



City of Okeechobee 2023-2024 Legislative Priorities

The City of Okeechobee thanks you for your service and appreciates your dedication to the rural areas and for your support especially with funding of the water quality grant programs for resilience, stormwater, wastewater and water infrastructure, broadband, and for transportation funding.

We are requesting your assistance and support with the following 2023-2024 Legislative priorities:

Appropriation Funding Requests:

- **Public Safety Facility:** \$1,200,000 – Funds will be used for contractual architectural/engineering and construction services to address hardening of City-owned Public Safety Building, which will serve as additional Emergency Operations Center for police and the general services department.
Resilience improvements include replacement of openings with storm rated and approved doors/windows, hardening of exterior structural defects and security concerns and strengthen the building for disaster preparedness compliance.
- **City Hall Storm Hardening Improvements:** \$1,200,000 – Funds are to be used for contractual architectural/engineering and construction services to harden City Hall with hurricane approved windows/doors, replace old/aging roof and address structural concerns. The project provides for life, health and safety to employees and citizenry conducting business, attending Council meetings and other public events.
- **SLERS Radio Equipment:** \$412,503 – To meet the State mandate, the city must replace the existing 12-year-old portable/mobile emergency radios, dispatch consoles, equipment/software with the SLERS-2 APCO P-25 Phase 2 system. The new system ensures the safety of first responders, citizenry, protection of life, health and property and addresses the Florida DMS Law Communications Plan that ensures direct communications with all State law enforcement agencies at all times (24 hours a day, 7 day a week 365 days a year). Given the urgency in getting on the new SLERS system in a timely manner, the City felt it essential to purchase new radios up front in order to get the best price and without delays to be operational.

Issues of Concerns:

Home Rule/Unfunded Mandates -- Our appeal to you as Legislators continues to be to help us by **avoiding unfunded mandates and attacks on home rule** and all legislation that will eventually cause harm. As a Rural Area of Opportunity (formerly known as Rural Area of Critical Economic



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Concern/RACEC), we need your continued support on any front to augment our fiscally constrained plight. Our area has fallen on uniquely difficult times...more specifically our:

- Unemployment above State averages.
- Poverty level is higher than State averages.

We seek your Support for:

Lake Okeechobee LOSOM –Thank you for including funding for northern water storage treatment programs. We support the scientific methodology as it reduces pollutants flowing into the Lake Okeechobee Basin and Estuary. The City's position for the new LOSOM schedule is as outlined in the attached Resolution No. 2021-07.

Broadband Expansion Programs – We appreciate your efforts and support with the broadband initiative programs for telecommunications infrastructure improvements and expenses for critical technologies needed for all levels of education requirements, telemedicine, access for government programs and/or applications, etc.

During the pandemic, the City added solar hot spots to the City Parks with COVID-19 funding sources for families and individuals, which proved to be a significant program for our community. The hot spots incur a monthly expense for the City.

FDOT – Continued financial commitment to State Road 70 widening project; including SR 70 west to Highway 27 -- FDOT anticipates much needed extraordinary expenditures within Okeechobee County, which will foster continued economic growth, traffic congestion relief and appropriate evacuation routing.

Increase/Maintain Funding of State Programs:

- State Grant programs –
 - Florida Department of Environmental Protection (FDEP) water quality grants for resiliency, wastewater, stormwater, and water improvements. *Thank you for your support and funding of the Taylor Creek SE 8th Avenue Stormwater Conveyance project.*
 - Florida Recreation Development Assistance Program (FRDAP) -- This Florida Department of Environmental Protection (FDEP) grant program provides matching funds for certain new outdoor recreational projects and certain improvements to existing parks. Since, funding for FRDAP is contingent upon an annual legislative appropriation, we request full funding of this program. The City has successfully secured funding through this program most recently for Cattlemen's Square and Centennial Park!
 - Dept. of Economic Opportunity Programs Rural Infrastructure Programs -- The Rural Infrastructure Fund (RIF) Grant is to facilitate the planning, preparing and financing of infrastructure projects in rural communities which will encourage job creation, capital



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investment and the strengthening and diversification of rural economies. The RIF program is intended to facilitate access of rural communities to infrastructure funding programs.

- Historical Preservation Programs - Thank you for continuing to fund the Historical Grant programs. The City supports these important grant programs that assist with keeping Florida's history in the forefront, i.e. Okeechobee Battlefield Historic State Park, and historical buildings including City Hall that was built in 1926.
- FDOT Grants - Small County Outreach Program (SCOP) - Please continue to allocate funds to SCOP. The \$9 million funds established for RAO municipalities allows our City an avenue to improve our roadways through this program, which addresses repairing or rehabilitating bridges, paving unpaved roads, addressing road related drainage improvements, resurfacing or reconstructing roads, or constructing capacity or safety improvements.

Issues of Financial Concern:

Exemptions – State Mandated

Our City has always been cognizant of taxpayer affordability. Our request, which parallels the 'no unfunded mandate' statement, is that there is ***no mandated tax exemption***, or at least there is no legislation that echoes the 'one size fits all' philosophy. Any legislation proposing additional tax exemptions should give the local jurisdiction the authority to initiate.

Local Business Taxes

The City requests that our legislative delegation not support any actions to remove or alter the current Florida Statutes allowing counties and municipalities the authority to levy local business taxes subject to certain conditions. These local business taxes are currently used by local government to provide resources for a variety of services, including public safety and economic development. In connection with the Business Tax Receipt (BTR), the City performs a number of inspections including health and safety review. The BTR provides a registry of business activity that can be monitored for appropriate zoning, land use and Code compliance. A number of legislative initiatives through the years has been brought forward that restricted or would have repealed the authority of local governments to levy the local business tax; negatively impacting resources for providing services and future bonding needs. No legislation should be enacted that eliminates or further restricts the use of the local business tax. The City of Okeechobee revenue loss is estimated at \$70,000+.

Communications Services Tax (CST)

The City requests that a solution to declining and inequitable Communication Service Tax be considered.

Legislative and technological changes which have occurred over the past few years have resulted in an erosion of CST revenues to the state and local governments, diminishing the reliability of the revenue stream for operating and future bonding needs. These changes have also resulted in like services being taxed differently depending on the service provider or method of sale, causing



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the very discrimination the Communications Services Tax Simplification law was intended to prevent.

In light of the fact that any changes to the CST revenue stream not carefully conceived could cause serious financial harm to local government, legislation aimed at reforming the Communications Services Tax should:

- Be developed through consensus by a working group comprised of local governments, the communications industry and the state;
- Allow the CST to remain a locally-controlled revenue stream;
- Be carefully crafted to stabilize the currently diminished local government share of CST revenues and augment revenues by eliminating certain loopholes that have been realized;
- Remove competitive advantages by providing similar tax treatment to similar services, regardless of the technology utilized nor method of delivery;
- Provide transparency, such that the tax can easily be recalculated by the customer and audited by DOR.

Support for Other Local Agencies:

The City of Okeechobee supports the legislative initiatives of each agency below:

- Okeechobee County
- Okeechobee Utility Authority
- Okeechobee County School District
- Chamber of Commerce
- Florida League of Cities, as appropriate
- Treasure Coast Council of Local Government
- Treasure Coast Regional League of Cities
- Career Source Heartland
- Central Florida Regional Planning Council
- Indian River Lagoon/National Estuaries Program

RESOLUTION NO. 2021-07

A RESOLUTION OF THE CITY OF OKEECHOBEE, FLORIDA; ON THE RE-EVALUATION OF LAKE OKEECHOBEE OPERATIONS BY THE U.S. ARMY CORPS OF ENGINEERS PURSUANT TO THE NATIONAL ENVIRONMENTAL POLICY ACT ASSESSMENT FOR THE LAKE OKEECHOBEE SYSTEM OPERATING MANUAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake Okeechobee is the liquid heart of an integrated regional water management system and is essential and interconnected to communities, businesses, agriculture, public water supply utilities and ecosystems throughout Okeechobee County; and

WHEREAS, Lake Okeechobee is an integral component of the Comprehensive Everglades Restoration Plan (CERP) and is critical to meeting the environmental restoration and water supply needs of South Florida; and

WHEREAS, Lake Okeechobee is essential to protecting the region's water supply infrastructure from saltwater intrusion by providing a source of freshwater to prevent the migration of saltwater into coastal wellfields; and

WHEREAS, Lake Okeechobee's authorized project purposes include flood control, water supply, recreation, navigation, environmental effects to fish and wildlife, and cultural and recreational sources; and

WHEREAS, Section 1106 of the 2018 Water Resources Development Act (WRDA) directs the Secretary of the Army to expedite completion of the Lake Okeechobee regulation schedule to coincide with completion of the Herbert Hoover Dike project, and may include all relevant aspects of the CERP; and

WHEREAS, in January 2019, Okeechobee County received notice from the U.S. Army Corps of Engineers (Corps) that, in accordance with Section 1106 of the 2018 WRDA, the Corps is beginning preparation of a National Environmental Policy Act (NEPA) assessment for the Lake Okeechobee System Operations Manual (LOSOM), which is to re-evaluate and define operations for the Lake Okeechobee regulation schedule that takes into account nearly complete additional infrastructure which will soon be operational components of the water management system; and

WHEREAS, rehabilitation activities on Lake Okeechobee's Herbert Hoover Dike by the Corps began in 2001 and are expected to be complete by 2022; and

WHEREAS, the Lake Okeechobee Regulation Schedule for 2008 (LORS08) was implemented as an interim measure to protect the public from the risk of catastrophic failure of the Herbert Hoover Dike; and

WHEREAS, the City of Okeechobee, along with the Lake Communities, has provided direction as to which measures that the City of Okeechobee supports and opposes in the Lake Okeechobee operations re-evaluation process and the resultant LOSOM.

NOW, THEREFORE, be it resolved before the City Council for the City of Okeechobee, Florida; that the City presented at a duly advertised public meeting; and passed by majority vote of the City Council; and properly executed by the Mayor or designee, as Chief Presiding Officer for the City:

SECTION 1. The City hereby supports the following as it relates to the re-evaluation of Lake Okeechobee operations by the Corps:

1. A science-based evaluation that is transparent and acknowledges and balances all congressionally-authorized purposes of Lake Okeechobee operations; and
2. Performance measures that appropriately and accurately characterize impacts to all communities as it relates to water supply, the environment, flood protection, and the economy; and

3. The incorporation of data and methods to ensure proposed operations improve lake ecology, protect water supplies and are robust and resilient to expected climatic variability; and
4. The implementation of water storage and water quality treatment projects in Lake Okeechobee tributary basins north of the Lake; and
5. Lake Okeechobee operations that reduce flood risk and flood insurance premiums for residents and businesses in the Glades communities located southeast of Lake Okeechobee; and
6. Lake Okeechobee operations that assist in achieving restoration flows and other key ecosystem goals, including performance measure developed by CERP's Restoration Coordination and Verification (RECOVER) program; and
7. The avoidance and/or minimization of Lake Okeechobee discharges to the Lake Worth Lagoon, Loxahatchee River, Indian River Lagoon, St. Lucie Canal, and Caloosahatchee River; and
8. The recognition of the Water Resources Development Act (WRDA) 2000 which included the water savings clause that protects the water supply of existing legal users.

SECTION 2. That the City opposes the following as it relates to the re-evaluation of Lake Okeechobee operations by the Corps:

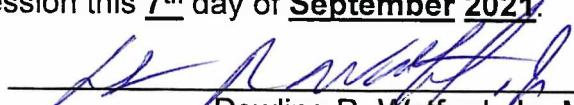
1. Drastically lowering Lake Okeechobee to levels not supported by sound science (e.g. 10.5 feet) which would induce drought conditions, impact the ability to deliver water to critical ecosystems, and result in significant environmental damage; and
2. Lake Okeechobee operations that result in increased risk of saltwater intrusion into coastal wellfields which would cause irreversible damage to freshwater supplies, affect the health and safety of residents, and result in the need for massive alternative water supply infrastructure investments; and
3. Lake Okeechobee operations that result in restrictions on recreational and commercial fishing, which would impact small businesses such as marinas, fishing guide services and the hospitality industry.

SECTION 3. All Resolutions or parts of Resolutions in conflict herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or provision and such holding shall not affect the validity of the remaining portions or applications here.

SECTION 5. This Resolution shall take effect immediately upon its adoption.

INTRODUCED AND ADOPTED in Regular Session this 7th day of September 2021.


Dowling R. Watford, Jr., Mayor

ATTEST:


Lane Gamiotea, CMC, City Clerk

REVIEWED FOR LEGAL SUFFICIENCY:


John J. Fumero, City Attorney