

SUPPORT

SB 102 BY SEN. ALEXIS CALATAYUD

HB 627 BY REP. DEMI BUSATTA-CABRERA



THE "LIVE LOCAL" AFFORDABLE HOUSING PACKAGE

Summary: The "Live Local Act" seeks to provide expanded workforce and affordable housing in the state. The bill, a priority for Senate President Kathleen Passidomo, represents a tradeoff: local governments forfeit their limited rent control authority, must provide certain height/density incentives for developers, and must authorize affordable housing development in commercial/industrial zones. In exchange, the bill provides unprecedented funding, technical assistance, and local flexibility on an affordable housing tax exemption.

FUNDING



for the State Housing Initiatives Program (SHIP) for FY2023-24. This represents a 20 percent increase from prior FY funding levels.



in total funding for the State Apartment Incentive Loan (SAIL) Program, including \$150 million in recurring funding.



toward the Hometown Heroes housing program. The program, established in 2022, provides down payment assistance and reduced mortgage rates for eligible frontline workers when buying their first home.



for a competitive loan program to alleviate inflation-related costs on future FHFC construction.

HIGHLIGHTS

- **Local Option Property Tax Exemption:** the bill authorizes counties to adopt an ad valorem tax exemption for property used for affordable housing. “Affordable” under this section includes households up to 60% of the Area Median Income (AMI). The bill also contains a safeguard allowing counties to revoke or deny the exemption based on repeated code violations—weeding out bad actors.
- **Sales Tax Refund for Building Materials** used for construction of affordable housing. Building materials used in new construction of affordable housing units after July 1, 2023 are eligible for a sales tax refund of up to \$5000.
- **Direction for Technical Assistance** from the Florida Housing Finance Corporation (FHFC) to facilitate the use or lease of local government property for affordable housing purposes. This section specifically identifies projects that address housing needs within Rural Areas of Opportunity as a statutory priority.



While this bill requires compromise, it adds key tools to the county toolbox toward housing solutions. As you meet with Senate members of your county delegation, please express our appreciation for the resources in this bill. At the same time, urge House members for their support to get this bill across the finish line.



WATER IS THE LIFEBLOOD OF FLORIDA

TO MEET THIS CHALLENGE,

No area of infrastructure is more important to the prosperity of the State of Florida than its water resources. According to the Florida Office of Economic and Demographic Research, Florida will need more than \$136 Billion over the next 20 years to address its water resource protection and infrastructure needs. This figure, while staggering, does not include the projected funding needs for implementing adaptation strategies for inland and coastal flooding associated with climate change and sea level rise.

Florida needs a comprehensive framework for coordinating and prioritizing water project funding for, among other needs:



algal blooms



water conservation



marine resources/
habitat/coral reef
protection



water quality
protection



minimum
flows and levels



stormwater
management



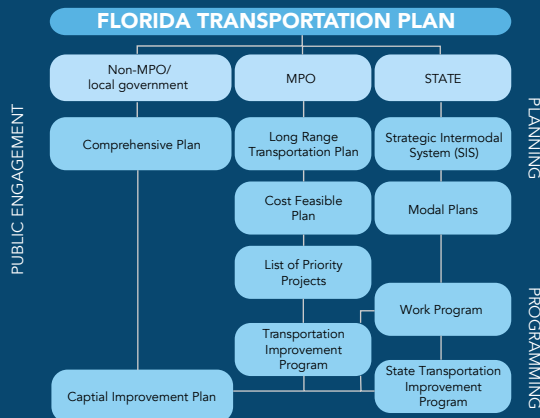
climate change
adaptation and
resiliency

STRATEGIC PLANNING & STRUCTURE



The Florida Association of Counties SUPPORTS:

- Creating a recurring five-year water-related work plan and statewide strategic plan.
- Increasing funding for local water infrastructure projects with direction for coordination of the various state/regional entities



- The State of Florida already has a successful framework for planning and delivering large scale transportation infrastructure projects under the Florida Transportation Plan, which includes a rolling Five-Year Work Plan.
- Water stakeholders should view this as a viable model for planning, funding, and implementing critical water resource projects.

FLORIDA MUST REPEAT ITS SUCCESS WITH SIMILAR STRUCTURE FOR WATER RESOURCES PLANNING & FUNDING

A CONCEPT: FLORIDA WATER WORK PLAN & WATER POLICY COMMISSION (WPC)

- The Legislature could consider establishing a similar planning structure as the Florida Transportation Plan for “All Things Water”
 - Water Quality, Water Supply, Ecosystem Restoration, Flood Control, Water Resources Management, and Regulatory Implementation
 - Delineate roles for State, Local, WMDs, & Private sector partners
 - Structure provides: Coordination, Predictability, Accountability
 - Outcomes focused
- Led by FDEP, the WPC could be appointed by the Governor to coordinate Water Work Plan
- Underneath the WPC, a Strategic Water Policy Planning Committee could provide recommendations from local governments and water management districts
 - Suggested to be Chaired by DEP Secretary
 - This group could represent all stakeholders: State Agencies, WMDs, Local Governments, Industry, Water Utilities, Environmental Groups, and more
- The WPC could review and approve the 5-year water work plan and statewide strategic plan



Strengths of Using the Transportation/Work Plan for Water

- Strategically aligns investments with goals
- Collaboration promotes partnerships beyond jurisdictional boundaries eliminating barriers
- Provides sustainable & reliable funding

BUDGETS REFLECT OUR VALUES

1%

Water Infrastructure expenditures account for less than 1% of the entire state budget



Water Management Districts have had their revenue growth frozen for approximately 15 years leaving the state to supplement their expenditures in an amount that today surpasses the combined ad valorem revenues of the water management districts.

OPPOSE

HB 1197 BY REP. MAGGARD/SB 1240 BY SEN. BURGESS WATER CONTROL SUPER PREEMPTION



SUMMARY

- Preempts counties from the regulation of water quality, water quantity, pollution control, discharge prevention or removal, and wetlands to the state. This is a complete preemption of our counties' authority to regulate water, wetlands, and the pollution of natural resources.
- The bill states that local governments "may not adopt" any regulations. This absolute language preempts all such regulations to the state with no indication of who will take on the additional local responsibilities.
- Noncompliance with the preemption could result in all state funds being withheld from local communities including funds unrelated to water management.
- Further, the bill directly ignores Governor Desantis' Executive Order 23-06, that lays out local and state coordination of the State's water infrastructure and resource conservation strategies.

PLEASE NOTE:

The bill includes narrow exemptions. The preemption would not apply to:

- *An interagency or interlocal agreements between specified entities, between the Department of Environmental Protection and any agency, water management district, or local government affecting the water resources of the state.*
- *The authority of a county or city over the regulation and operation of their own water systems, wastewater systems, or stormwater systems.*

POTENTIAL IMPACTS



Removes the ability to protect clean water

Unclear definitions in the bill could lead to confusion of regulation of water safety cleanup, eg. illegal dumping, algal bloom, ride tide management, and more



Limits ability to comply with federal and state requirements on environmental policy

- Direct conflict with floodplain management and FEMA recommendations
- Potential impacts on obtaining state and federal permits for county development projects (eg. wetlands)
- Impacts the Natural Resources Element of Comprehensive Plan policy



Creates restriction in meeting criteria for additional flood protection,

which could severely affect a community's CRS rating, thereby costing Florida residents millions of dollars in additional flood insurance premiums



Creates inability to meet or exceed the water quality standards required

by DEP for BMAP compliance



ACTION



Urge your Legislative Delegation to NOT hear this bill!



And, if placed on the agenda vote NO on HB 1197 & SB 1240!

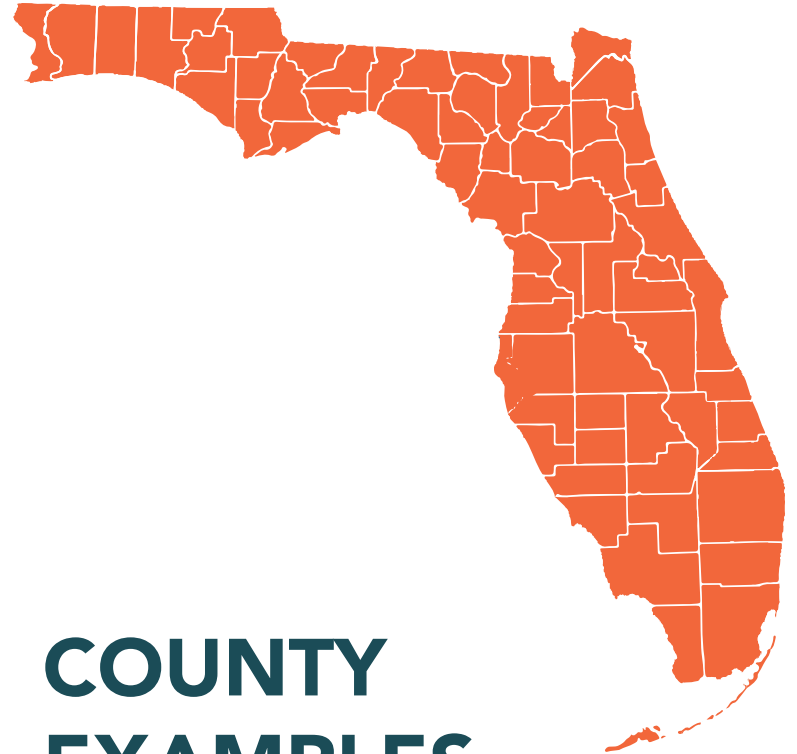


Share your county ordinances that will be impacted under this bad preemption.

- Why water management and safety should be kept at the local level. Discuss the diversity and range of each of Florida's unique water systems
- How local programs have protected the environment and fostered resiliency for present and future generations in coordination with the state



Counties are NOT starting at square one. Local regulation is overseen by both state and federal regulations and administered by the FDEP and other entities, such as water management districts



COUNTY EXAMPLES

- Water quality ordinances impacted under this bill include: Hazardous Materials Releases, Stormwater and Surface Water Pollution, Landscape Maintenance, Fertilizer Ordinances, Oil and Gas Well Stimulation, Aquatic Preserves and Seagrass Damage, Water and Navigation Regulations, Surface water regulation, land management regulation, and more
- Water quantity ordinances impacted under this bill include: extension of water supply system, acquisition of lands and water rights, county year-round water conservation measures, and county reclaimed water shortage conservation measures, and more
- All local pollution control programs
- Ordinances related to protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitats