income homebuyers, disaster recovery, and funding for other qualified affordable housing initiatives which are of critical need in St. Johns County.

2. **DISCUSSION/FACTS:**

   a) Local housing prices continue to climb dramatically, credit requirements have tightened, and the need for affordable housing options is critical to the overall prosperity of our community. Concurrently, older housing continues to deteriorate, thus the need for rehabilitation funding for low-income homeowners is increasing. SHIP funds were decreased in Fiscal Year 2018, and subsequent years, to support other legislative priorities but have had a negative impact on local affordable housing efforts. The funds should, at a minimum, be restored to previous funding levels; however, it is requested that the County should receive funding in the amount of which is paid via Documentary Stamp Taxes into the Sadowski Trust Fund.

   b) SHIP allocations are made following statutory guidelines in Section 420.9073 and Section 201.15, Florida Statues. St. Johns County is in critical need of affordable housing for residents of income levels varying between extremely low up to and including moderate income. The Housing Trust Fund currently receives significantly more funding paid into it on behalf of St. Johns County than the County receives back in annual SHIP allocations. In order to support this critical need, the County requests that the Statute be amended and the County receive allocations in the same amount it contributes to the Housing Trust Fund.

   c) The St. Johns County Chamber of Commerce supports this initiative.

3. **CONCLUSION/RECOMMENDATION:** Request, at minimum, the restoration of full funding for SHIP affordable housing initiatives which provide the opportunity to preserve affordable housing stock through rehabilitation as well as assist first time homebuyers for the purchase of existing homes and other eligible redevelopment/affordable housing initiatives. Additionally, due to the critical need for affordable housing options ranging between extremely low income up to and including moderate income residents of St. Johns County, it is requested that the County receive funding in the entire amount of Documentary Stamp Taxes paid into the Housing Trust Fund on behalf of St. Johns County.
Subject: Funding for Failing Septic Tanks

1. PURPOSE: To encourage the delegation to support the County’s request for funding of this critical public and environmental health issue in West Augustine, Armstrong, North Hastings, and other areas throughout St. Johns County in need of assistance with this matter.

2. DISCUSSION/FACTS:
   a) St. Johns County has completed a study assessing the nature of stormwater and septic tank problems in various areas of the County. The referenced areas have many non-functioning septic tanks and large areas of stormwater run off. The funding would be used to install central sewer and storm water facilities in eligible areas.
   b) St. Johns County has previously applied for a wastewater facilities grant from the State of Florida. The project was recognized by the Water Committee as viable and received funding support in the amount of $550,000 in the FY 2001 budget, of which $400,000 went to the West Augustine project. The Legislature supported requests in FY 2002; however, the Governor vetoed the projects. The County did receive $891,000 from the Legislature in 2006 for sewers in West Augustine.
   c) St. Johns County is also encouraging our Legislative Delegation to provide financial assistance, and to date, the County has received $835,000 from the Federal government for similar sewer-related projects.
   d) St. Johns County completed construction of the major project and the expenditure of the balance of funding was completed in FY 2011. Additional funding is needed in order to further expand water and sewer throughout the West Augustine Community Redevelopment Area and to expand efforts to the historic communities of Armstrong and North Hastings, as well as eligible areas within St. Johns County.

3. CONCLUSION/RECOMMENDATION: Request $25 million in Federal/State funding to eliminate failing septic tanks and stormwater run-off problems in West Augustine, Armstrong, North Hastings, and other areas throughout St. Johns County in need of assistance with this matter.
Subject: Inflow/Infiltration Program and Sewer Rehabilitation*

1. **PURPOSE:** Request $6,860,000 for the purpose of eliminating sanitary sewer overflows into local water and the waters of the State of Florida.

2. **DISCUSSION/FACTS:**
   
a) The City of St. Augustine experienced 18 overflows in August and September of 2015 and is under Florida Department of Environmental Protection Consent Order (OGC 15-0655) to take action to eliminate or reduce sanitary sewer overflows.

b) Sanitary sewer overflows are releases of untreated sewage into the environment. Such releases contaminate waters and degrade water quality and expose humans to viruses and other pathogens that can cause serious illness.

c) The City of St. Augustine, a coastal community, is served by one of the oldest sanitary sewer collection systems in the State of Florida, making it particularly susceptible and vulnerable to sanitary sewer overflows.

3. **CONCLUSION/RECOMMENDATION:**
   
a) Support legislation that assists the City of St. Augustine to fund projects to increase sanitary collection system resiliency and reduce sanitary sewer overflows.

b) Support funding for a citywide sewer system wide evaluation survey (SSES) to target and prioritize sources of inflow and infiltration and prepare cost effective plan to treat and/or remove the inflow and infiltration.

c) Support funding to implement SSES findings, such as lift station and force main upgrades, gravity sewer lining, manhole rehabilitation, and sewer rehabilitation.

* At the request of the City of St. Augustine.
Subject: North Ponte Vedra Beach and Dune Restoration, St. Johns County R-1 through R-46

1. PURPOSE: Request $3,000,000 to support the final design and construction of the selected beach management actions to protect shoreline along North Ponte Vedra Beach within St. Johns County.

2. DISCUSSION/FACTS:
   a) St. Johns County is conducting a locally-funded beach restoration project for North Ponte Vedra Beach (R1 to R46), which has experienced significant erosion from hurricanes Matthew and Irma, and includes a critical erosion area between R26 and R31.
   b) Locally directed project development, design and permitting, partially funded by $500,000 from the State Legislature, is nearing completion and construction could begin in the State Fiscal Year 21/22.
   c) The St. Johns County Board of County Commissioners has already allocated $3,000,000 and has begun setting aside tourist development tax revenues in anticipation of construction.
   d) The County has sought support through local government funding requests submitted to the Beach Management Funding Assistance Program, but the criteria for support fails to appreciate the importance of this beach restoration project to the local economy.
   e) This beach in particular supports the local PGA Tour affiliate property, several of the highest value lodgings and rental properties in the County, and the surrounding inland developments, including Nocatee.

3. CONCLUSION/RECOMMENDATION: Saving the beaches in St. Johns County is a quality-of-life issue for residents and visitors and has major economic consequences. Tourism is the major industry for St. Johns County, with the beaches attracting the majority of tourists. St. Johns County will encounter lost revenue and jobs if the beaches are not maintained to the standards required to bring visitors continually to the community. The State cost share is critical to the viability of this project. St. Johns County requests $3,000,000 in State funding to share in the final design and construction of a beach restoration project to protect shoreline along North Ponte Vedra Beach within St. Johns County.
Subject: North St. Johns County Coastal Storm Risk Management Feasibility Study

1. PURPOSE: Request $750,000 to support the non-federal share of a multi-year U.S. Army Corps of Engineers Feasibility (USACE) Study to identify viable Coastal Storm Risk Management Projects on the beaches of North St. Johns County.

2. DISCUSSION/FACTS:
   a) The project consists of a multi-year federal study to determine the feasibility of beach restoration in South Ponte Vedra Beach and North Ponte Vedra Beach up to the Duval/St. Johns County line.

   b) The study will identify areas requiring beach management by conducting engineering, environmental, and economic analyses, and designing feasible Coastal Storm Risk Management (CSRM) projects.

   c) A federal reconnaissance study, completed in 2004, justified the need for a feasibility study along the St. Johns County shoreline. The Jacksonville District USACE has expressed the capability in its Fiscal Year 2021 work plan, pending federal funding, to evaluate federal CSRM alternatives north of the northern boundary of the new South Ponte Vedra/Vilano Beach CSRM. The total estimated cost for the study is $3,000,000, with a cost share of 50 percent federal and 50 percent non-federal.

   d) The feasibility study is consistent with the FDEP Strategic Beach Management Plan and this request for the $750,000 State cost share is supported by a local government funding request submitted to the Beach Management Funding Assistance Program.

3. CONCLUSION/RECOMMENDATION: Saving the beaches in St. Johns County is a quality-of-life issue for residents and visitors and has major economic consequences. Tourism is the major industry for St. Johns County, with the beaches attracting the majority of tourists. St. Johns County will encounter lost revenue and jobs if the beaches are not maintained to the standards required to bring visitors continually to the community. St. Johns County requests $750,000 in State funding to support the non-federal share of the anticipated feasibility study required for evaluation of alternatives to protect shoreline along Ponte Vedra Beach within St. Johns County.
Subject: Human Services Funding and Program Reform

1. PURPOSE: Request the State continue to support community-based solutions to local health and human services needs and oppose any State directives compelling local governments to provide services without providing appropriate funding.

2. DISCUSSION TOPICS:

   a) St. Johns County is committed to enhancing the quality of life for all citizens. The County therefore supports, promotes, and encourages the development of a system of community-based care for the critically needed health and human services for the County.

   b) The State delegation is encouraged to support the County’s opposition to unfunded mandated programs.

   c) While counties should partner with the State to create viable systems of care, budget shortfalls at the State level should not be shifted to counties to shoulder the financial burden.

3. CONCLUSION/RECOMMENDATION:

   a) St. Johns County requests the State restore all funding for community mental health and substance abuse services to previous levels to allow the County to retain all current State and Federal funding allocation.

   b) Expand recurring funding for operational costs for the EPIC Recovery Center Detox and Residential Treatment Level 1 programming.

   c) Increase funding for children’s psychiatric services, including the Mobile Crisis Response Team and Community Action Team.

   d) Support affordable and supportive housing for individuals with a substance use and/or mental health disorders.

   e) Oppose decentralization of the Department of Health.
Subject: Maintain Florida Assertive Community Treatment Team

1. PURPOSE: Maintain funding for the Florida Assertive Community Treatment (FACT) Team to address the chronic, persistent, and growing mental health issues in our most seriously affected mental health population by assisting them with medication, therapy, case management, housing, and general health issues.

2. DISCUSSION/FACTS:
   a) The St. Johns County area has a growing population of patients with serious and chronic mental health issues, caused by a lack of intervention and stabilization of persons in crisis. A growing transient and permanent homeless population as well as a lack of intervention and stabilization services aggravate this.
   
   b) St. Johns County was awarded a legislative special project in 2016 to implement a FACT Team. However, the funding was non-recurring. Using a 24-hour-a-day, seven-day-a-week team approach, FACT delivers comprehensive community treatment, rehabilitation, and support services to those with the most chronic mental illnesses. It is imperative to maintain funding for this service by advocating for recurring funding for FACT in the 2020 legislative session.

3. CONCLUSION/RECOMMENDATION: In light of a reduction in funding to St. Johns County’s mental health delivery systems, recurring State funding of a FACT Team would be a considerable benefit in reconciling the gap in services for mental health. The recommendation would be for the Legislature to provide recurring funding for the implementation of a FACT Team through the County’s current mental health providers.
Subject: Medicaid Cost Sharing Percentages

1. PURPOSE: Implement a maximum increase on growth in individual county Medicaid costs.

2. DISCUSSION TOPICS:
   
a) Florida counties began a four-year transition from a fee-for-service billing model to an enrollment-based model for Medicaid costs in 2015.
   
b) During the transition, many counties are projected to experience significant increases in mandatory Medicaid contributions.
   
c) Counties that are disproportionately affected by the transition would be protected by establishing a cap in growth in individual county Medicaid costs.
   
d) The Florida Association of Counties supports a 3 percent cap on growth in individual county Medicaid costs in order to protect those counties most vulnerable to the transition.

3. CONCLUSION/RECOMMENDATION: Support legislation that implements an annual limit on maximum growth in individual county Medicaid costs in order to protect those counties most vulnerable to the transition.
Subject: High-risk Senior Care Programs*

1. PURPOSE: Request funding to serve high-risk seniors on the Department of Elder Affairs waiting list for the Community Care for the Elderly, Alzheimer’s Respite Care, and Home Care for the Elderly programs.

2. DISCUSSION TOPICS:

   a) The Community Care for the Elderly, Alzheimer’s Respite Care, and Home Care for the Elderly programs fund vital services to keep seniors safe and healthy while living in their own homes.

   b) The programs provide home-delivered and congregate meals, home health services, medical transportation, and adult day care.

   c) The average monthly home care cost for a senior in the Community Care for the Elderly program is $1005 per month, compared to approximately $7,000 per month for nursing home care.

   d) Investing in programs that support high-risk seniors is not only morally sound, but also fiscally responsible for State and local governments.

3. CONCLUSION/RECOMMENDATION: Allocate funds and sponsor legislation that sustains programs supporting high-risk seniors living in their homes.

* At the request of Council on Aging.
Subject: Community Based Care Funding and Program Reform

1. PURPOSE: Request the State to continue supporting Community Based Care agencies providing services to children and families involved in the child welfare system, reform policies to provide enhanced service levels, and oppose any unfunded state mandates or directives compelling Community Based Care agencies to provide services without providing appropriate funding.

2. DISCUSSION/FACTS:
   
a) St. Johns County is committed to providing quality services to children and families involved in the child welfare system. The County, therefore, supports, promotes, and encourages the continuation of community-based solutions to child abuse, neglect, and abandonment.

   b) The State delegation is encouraged to support the County’s opposition to any unfunded mandated programs.

3. CONCLUSION/RECOMMENDATION:
   
a) Support delay of Federal Family First Prevention Services Act (FFPSA). Of growing concern is that state and local agencies that were developing prevention services prior to the pandemic, as a result of the Family First Prevention Services Act, are now delaying or considering postponement of implementation plans during a time when a surge of child protection referrals is on the horizon. Growing economic constraints are likely to leave states ill-equipped and disincentivized to implement preventative strategies while those very strategies would help strengthen vulnerable families, prevent harm to children, and guard against inappropriate placement of children in foster care.

   b) If implementation of FFPSA cannot be delayed due to the pandemic, then support alignment to new federal regulation surrounding Families First Preservation Services Act (FFPSA), which has yet to be published.

   c) Support a technology approach to achieving better efficiency for all front-end workers and improving all child welfare outcomes by good quality data integration that will easily provide the right information at the right time to our workers about the children and families we serve. The new Federal Comprehensive Child Welfare Information System (CCWIS) rules replace the previous Statewide Automated Child Welfare Information System (SACWIS) rules. CCWIS affords the states an opportunity to enhance child welfare systems to better support their operational environment. Benefits of the new CCWIS model include: accommodating changes in practice and technology – built to meet State, not Federal needs, providing child welfare staff with information to make informed decisions and take timely action, encouraging program innovation, supporting collaboration with other Human Services, Health, and Education programs/systems, facilitating communication with Courts, promoting improvement of data quality, using new technology to support the child welfare
teams and activities, focusing on modularity and data sharing, promoting interoperability and leveraging existing assets, and intending to reduce costs for development and maintenance. Financial support from the State is necessary to transition to this approach that the Federal government will require in the coming years.

d) Support targeted case management billing for case management services in Child Welfare.

e) Support alignment of Florida Statute Chapter 39 with Florida Statute 893.03, which states that a certified Physician’s Assistant (PA) can prescribe controlled substances pursuant to HB 977 which took effect January 1, 2017. Currently Chapter 39 only permits dependent children to be prescribed psychotropic medications by licensed physicians. There is a national shortage of child psychiatrists and even fewer that accept Medicaid. Due to the shortage, children often have to travel hours for medication appointments, which have them on the roadways unnecessarily, and absent from school for longer periods due to long-distance travel.

f) Support safety by not releasing names of foster parents and lead or provider agency child welfare personnel by fixing a statute glitch which creates uncertainty.

g) Prioritization of guardianship for children with special needs.

h) Support full funding of State mandates related to the Independent Living Program and Extended Foster Care, Commercially Sexually Exploited Children (CSEC), and crossover youth (youth involved in both Dependency and Juvenile Justice Systems).

i) Support legislation to restructure and expedite background screenings of employees of child welfare agencies.

j) Oppose legal representation of children in foster care.
Subject: Flagler Hospital Medicaid Payment Policy*

1. PURPOSE: Request the State continues to support the current enhanced Medicaid payment policy for Flagler Hospital and other community hospitals.

2. DISCUSSION TOPICS:
   a) Flagler Hospital of St. Augustine currently is the sole provider for the indigent and uninsured population of St. Johns County.
   b) Flagler Hospital is one of seven hospitals in the State of Florida serving as sole community provider for these populations.

3. CONCLUSION/RECOMMENDATION: As Flagler Hospital is the only provider of medical care for indigent and uninsured residents and visitors of St. Johns County, the recommendation is the State of Florida continues supporting the current enhanced Medicaid payment policy for Flagler Hospital and other community hospitals offering such services.

* At the request of Flagler Hospital.
Subject: Homelessness Services Funding*

1. PURPOSE: Support for funding to combat homelessness and provide services necessary to address the needs of the growing homeless and transient population in the City of St. Augustine as well as within the County.

2. DISCUSSION TOPICS:

   a) The City of St. Augustine area as well as the County have a growing population of homeless and transients in need of services.

   b) With the State of Florida recently experiencing two hurricanes as well as the recent public health crisis, the numbers of homeless and transient individuals within the City of St. Augustine and County have increased.

   c) The City currently has one homeless shelter that offers some services, but is not financially capable of offering all needed services to the population.

   d) St. Johns County has received Federal funding to expand facilities relating to the homeless and transient population at a location in the State Road 207 area but still lacks the finances to offer all services necessary for the homeless.

3. CONCLUSION/RECOMMENDATION: The City of St. Augustine and the County support direct funding or grant opportunities to assist local jurisdictions in combating homelessness within their communities and with providing necessary services to the homeless population.

* At the request of the City of St. Augustine and the County.
Subject: Bonding and Pretrial Release

1. PURPOSE: Request the Florida Legislature to support judicial discretion for setting bonds and establishment of pretrial release practices due to rising jail populations and the impact on county budgets.

2. DISCUSSION/FACTS:

   a) The Bureau of Justice Statistics reports that the direct expenditure on criminal justice by local governments has grown from $21 billion to over $109 billion from 1982 to 2006.

   b) The National Association of Counties states that there has been a significant rise in jail populations since 1990, in spite of a significant decrease in the reported crime rates during the same period.

   c) Data from the Bureau of Justice Statistics depicts that County jails primarily house pretrial defendants with two-thirds of jail inmates in an un-convicted status.

   d) The National Association of Counties’ analysis of national data reveals four times as many defendants serve time pretrial than are incarcerated after conviction, consuming costly jail resources.

   e) More than 60 percent of St. Johns County’s jail population consists of individuals in a pretrial status, most of whom are unable to post a monetary bond.

   f) The St. Johns County Public Safety Coordinating Council desires to ensure that defendants appear for court proceedings without wasting costly jail beds on defendants who can safely be released.

   g) On March 12, 2010, the St. Johns County Public Safety Coordinating Council adopted Resolution 2010-1 expressing support for judicial discretion in setting bonds in all cases and establishment of pretrial release practices due to the rising jail population and impact on county budgets.

3. CONCLUSION/RECOMMENDATION: Request the Florida Legislature to support judicial discretion for setting bonds and establishment of pretrial release practices due to rising jail populations and the impact on county budgets.
Subject: Department of Juvenile Justice Cost Share

1. PURPOSE: Request Legislative Delegation support for a bill that would clarify a new juvenile detention billing process that is fair and balanced for Florida counties, prevent future billing disagreements, and equitably resolve billing disputes.

2. DISCUSSION/FACTS:

a) The Legislature historically mandated that counties pay for juvenile detention days prior to a juvenile’s final court disposition and the State pay for days after a case was resolved.

b) The Department of Juvenile Justice subsequently changed the relationship significantly by billing counties for all detention days, except for those incurred while a juvenile awaited “commitment” to a residential facility.

c) The abrupt conversion shifted thousands of additional days to counties and greatly increased the funding requirements, despite no corresponding change in statute.

d) Several counties filed administrative actions against the Department of Juvenile Justice and a District Court of Appeal affirmed a Division of Administrative Hearings Final Order that invalidated Department of Juvenile Justice rules, holding that the Department of Juvenile Justice improperly shifted financial responsibility for detention days to the counties.

e) Based on Department of Juvenile Justice data, counties unjustly paid in excess of approximately $100 million between 2008 and 2013.

f) The Department of Juvenile Justice issued new rules in 2014 to replace those invalidated by the District Court of Appeal. The Florida Association of Counties and 32 counties subsequently challenged the validity of these rules and the Division of Administrative Hearings issued a final order in April 2015, invalidating the rules in part and upholding the rules in part.

g) Legislative language was recently proposed for inclusion in the 2015-2016 budget implementing a bill authorizing the Department of Juvenile Justice to bill counties at a 57/43 percentage split of actual costs.

h) Ending future billing disputes will allow the State and counties to better focus on prevention, treatment, and rehabilitation programs that reduce juvenile detention, improve support for Florida’s youth, and reduce the cost of detention, ultimately better serving our communities and taxpayers.

3. CONCLUSION/RECOMMENDATION: Support a bill in future sessions that would clarify a new billing process that is fair and balanced to prevent future billing disagreements and equitably resolve billing disputes.
Subject: Allocation of Court Costs

1. PURPOSE: Amend Florida Statute section 939.185 to provide boards of county commissioners with discretion concerning allocation of additional court cost proceeds carried forward to the next fiscal year.

2. DISCUSSION/FACTS:
   a) Florida Statute section 939.185 currently stipulates that 25 percent of the additional court cost assessment (not to exceed $65) must be allocated evenly to court innovation programs, juvenile alternative programs, legal aid programs, and a law library for the public.

   b) Each stipulated program does not have equal costs to boards of county commissioners. For example, St. Johns County incurs $109,000 for court innovation programs, $42,000 for juvenile alternative programs, $315,000 for legal aid programs, and $35,000 for the law library for the public.

   c) A fixed 25 percent allocation of the court cost assessment therefore results in the County subsidizing some programs (court innovation and legal aid) while having an unused surplus in others (juvenile alternatives and law library).

   d) Allowing boards of county commissioners to have discretion concerning the allocation of the additional court cost proceeds would provide a more fair distribution in terms of covering the actual costs of allowable programs.

3. CONCLUSION/RECOMMENDATION: Recommend amending Florida Statute section 939.185, as was proposed by HB 573 in the 2016 Legislative Session, to provide boards of county commissioners with discretion concerning the allocation of additional court cost assessment proceeds carried forward to the next fiscal year.
Subject: Legislative Support and Funding for an Additional County Judge

1. PURPOSE: Request the Florida Legislature approve and fund an additional county judge to provide residents timely access to the courts.

2. DISCUSSION/FACTS:

   a) County judges process the following case types: criminal misdemeanor, criminal traffic, evictions, small claims, replevins, and county civil cases with a limit of $30,000.

   b) Two county judges currently serve in St. Johns County.

   c) St. Johns County was last allocated a county judge in 1973 when the population was 34,000.

   d) The population of the county has grown exponentially over the past 47 years. The population is now approximately 265,000.

   e) The limit for Small Claims was increased to $8,000 and the limit for county civil was increased to $30,00 – with another increase to $50,000 scheduled to occur on January 1, 2023, which will further exacerbate the issue.

   f) The county civil case counts will increase once the orders in response to the COVID-19 pandemic are lifted.

   g) St. Johns County’s county judges disposed an average of 8,563 cases in the previous year.

   h) The Honorable Judge Charles J. Tinlin, experienced judge with 32 years on the bench, will be retiring which will further increase caseloads and the resolution time of civil and criminal cases assigned to Division 66.

3. CONCLUSION/RECOMMENDATION: Acknowledge the need for an increase in judicial capacity. Florida Legislature should allocate an additional county judge.
Subject: Legislative Support and Funding for an Additional Circuit Judge*

1. **PURPOSE:** Request the Florida Legislature approve and fund an additional circuit judge to provide residents timely access to the courts.

2. **DISCUSSION/FACTS:**
   
a) Circuit judges process the following case types: criminal felony, juvenile delinquency, juvenile dependency, truancy, injunctions, dissolution of marriage, adoption, child custody, annulment, mental health, probate, guardianships, condominium disputes, contracts and indebtedness, eminent domain, auto negligence, environmental torts, premises liability (slip and fall), products liability, real property/mortgage foreclosures, professional malpractice, libel/slander, and constitutional challenges.

b) Four circuit judges currently serve in St. Johns County.

c) The last circuit court judgeship for the Seventh Judicial Circuit was added during the 2006 legislative session and assigned to St. Johns County.

d) In 2006, the population of the county was approximately 168,480. The population has increased by roughly 57 percent since the last circuit judge was assigned to St. Johns County.

e) The current circuit civil judge has an active caseload of approximately 3,329, which requires a minimum of sixty days to get an initial hearing and an additional six months or more to get a trial scheduled.

f) The circuit court case counts will increase once the orders in response to the COVID-19 pandemic are lifted.

g) The Honorable Judge John M. Alexander, experienced judge with 25 years on the bench, will be retiring which will further increase case counts and the resolution time of all cases that fall under the unified family court assigned to Division 57.

3. **CONCLUSION/RECOMMENDATION:** Acknowledge the need for an increase in judicial capacity. Florida Legislature should allocate an additional circuit judge.

* At the request of the Clerk of Courts.
Subject: State Aid and Cooperative Grant Funding

1. PURPOSE: Request State and Federal funding that encourages the establishment and continued development of free library services, including opportunities for expansion and innovation.

2. DISCUSSION/FACTS:

   a) Access to government services, especially e-government: Public libraries are the “go to” place when Floridians need to use a computer, ask a librarian for technology assistance, and access the Internet to get government services.

   b) Education and reading: Libraries are the safety net that insures students of all ages succeed in school. Florida’s public libraries offer almost 40 million items for learning and reading. More than 53 percent of Floridians have a library card, and more than 67.7 million visits to Florida libraries in person and 75.1 million visits to Florida library websites were made.

   c) Local economic development: Libraries provide vital services to small businesses, including research resources, educational programs, and assistance with business development. Libraries also help individuals with job searches and career development. A recent study commissioned by the Florida Department of State found that public libraries provide a $10.18 return on every dollar invested.

   d) Coordination of resource sharing: Through public libraries, Floridians can use resources from other libraries in their area and around the state via ground delivery service. The five multitype library cooperatives provide professional development and technical assistance to libraries of all types throughout Florida, thereby reducing costs to local libraries.

   e) Access to shared informational databases: Public libraries provide access to hundreds of shared informational databases that would otherwise be unavailable to the general public.

3. CONCLUSION/RECOMMENDATION: The following issues are State funded and are included in the Florida Library Association’s 2020 Legislative Platform:

   a) Recommend the restoration of State Aid to Public Libraries funding from the current $21,468,993 to the full funding amount of $33,400,000, the amount appropriated in FY 2001. If funding is reduced further, vitally needed Federal Library Services and Technology Act (LSTA) funds received by Florida will be reduced.

   b) Recommend the restoration of $2,500,000 in recurring funds to the Library Cooperative Grant Program as provided in F.S. 257.40-42.

   c) Recommend the restoration of $750,000 funding for the Smart Horizons Career Online High School Program. This program makes a private high school diploma more accessible to Floridians and prepares them for success in the workforce.
Subject: Lincolnville Museum and Cultural Center Infrastructure Repair Funding and Title Transfer*

1. **PURPOSE:** Request a title transfer from the State of Florida for ownership of Excelsior High School and $750,000 in State funding to repair Excelsior High School, which now houses the Lincolnville Museum and Cultural Center. Repairs to the deteriorating infrastructure of the building are necessary for both the interior and exterior.

2. **DISCUSSION/FACTS:**
   
a) Excelsior High School was the first high school in St. Johns County for African Americans. The current building was established in 1925, served as the hub of public education for African Americans, and played a historic role in the development of the Lincolnville community.

b) The Lincolnville Museum and Cultural Center has occupied the Excelsior High School building since 2007, and its mission is to preserve, perpetuate, and promote the rich cultural heritage of African Americans in Northeast Florida.

c) The museum is poised to become a major historical landmark in the Lincolnville community and St. Johns County as African American Cultural Tourism continues to rise throughout the state and nation.

d) The deteriorating infrastructure of this historical building has become a major challenge for the museum and requires significant repair; however, because the State of Florida holds legal title to the building, the museum is unable to request financial aid from agencies and grant sources that could potentially fund the repair project.

e) With a lack of clear title for the building, the museum is also disqualified from applying to many government-funded programs that have expressed interest in helping with repairs.

f) The State of Florida may also apply for grant options on behalf of the museum.

3. **CONCLUSION/RECOMMENDATION:** Request a title transfer from the State of Florida for ownership of Excelsior High School and $750,000 in State funding to repair Excelsior High School, which now houses the Lincolnville Museum and Cultural Center.

* At the request of the Lincolnville Museum and Cultural Center.
Subject: Grant Funding for Florida Forever Program and Scenic and Historic Byways

1. PURPOSE: Request continued State grant funding for the Florida Forever Program through the Department of Community Affairs and continued State and Federal grant funding for Scenic and Historic Byways.

2. DISCUSSION/FACTS:

   Florida Forever
   a) The Florida Communities Trust Florida Forever Program has helped local governments purchase land for parks, recreation, open space, and conservation. St. Johns County has had several successful partnerships with the Florida Communities Trust to purchase land through the Florida Forever Program.
   b) Developing land to provide parks and recreation facilities is important to the quality of life for residents and visitors in St. Johns County.
   c) Through development programs such as Florida Recreation Development Assistance Program, Land and Water Conservation Fund, and Office of Greenways and Trails Recreational Trails Program, St. Johns County is able to build parks for 50 cents on the County dollar.

   Scenic and Historic Byways
   a) St. Johns County is home to the A1A Scenic and Historic Coastal Byway, as designated by the National Federal Highway Administration’s (FHWA) National Scenic Byway program and the William Bartram Scenic and Historic Highway, as designated by the Florida Department of Transportation (FDOT).
   b) Both of these designated roadways are supported by strong volunteer groups and non-profit, community-based organizations.
   c) The designated byways are important scenic and historic gateways into St. Johns County that strongly promote St. Johns County’s history, tourism, local economy, and growth management efforts, as well as the Northeast Florida region.
   d) In the past, St. Johns County has been very fortunate to receive several national (via FHWA) and State (via FDOT) grants for various beautification projects along both the A1A Scenic and Historic Coastal Byway and the William Scenic and Historic Highway.

3. CONCLUSION/RECOMMENDATION: As St. Johns County continues to grow, it is important to continue to conserve lands for parks, recreation, and open space for future generations. St. Johns County requests the State Legislature continue to fund the Florida Communities Trust Florida Forever Program and maintain full funding allocations to local governments. Additionally, because the A1A Scenic and Historic Coastal Byway and the William Bartram Scenic and Historic Highway are important to the historical culture of St. Johns County and to tourism of Northeast Florida, St. Johns County requests legislative support for awareness of these designated scenic and historic roadways and for funding opportunities for their protection and enhancement.
Subject: Preservation of Agricultural Land

1. PURPOSE: Request the 2021 Florida Legislature to support legislation to assist counties in acquiring development rights to reserve land for working agricultural lands, and to revise legislation to encourage farm-to-consumer marketing.

2. DISCUSSION/FACTS:
   
a) St. Johns County is losing its agricultural base due to rapid development and punitive regulations imposed on our farmers by State and Federal government.

b) Thirty-three percent of working agricultural croplands (excluding silviculture) were converted to non-agricultural use between 1997 and 2007. Agriculture has a more than $400 million economic impact annually to St. Johns County.

c) The National Strategy for Homeland Security, issued in 2002, states “America’s critical infrastructure encompasses a large number of sectors. Our agriculture, food, and water sectors, along with public health and emergency service sectors, provide the essential goods and services Americans need to survive.”

d) St. Johns County has actively supported our farming community by advocating for regulatory relief, support of “Development Rights” programs, and assistance with exploration of new markets.

e) The options for St. Johns County to assist farmers in preserving their way of life are limited. Funding for purchasing “Development Rights” is beyond the reach of County government. The most onerous regulations are imposed by State and Federal government, and are not easily impacted by County government.

3. CONCLUSION/RECOMMENDATION: St. Johns County requests the Florida Legislature to support legislation to assist counties in supporting local agriculture by the purchase of “Development Rights” which will ensure farm land will remain in permanent agricultural use, and to reduce regulations that restrict the farmers’ ability to market their products, while increasing operating expenses, making it difficult to produce sufficient income to sustain their operations.
Subject: Funding for Parks, Trails, and Recreational Projects

1. PURPOSE: Allocate increased or additional funding to local governments for park, trail, and recreational infrastructure development and acquisition with special emphasis on connecting in-County segments of the State-wide bike path systems.

2. DISCUSSION/FACTS:

   a) Parks, trails, and recreational projects contribute greatly to the quality of life of any community and are integral to the overall health and welfare of residents throughout St. Johns County.

   b) Parks, trails, and open spaces have been proven to provide vital public health, economic, environmental, and social benefits to a community.

   c) According to the United States Department of Agriculture, almost 80 percent of the population in the United States lives in suburban or urban areas and depend on the benefits provided by local parks, trails, and conserved open spaces.

3. CONCLUSION/RECOMMENDATION: Support legislation and initiatives that allocate increased or additional funding to local governments for park, trail, and recreational infrastructure development and acquisition.
Subject: Waters of the United States/Unfunded Mandate


2. DISCUSSION/FACTS:

   a) To assure all parties that St. Johns County supports the Environmental Protection Agency and the Army Corps of Engineers in the effort to move forward with a protective and logical rule, rather than a guidance document, as originally proposed which is necessary to assure that Florida’s surface waters are clean, safe, and healthy.

   b) This first step proposes to rescind the definition of “waters of the United States” in the Code of Federal Regulations to re-codify the definition of “waters of the United States,” which currently governs administration of the Clean Water Act, pursuant to a decision issued by the U.S. Court of Appeals for the Sixth Circuit staying a definition of “waters of the United States” promulgated by the agencies in 2015.

   c) On April 21, 2014, the EPA and ACOE jointly released a proposed rule amendment to the definition of Waters of the United States under the Clean Water Act (CWA).

   d) Key terms used by the Waters of the United States definition include, tributary, adjacent waters, riparian areas, flood plains, uplands, and the exemptions listed, are inadequately explained.

   e) Counties own and operate a number of public infrastructure ditches, such as roadside swales, flood control channels, drainage conveyances, and stormwater. These ditches are used to safely funnel water away from homes, properties, and roads to keep our citizens protected. The proposed rule could have a significant impact on counties by potentially increasing the number of county-owned ditches that fall under federal jurisdiction.

   f) The agencies state that the purpose of the rule is to provide clarity in the jurisdictional process. However, the definition is unclear. The proposed rule states that man-made conveyances, including ditches, are considered jurisdictional tributaries if they have a bed, bank, an ordinary high water mark, and flow directly or indirectly into a Waters of the United States, regardless of perennial, intermittent, or ephemeral flow. The proposed rule excludes certain types of upland ditches with less than perennial flow or those ditches that do not contribute flow to a Waters of the United States. However, key terms like “uplands” and “contribute flow” are not defined. It is unclear how currently exempt ditches will be distinguished from jurisdictional ditches, especially if they are near a Water of the United States.

   g) Stormwater management activities are not explicitly exempt under the proposed rule, so it appears that man-made conveyances and facilities for stormwater management could now be
classified as a Waters of the United States. Some counties and cities own Municipal Separate Storm Sewer System (MS4) infrastructures, including ditches, channels, pipes, and gutters that flow into a Waters of the United States and are therefore regulated under the CWA Section 402 stormwater permit program. There is a significant potential threat for counties that own MS4 infrastructures because they would be subject to additional water quality standards (including total maximum daily loads) if their stormwater ditches are considered a Waters of the United States. Not only would the discharge leaving the system be regulated, but all flows entering the MS4 would be regulated as well. Even if the agencies do not initially plan to regulate an MS4 as a Waters of the United States, they may be forced to do so through CWA citizen suits, unless MS4s are explicitly exempted from the requirements.

h) On February 28, 2017, the President of the United States signed an Executive Order titled, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.” The newly proposed action will rescind the definition of “waters of the United States” in the Code of Federal Regulations to re-codify the definition of “waters of the United States,” which currently governs administration of the Clean Water Act, pursuant to a decision issued by the U.S. Court of Appeals for the Sixth Circuit staying a definition of “waters of the United States” promulgated by the agencies in 2015.

i) The agencies would apply the definition of “waters of the United States” as it is currently being implemented, that is informed by applicable agency guidance documents and consistent with Supreme Court decisions and longstanding practice. Proposing to re-codify the regulations that existed before the 2015 Clean Water Rule will provide continuity and certainty for regulated entities, the States, agency staff, and the public.

j) In a second step, the agencies will pursue notice-and-comment rulemaking in which the agencies will conduct a substantive re-evaluation of the definition of “waters of the United States.”

3. CONCLUSION/RECOMMENDATION:

a) Request the Florida Legislature to support the Presidential Executive Order signed on February 28, 2017, titled, “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule.”

b) Request the Florida legislature to direct the FDEP to initiate the collection and analysis of adequate, timely, and appropriate data upon which to base the definition of Waters of the United States specific to Florida and to participate and engage the agencies during the pursue notice-and-comment rulemaking in which the agencies will conduct a substantive re-evaluation of the definition of “waters of the United States.”
St. Johns County - 2021 Legislative Priority
Recreation, Open Space, and Land Conservation

Subject: Maximize Use of Land Acquisition Trust Fund Monies

1. PURPOSE: Request Legislative Delegation support for St. Johns County’s efforts to utilize Land Acquisition Trust Fund monies to protect local habitat, beaches, and water sources.

2. DISCUSSION/FACTS:
   a) As provided by law, the Land Acquisition Trust Fund (commonly referred to as Amendment One) is available for the acquisition and improvement of land, water areas, conservation easements, wildlife management areas, and conservation lands including wetlands, forests, fish, and wildlife habitat.
   b) The Land Acquisition Trust Fund may also be utilized to protect water resources and drinking water sources, including lands protecting the water quality and quantity of rivers, lakes, streams, and lands providing recharge for groundwater and aquifer systems.
   c) In addition, the Fund is available for the protection of beaches and shores, outdoor recreation lands, including recreational trails, parks, urban open space, and the enhancement of public access or recreational enjoyment of conservation lands.
   d) St. Johns County is bordered on the west by the St. Johns River and on the east by 42 miles of beaches and Atlantic Ocean coastline. In addition, the County is home to wetlands, conservation lands, parks, and natural amenities accessible to and utilized by the public.

3. CONCLUSION/RECOMMENDATION: Support the use of Land Acquisition Trust Fund monies to protect the natural beauty, water supply, and coastline of St. Johns County.
Subject: State Cooperation

1. PURPOSE: Request that the State cooperate with local governments to collectively serve the citizens of Florida in the best way possible, consider the financial condition of local governments when passing down unfunded mandates, and ensure local jurisdictions retain local control through legislation supporting home rule.

2. DISCUSSION/FACTS:

   a) A central feature of Florida's system of public finance is a division of revenue sources and service-delivery responsibilities between government at the state and local levels. Since 1940, the authority to levy ad valorem taxes on tangible property has been constitutionally restricted to local governments. All other forms of taxation are preempted to the state except as provided by general law.

   b) Since at least the early 1970s, this division of resources between state and local government has become increasingly imbalanced. Many statutory and constitutional restrictions have been placed on local property taxes, while at the same time general purpose local governments have been assigned unfunded mandates in growth management, environmental protection, pensions, worker's compensation, and other policy areas.

   c) Between 1969 and 2008, 113 amendments to the Florida Constitution have been approved by voters. Thirty-nine amendments affected the fiscal capacity of state or local government. Of these, 32, or 82 percent, originated in the Legislature. Most of the amendments proposed by the Legislature increased the fiscal capacity of the state government (85 percent) but decreased the fiscal capacity of local government (69 percent).

   d) In the mid-1980s, Florida enacted growth management legislation that required general purpose local governments to keep roads and other capital facilities abreast of population growth. The Legislature's effort to fund this "concurrency" requirement with state revenues failed when political support for the so-called "services tax" faltered. Local governments were forced by the concurrency requirement on roads, drainage, parks, and schools to raise property taxes, supplement general revenues with other sources of income, accept lower levels of service for facilities not included in Florida's concurrency-management system, and rely on the state government to grant them authority to levy other (non-ad-valorem) types of taxes.

   e) In 1990, voters amended the Florida Constitution to exempt counties and cities from future unfunded mandates unless the legislation is approved by a two-thirds membership vote of each house, or it meets other special conditions. However, the unfunded mandates amendment had little lasting effect on the frequency with which unfunded mandates were enacted. Although the number of mandates declined significantly in the years surrounding the passage of the unfunded mandates amendment, the number soon rose above previous highs and remained there in most years up to the present.
f) The unfunded mandates amendment also had only a modest impact on the costs that
unfunded mandates were imposing on local governments. Since 1990, annual costs of
unfunded mandates, adjusted for inflation, have never reached the 1980 level of $100
million, but in most years they have been at least $25 million, and in several years they have
been in excess of $50 million.

g) The costs of most mandates are modest, or are at least judged so in the analyses of legislative
staff. Since 1978, the Legislature has enacted 1,950 unfunded mandates. Of these, 88 percent
were either judged to have no costs, or the costs were not determined. The costs of another
five percent were estimated to be greater than zero but less than $10 million each. Only one
percent of all unfunded mandates since 1978 have cost local governments more than $10
million.

h) The large number of mandates with moderate costs for local government in the year of
enactment obscures the cumulative costs of mandates as they are layered on top of one
another year after year. The costs of unfunded mandates enacted in Year One are also
imposed in Year Two and each subsequent year. The rolling total reached $11 billion by
1990 when the unfunded mandates amendment was adopted. Since then it has risen above
$15 billion.

3. CONCLUSION/RECOMMENDATION: Request that the State cooperate with local
governments to collectively serve the citizens of Florida in the best way possible and consider
the financial condition of local governments when passing down unfunded mandates.
Subject: Transfer Terms for Incarcerated Individuals

1. **PURPOSE:** Oppose legislation that would prevent or delay the transfer of incarcerated individuals from county jail to state prisons.

2. **DISCUSSION/FACTS:**
   
a) Measures that would delay the transfer of convicted, sentenced, and incarcerated individuals from county jail to a state prison have been discussed as a budget management tool.

b) Such a measure could greatly increase the St. Johns County jail population and create an unfunded mandate of an estimated $1,621,851 annually.

3. **CONCLUSION/RECOMMENDATION:** Oppose legislation that would prevent or delay the transfer of incarcerated individuals from county jail to state prisons, as such a measure could greatly increase the St. Johns County jail population and create an unfunded mandate of an estimated $1,621,851 annually.
Subject: 75% Recycling Goal

1. PURPOSE: Request that policies adopted by the Florida Legislature assure that no unfunded mandates, such as those included in HB 7243, are imposed on local jurisdictions in either the short term or for the future.

2. DISCUSSION/FACTS: Passed in 2009, HB 7135 contained provisions that established a state-wide recycling goal to be met by 2010. In 2010 HB 7243, addressing amendments and clarifications to previous State recycling policies including HB 7135, was passed.

   a) With the passage of HB 7243, the Florida Legislature has not appropriated any new funds or identified any new revenue sources to implement the new recycling law; Counties would be on their own for at least the first several years relative to implementing the required recycling programs. HB 7243 requires affected public entities (cities and counties) to meet the following recycling rate goals by December 31 of the following years: 2012/40 percent; 2014/50 percent; 2016/60 percent; 2018/70 percent; and 2020/75 percent. This legislation will force many counties to make dramatic policy and infrastructure changes during the initial stages of this mandated progression without any funding support from the State.

   b) Recycling is carried out by and at the expense of local government jurisdictions using local revenue with no State funding.

   c) Recycling in St. Johns County currently costs residents $43 per household per year and covers only household waste recycling.

   d) Increasing the rate of recycling in St. Johns County from its current level of 16 percent (last Florida Department of Environmental Protection report year – 2012) to the 2014 level of 50 percent will require new local ordinances mandating increased levels of commercial recycling (businesses, yard waste, construction debris) as well as augmented residential recycling, which cannot be implemented without cost.

   e) Recycling in Florida’s existing economy is not economically self-supporting and is not expected to become self-supporting in the foreseeable future. Therefore, increasing the percentage of waste recycled will necessarily increase the cost of recycling.

   f) Unless adequate and appropriate revenues are generated at the State level and dedicated to supporting the real cost of increased recycling rates, the result of HB 7243 will be a significant, unfunded State mandate to local jurisdictions.

   g) Therefore, St. Johns County supports the recycling goals established in HB 7243 only if adequate and appropriate State revenues are dedicated to the cost of achieving these goals.

   h) St. Johns County does not support the distribution of state funds through competitive grants; distribution of revenues on the basis of population is the preferred methodology.
3. **CONCLUSION/RECOMMENDATION:** Establish adequate and appropriate State revenue sources dedicated to the cost of achieving the recycling rate goals established by HB 7243. Examples of such State revenue sources include, but are not limited to:

i. A “bottle bill” requiring a deposit for all types of drink containers.

ii. A plastic bag fee based on the number of bags ordered annually by any business.

iii. Statewide mandatory commercial recycling by entities defined as “commercial”, including a fee for compliance monitoring and enforcement.

iv. Statewide mandatory minimum recycling rate for construction and demolition debris facilities, including a fee for compliance monitoring and enforcement.

v. Statewide mandatory recycling of collected yard waste, including a fee for compliance monitoring and enforcement.
Subject: Utility Relocation Cost Shift Opposition

1. PURPOSE: Request Legislative Delegation continue supporting the opposition of legislation that would potentially force local governments to bear the cost burden of relocating utility infrastructure for private and public utility organizations.

2. DISCUSSION/FACTS:
   
a) Current law requires a utility provider to relocate its equipment from a county right-of-way if the equipment is found to be interfering in any way with the convenient, safe, continuous use, or maintenance, improvement, or expansion of a public road.
   
b) Legislation proposed during past legislative sessions would have required local governments to pay for the cost of relocating private utility lines.
   
c) There are more than 70,000 miles of County-maintained roadways in Florida.
   
d) If the previously proposed legislation were approved in a future legislative session, the estimated cost for some counties could be as much as $12 million annually.
   
e) Local governments are largely funded through the collection of ad valorem and sales tax dollars. If the cost burden of relocating private utilities is shifted to local governments, the cost would in essence be shifted to local tax payers.

3. CONCLUSION/RECOMMENDATION: Recommend that the Legislative Delegation oppose legislation that would require local governments to fund the relocation of infrastructure for private and public utilities.
Subject: Federal and State Funding for Hurricane Matthew and Hurricane Irma Recovery

1. PURPOSE: Request support for Federal and State funding for long-term Hurricane Matthew and Hurricane Irma recovery efforts within all impacted Florida counties.

2. DISCUSSION/FACTS:
   
   a) Hurricane Matthew impacted St. Johns County on October 7, 2016, and Hurricane Irma impacted the County on September 10, 2017.

   b) Both storms brought hurricane force winds, storm surge, and flooding in the communities along the Atlantic coast, intra-coastal waterway, and St. Johns River.

   c) Thousands of homes and businesses were impacted and require repairs or demolition.

   d) St. Johns County facilities, infrastructure, and properties sustained damages totaling approximately $60 million during Hurricane Matthew and $33 million during Hurricane Irma.

   e) All 42 miles of St. Johns County beaches experienced erosion with sand loss estimates totaling more than three million cubic yards, threatening approximately 500 homes and State Road A1A, and impacting one of the County’s most significant economic resources.

3. RECOMMENDATION: Request support for Federal and State funding for long-term Hurricane Matthew and Hurricane Irma recovery efforts within all impacted Florida counties.
Subject: Medical Care for Arrested Persons

1. **PURPOSE:** Recommend revision to Section 901.35, Florida Statutes, to reduce the potential burden on local governments with respect to the payment of expenses incurred in providing medical care to persons ill, wounded, or otherwise injured during or at the time of arrest for any violation of a state law or a county or municipal ordinance.

2. **DISCUSSION/FACTS:**

   a) Currently, Section 901.35, Florida Statutes, provides that the responsibility for paying the expenses of medical care, treatment, hospitalization, and transportation for any person ill, wounded, or otherwise injured during or at the time of arrest is the responsibility of the person receiving care. A provider of such services is to seek reimbursement from the following sources in the following order:
      • From an insurance company, health care corporation, or other source if the prisoner is covered for those expenses;
      • From the person receiving medical care, treatment, hospitalization, or transportation; and
      • From a financial settlement for the medical care, treatment, hospitalization, or transportation payable or accruing to the injured party.

   b) If reimbursement from the above sources is unavailable, the costs of medical care, treatment, hospitalization, or transportation are required to be paid from the general fund of the county in which the person was arrested if the arrest was for a violation of a state law or county ordinance or from the municipal general fund of the arrest was for a violation of a municipal ordinance. The responsibility for payment of medical costs exists until such time as the arrested person is released from the custody of the arresting agency.

   c) Florida courts have held that although local governments may seek reimbursement from prisoners for costs incurred, governments may not require restitution of medical costs as a condition of probation. *See Morran v. State*, 662 So. 2d 1339 (Fla. 2d DCA 1995); *Comeau v. State*, 611 So. 2d 68 (Fla. 1st DCA 1992).

   d) In Attorney General Opinion 1985-06, the Attorney General stated, “Section 905.35 seems to impose tertiary responsibility on the general fund for any medical expenses incurred for the treatment of persons ill or injured at the time of arrest, regardless of whether the person’s condition arises from or is attributable to the circumstances of the arrest.”

   e) It is very difficult for local governments to predict what their exposure will be under this statute in any given year. Over four fiscal years, St. Johns County has incurred the following costs in connection with payment of medical expenses for arrested persons:
      • Fiscal Year 2017-2018: $822,193 (as of August 16, 2018)
      • Fiscal Year 2016-2017: $763,661
      • Fiscal Year 2015-2016: $1,198,357
3. **CONCLUSION/RECOMMENDATION:** Recommend revisions to statute to reduce burden on local governments. Possible solutions include permitting local governments to require restitution of medical costs as a condition of probation, limiting the responsibility of local governments under this statute to payment of expenses related to illnesses or injuries that are attributable to the circumstances of arrest or incarceration, placing the responsibility for payment of expenses on the state where an arrest is for the violation of a state statute, or establishing a pilot program with a funding source which could be used for the payment of medical expenses for arrested persons.
Subject: Sustainable Florida and Water Conservation

1. PURPOSE: Request the Florida Legislature support legislation that enhances regional and local financial capacity to address water supply development and the flexibility of all available funding sources.

2. DISCUSSION/FACTS:

   a) It is crucial to ensure an adequate and reliable water supply for current and future generations of Florida residents.

   b) Mapping Florida’s most critical natural resources and pursuing new conservation methods should be a high priority in Florida.

   c) Florida must put increased focus on designing communities and buildings that are sustainable.

   d) A central organizing theme for all state public policy and agencies should be creating a sustainable Florida within one generation.

3. CONCLUSION/RECOMMENDATION: St. Johns County requests support of legislation that encourages research, policies, and best practices associated with appropriate water conservation and Sustainable Florida measures:

   i. Support the funding of the Water Protection and Sustainability Program within the Department of Environmental Protection for the development of alternative water supplies, water quality improvement projects, and comprehensive water infrastructure needs.

   ii. Support regional partnerships, incentives, and cooperative approaches to addressing long-term water sustainability in Florida.

   iii. Set a per capita target or goal for water use and quantifiable best management water practices and provide a stable funding base for the Conserve Florida program.

   iv. Support Florida-specific research on climate change and water management interrelationship to better understand the state’s water vulnerabilities and make appropriate and effective adaptations to water-planning regulatory and financial programs.

   v. Encourage regional visioning and support sustainable community design.

   vi. Strengthen Florida’s buildings to address issues of hurricane protection, insurance rates, water conservation, and energy conservation.

   vii. Continue the identification of Florida’s critical lands and waters and pursue new conservation methods.
Subject: Stormwater Trust Fund Pilot Program*

1. **PURPOSE:** Request the Florida Legislature support legislation that establishes a pilot program for small coastal cities to improve resiliency to sea level rise.

2. **DISCUSSION/FACTS:**
   a) Economic threat to smaller coastal communities is significant given the contribution to and the reliance on a tourism economy.
   b) Protection of the economic viability of Florida’s coastal communities is important to the economic viability of the entire State of Florida.
   c) A smaller scale coordinated approach provides the opportunity for rapid learning and refinement of the program.
   d) A pilot program addresses the preservation of historic assets of the State which propel both tourism and attract business investment in the small coastal cities.

3. **CONCLUSION/RECOMMENDATION:** The City of St. Augustine requests support of legislation that establishes a pilot program for small coastal cities to improve resiliency to sea level rise.
   a) Support funding to assess coastal cities in terms of vulnerability and risk.
   b) Support funding to develop plans and approaches including stormwater flood mitigation and coastal zone management, sharing best practices, and resources.
   c) Provide zero cost funding for vetted and scored stormwater projects.

* At the request of the City of St. Augustine.
Subject: City of St. Augustine Water, Wastewater, and Stormwater Infrastructure Funding*

1. PURPOSE: Support appropriations to increase funding for increasing resiliency in water, wastewater, and stormwater infrastructure in the City of St. Augustine.

2. DISCUSSION/FACTS:
   
a) Local governments need additional support for greater resiliency and mitigation from flooding, coastal threats, and inundations.

   b) Expand funding for water resource and flooding mitigation projects through cost-share programs such as water management districts.

3. CONCLUSION/RECOMMENDATION: Support legislation that provides the much-needed support to communities to aid in maintaining critical infrastructure. Florida’s coastal communities are threatened by rising tides without technical and financial resources to plan, manage, and adapt to the threats. Critical infrastructure must become more resilient to continue providing safe water supplies and treatment for the public.

* At the request of the City of St. Augustine.
Subject: St. Johns County Drainage Improvements Funding

1. **PURPOSE:** Request $6.7 million for numerous drainage system improvements and repairs throughout St. Johns County to alleviate flooding, improve traffic safety, and minimize future damage to roads, agriculture, businesses, and homes.

2. **DISCUSSION/FACTS:**
   a) Funding for design, permitting, and commencement of Deep Creek hydrologic function restoration from County Road 13 to State Road 207 through desnagging, debris removal, conveyance dredging to pre-Hurricane Matthew/historic state and stabilizing banks or creating wetlands to reduce sedimentation of the creek. Although the State started a project to increase water storage capacity and capture nutrient runoff that contributes to impairment of Deep Creek and the Lower St. Johns River, it was never completed. The County requests the State to initiate, facilitate, and execute design, permitting, land rights acquisition and restoration of Deep Creek to pre-Hurricane Matthew conditions in conjunction with the creation of a programmatic long-term maintenance mission. ($2 million)
   
   b) Funding for stormwater drainage improvements and pavement rehabilitation along Ponte Vedra Boulevard between Corona Road and Miranda Road including drainage system installation and road rehabilitation. ($2 million)
   
   c) Funding for construction of drainage improvements along 22 Street, 23 Street, Laurel Street, Myrtle Street, and Palm Street to alleviate street inundation and minimize future damages to roads, commercial businesses, public facilities, and residential homes with the creation of a programmatic long term maintenance mission. ($1 million)
   
   d) Funding for dredging beneath the County Road 13 Bridge to improve stormwater drainage in the Hastings area of St. Johns County and minimize future damages to state roads, agricultural commerce, commercial businesses, public facilities, and residential homes with the creation of a programmatic long term maintenance mission. ($1.7 million)

3. **CONCLUSION/RECOMMENDATION:** Identify and allocate $6.7 million in funding for numerous drainage system improvements and repairs throughout St. Johns County to alleviate flooding, improve traffic safety, and minimize future damage to roads, agriculture, businesses, and homes.
Subject: St. Johns County Fire Rescue Hazardous Response Team
Training and Equipment Funding

1. PURPOSE: Request $150,000 in funding to support training and required detection and mitigation equipment upgrade for the St. Johns County Fire Rescue (SJCFR) Regional Hazmat Team, which responds to chemical, biological, radiological, nuclear, and explosive emergencies.

2. DISCUSSION/FACTS:
   
a) Florida identified 28 local hazardous materials teams from fire departments that were capable and interested in advancing their technology and training related to chemical, biological, radiological, nuclear, and explosive emergency response. These statewide hazardous materials teams provide immediate emergency response to the potential or actual release of hazardous substances which threaten the population and environment.

b) As funding diminished in 2014, a decision was made to reduce the number of teams supported down to 19. Through a selection procedure that was not based on statistics or capabilities, SJCFR Hazmat Team sustainment and training funds were reduced from an average of $29,000 per year to zero dollars per year.

c) SJCFR has been struggling to maintain and/or upgrade this essential equipment necessary to provide for the protection of the citizens and visitors to the region and the State since that time.

d) The SJCFR Hazmat Team provides protection to a significant part of the region which includes the following major transportation gateways providing access to the entire State:
   a. Florida East Coast Railroad (FEC)
   b. Interstate 95
   c. Highway U.S. 1
   d. St. Johns River
   e. Intra-Coastal Waterway

e) St. Johns County contains approximately 130 commercial facilities required to report the storage of hazardous materials due to meeting or exceeding the storage threshold as required by law.

f) St. Johns County is also home to Saint Augustine; commonly known as the Oldest City in the Nation. Due to the city’s historical attraction, warm climate, and preferred location, it remains as one of the top vacation destinations in the United States.

3. CONCLUSION/RECOMMENDATION: Support legislation that implements a five-year sustainment program that allows SJCFR to continue its hazardous material response program. The projected cost is $30,000 per year for a total cost of $150,000.
Subject: Joint Regional Fire Training Center Funding

1. PURPOSE: Request support for a collaborative project between St. Johns County Fire Rescue (SJCFR) and the City of St. Augustine Fire Department (SAFD) that would include critical equipment acquisition and development of a Fire and Emergency Services Training Center located in St. Johns County utilizing current property available to SJCFR.

2. DISCUSSION/FACTS:
   
a) SJCFR has historically utilized and assisted in the maintenance and support of the St. Johns County School District (SJCSD) north campus facility, working collaboratively to keep this public safety training facility operational. As a result of multiple years of limited funding, the facility has reached a point where significant improvements are necessary to ensure it remains a fully functioning facility for fire and emergency services training. SJCFR is requesting assistance and funding to support this facility by collaborating with the SJCSD to complete significant improvements to this facility. In the event improvements are not practical or supported at the SJCSD site, the requested funding will be utilized at an alternate location identified adjacent to SJCFR Administration which would meet this public safety training need.

   b) As a local benefit, firefighters, emergency medical technicians, and paramedics will receive valuable and lifesaving training that will benefit both professional and volunteer fire rescue agencies. As a regional benefit, this training facility would directly impact multiple agencies and jurisdictions. With the location of our Administrative facility directly adjacent to either site, the Department can conduct efficient training for all personnel and regional departments. Fire departments which will benefit from the use of this updated facility include St. Johns, the City of St. Augustine, Flagler County, Palm Coast, Clay County, and Putnam County. The realization of a modernized training facility will significantly contribute to the core capabilities of SJCFR and all regional assets. SJCFR alone consists of 337 members of which completed more than 76,000 hours of fire training during the 2017 year.

   c) The request for funding will provide new equipment and site preparation to improve effectiveness, safety, and realism of training for local and regional partners. The funds requested will allow SJCFR to work with regional partners to reach a standard which will allow for more valuable, complex, and frequent training. Proposed site preparation/improvements:
      - Site preparation and development of current fire rescue property: $200,000.
      - Purchase and install a fire training building capable of live fire, high angle, multi-story, water supply, and confined space training to meet standards (ISO, NFPA) and improve upon training opportunities for local and regional partners: $500,000.
      - Purchase and install “car fire” simulator system which will provide a safer, realistic, and efficient training environment: $50,000.
      - Total Requested Budget: $750,000.

3. CONCLUSION/RECOMMENDATION: St. Johns County is requesting $750,000 in funding for the collaborative efforts of site development and equipment purchase for a local and regional public safety training facility. Upon completion, this will facilitate a safer and higher level of training for SJCFR, the SAFD, and regional public safety partners.
Subject: Revision of Florida Statute §252.38 – Allow County Jurisdictions to extend Local State of Emergency to a Maximum of 30 Days

1. PURPOSE: Request the Florida Division of Emergency Management to revise §252.38(3)(a)5 to allow for county jurisdictions to extend Local State of Emergency to a maximum of 30 days.

2. DISCUSSION/FACTS:
   
a) Due to the ongoing global pandemic, COVID-19, St. Johns County Board of County Commissioners has declared a Local State of Emergency weekly, for the past three months (15 weeks as of the date of creation of this document), and continues to renew them weekly.

b) The current law requires a Local State of Emergency to be executed every seven days by the governing authority. This has become overly burdensome due to the extended nature of this incident.

c) The Local State of Emergency serves as an important tool for county jurisdictions when responding to and recovering from disasters. Historically the duration of a disaster is longer than seven days, as such, the duration of the Local State of Emergency should be flexible.

3. CONCLUSION/RECOMMENDATION: The recommendation is for a revision of §252.38(3)(a)5 to allow county jurisdictions to extend Local State of Emergency to a maximum of 30 days.
Subject: Healthcare Facility Construction

1. PURPOSE: Support legislation and land use regulations preventing nursing homes and assisted living facilities from building new facilities in evacuation zones A and B.

2. DISCUSSION/FACTS:
   a) Nursing home and assisted living facility patients are fragile and evacuating these individuals can be detrimental to their health.
   b) A lack of suitable transportation and host facilities to evacuate clients exists statewide.
   c) The financial burden on facilities to evacuate can be enormous. If the facility is damaged, the financial burden then becomes even larger as the residents must be placed in other facilities, resulting in a loss of income.

3. CONCLUSION/RECOMMENDATION: Create land use regulations that prevent further development and construction of nursing homes and assisted living facilities in evacuation zones A and B.
Subject: Healthcare Facility Regulations

1. **PURPOSE:** Support legislation directing the Agency for Healthcare Administration (AHCA) to update and revise Comprehensive Emergency Management Planning (CEMP) Criteria for Nursing Homes and Assisted Living Facilities. This must include a mandate for AHCA to enforce the requirements set forth in the criteria by imposing fines or revoking licensure for facilities in non-compliance.

2. **DISCUSSION/FACTS:**
   a) Current CEMP Criteria for Nursing Homes and Assisted Living Facilities were written in 1994 and 1995, respectively.
   b) A lack of regulation by AHCA to specific timelines currently written into statute and rule allows healthcare facilities to operate for extended periods of time without an approved CEMP.
   c) A lack of enforcement of the requirements to have a CEMP, combined with a lack penalties for not having one, allows facilities to operate without updating or submitting their plan to local emergency management authorities while continuing to be licensed through the AHCA.
   d) The failure of a healthcare facility’s CEMP during emergency situations currently does not initiate penalties. As a result, several facilities that experienced plan failures during both Hurricane Matthew and Hurricane Irma required local emergency management officials to incur unnecessary costs and responsibilities in order to protect the health, safety, and welfare of healthcare facility residents.

3. **CONCLUSION/RECOMMENDATION:** Update and enhance CEMP and Emergency Environmental Control Plan criteria and enforcement mandates of the Agency for Healthcare Administration, including imposing fines and revocation of license as appropriate.
Subject: Sea Level Rise Infrastructure Funding*

1. PURPOSE: Support increased funding for infrastructure grants to combat sea level rise.

2. DISCUSSION/FACTS:

   a) The threat from seal level rise to counties and municipalities is significant given the increased populations moving to coastal communities.

   b) Protection of economic viability of Florida’s coastal communities is important to the economic viability of the entire State of Florida.

   c) The population’s reliability on government infrastructure to protect the coastal community’s resources is a risk given the financial impact it will have on each community.

   d) Sea level rise is a growing concern along the coastline of Florida.

   e) The cost of fortifying coastal infrastructure is beyond the financial capabilities of many coastal communities.

3. CONCLUSION/RECOMMENDATION: The City of St. Augustine supports funding to, a) assess coastal communities in terms of vulnerability and risk associated with sea level rise; b) help communities develop plans and approaches including sea level rise mitigation, sharing best practices and resources; and, c) construct infrastructure to combat sea level rise.

* At the request of the City of St. Augustine.
Subject: Anastasia Mosquito Control District Sterile Insect Technology Facility*

1. **PURPOSE:** Request $890,000 in State funding for a Sterile Insect Technology (SIT) facility for the Anastasia Mosquito Control District.

2. **DISCUSSION/FACTS:**
   
   a) The SIT facility will be utilized to sterilize male vector mosquitoes through radiation and Wolbachia bacteria infection. The male mosquitoes will then be released into the wild to mate with female mosquitoes causing them to lay non-fertile eggs.

   b) The new technology has been successfully used for control of fruit flies, eradication of screwworms, and control of dengue fever and Zika vector mosquitoes in several countries.

   c) The Anastasia Mosquito Control District plans to build a 6,000-square-foot facility within the next three years to rear and treat male mosquitoes in the Northeast Florida region.

   d) The Anastasia Mosquito Control District is requesting that the State of Florida provide $890,000 in matching funds for the cost of the SIT facility. Additional grants will be utilized to purchase necessary equipment and hire additional staff as needed.

3. **CONCLUSION/RECOMMENDATION:** The Anastasia Mosquito Control District is requesting $890,000 to fund the cost of building a Sterile Insect Technology facility in Northeast Florida to help control the local mosquito population.

* At the request of the Anastasia Mosquito Control District.