

RESOLUTION No. 2010-44-1226

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING THE 2010-2011 FEDERAL LEGISLATIVE PROGRAM FOR THE CITY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Miami Gardens has retained the services of lobbyists to represent the City's interests in Federal Legislative matters, and

WHEREAS, City Staff has established a Federal Legislative Program based on input from various City Council members, and

WHEREAS, City Council would like to approve a 2010-2011 Federal Legislative Program for submission to the City's lobbyists,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. APPROVAL: The City Council of the City of Miami Gardens hereby approves the 2010-2011 Federal Legislative Program attached hereto as Exhibit "A."

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS

Resolution No. 2010-44-1226

AT ITS REGULAR MEETING HELD ON FEBRUARY 24, 2010.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ., CITY ATTORNEY

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Gilbert
SECOND BY: Councilman Campbell

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)



City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	<i>February 24, 2010</i>		Item Type:	Resolution	Ordinance	Other	
			<i>(Enter X in box)</i>	X			
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>	1st Reading		2nd Reading	
		X		Public Hearing: <i>(Enter X in box)</i>	Yes	No	Yes
Funding Source:	N/A		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No	
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:				
		X					
Sponsor Name	Dr. Danny O. Crew		Department:	<i>City Manager</i>			

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING THE 2010-2011 FEDERAL LEGISLATIVE PROGRAM FOR THE CITY; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Staff Summary:

In order to provide our federal lobbyist with clear direction during the 111th Congress, 2nd Session staff established a Federal Legislative program based on the input from various City Council members and staff. The proposed Federal Legislative Program documents the City of Miami Garden's legislative priorities during the 111th Congress, 2nd Session and will be used to assist our lobbyist in advocating for the City.

Proposed Action:

That the City Council approve the attached resolution adopting the 2010-2011 City of Miami Gardens Federal Legislative Program.

Attachment:

Attachment A- Proposed 2010-2011 Federal Legislative Program

**ITEM K-1) RESOLUTION
2010-2011 Legislation Program**



2010-2011 Proposed City of Miami Gardens Federal Legislative Program

POLICY STATEMENTS

Energy Conservation

The City of Miami Gardens City Council supports the National League of Cities Core Principal, which states that sustainability is a defining issue of our time. The reason: increasing concern about climate change and other threats to public health and the environment related to human activities. Today, local governments find themselves at the epicenter of the sustainability movement. Cities and towns are actively pursuing initiatives to conserve energy, reduce greenhouse gas emissions and protect the environment in other ways. The federal government should be a full partner in these efforts, providing national leadership when appropriate, and supporting creative efforts that can only happen at the community level.

The National League of Cities urges Congress to:

- ~~Provide \$2 billion for the Energy Efficiency and Block Grant Program in the fiscal year 2010 budget to further these local efforts.~~ **(No longer applicable funding provided through FY 2010 ARRA)**

Home Rule

The City of Miami Gardens is dedicated to the fundamental concept that the government closest to the people is the appropriate authority to serve the needs and requirements of the community. **The City of Miami Gardens City Council supports** maintaining the integrity of home rule power that allows cities to develop and implement solutions to local problems.

Safe Cities

The City of Miami Gardens City Council supports the National League of Cities Core Principal, which states that the security of the United States and its citizens is a defining issue of the decade. In the face of these new challenges, the leaders of our cities and towns are best positioned to address traditional public safety needs while at the same time advancing the nation's homeland security priorities. National top-down plans are not sufficient. We need collaborative strategies that emphasize partnerships, innovation and "all-hazard" approaches to public safety.

The National League of Cities urges Congress to:

- Direct resources where they are needed most;
- Strengthen information sharing at all levels; and
- Create a culture of public awareness and action to ensure all Americans understand their own responsibilities in preventing crime and preparing for disasters.

Stabilize the Housing Market

The City of Miami Gardens City Council supports the National League of Cities Core Principal, which states that encouraging home ownership for as many Americans as possible and giving people a stake in the future of their community remains a laudable goal. However, the challenge for the federal government, working in partnership with state and local governments, is to resolve the crucial questions raised by the collapse of the housing market — questions like: what kinds of housing we need; how to finance construction, rehabilitation and resale of homes; and how best to engage the private sector in the work of building houses and revitalizing America’s hometowns.

The National League of Cities urges Congress to:

- Ensure the availability of capital for mortgage financing and refinancing and continue to encourage lenders and loan servicers to work out unsound loans as an alternative to foreclosure;
- Invest in programs that stabilize and enhance neighborhoods while helping communities minimize the damage caused by the national foreclosure crisis;
- Protect homebuyers from predatory lending by ensuring that mortgage brokers are effectively regulated and that mortgage loans are well-suited to the financial means of the homebuyer.

Unfunded Mandates

The City of Miami Gardens City Council supports the National League of Cities Core principal that the federal government should avoid policies that impose disproportionate responsibilities or increased financial liability on local governments without recognizing the fiscal impact of those policies. In particular, federal policies should not mandate new costs for local governments without providing adequate funds to reimburse local governments for these new mandates.

LEGISLATIVE PROPOSALS

Iran and Darfur Divestment

The United States has imposed trade sanctions on the Government of Sudan since November 1997 under Executive Order (E.O.) No. 13067. The United Nations Security Council (UNSC) issued Resolution 1591 and Resolution 1672 condemning the actions of the Government of Sudan and calling on member nations to take certain measures against persons responsible for continuing conflicts. In response to UNSC Resolution 1672, President Bush issued a new Executive Order expanding on the original sanctions of E.O. No. 13067, which authorizes the Department of Treasury and Department of State to designate

additional persons as needed. Under this expanded authority, persons named as, or doing business with persons named as “Specially Designated Nationals” of Sudan would face the following sanctions:

- U.S. persons are prohibited from transacting business with these individuals and entities and all of their property in the United States or in the possession or control of a U.S. person is blocked.
- Any U.S. individual or organization engaging in transactions with foreign nationals must take reasonable care to make certain such foreign nationals are not owned, controlled by, or acting on behalf of Sudan.
- U.S. individuals or organizations that violate the regulations may be subject to civil or criminal prosecution. Goods or services of Sudanese origin may not be imported into the United States.

The City of Miami Gardens City Council urges Congress to adopt further legislation, which prohibits the investment of public funds managed by local governments nationwide in “scrutinized companies “ or “specialty designated nationals”. (Councilman Williams)

Reinstatement of the Assault Weapons Ban

The Federal Semi-Automatic Assault Weapon ban expired in 2004, since that time there is credible evidence that it has been easier for criminals to buy powerful firearms. In the City of Miami Gardens alone, over 20 assault weapons have been seized in the commission of a crime since December 2007. **The City of Miami Gardens City Council urges** Congress to reinstate the Semi-Automatic Assault Weapons Ban. (Councilman Williams)

Temporary Protected Status for Haitians Living in the United States

~~In 2008, Haiti was struck by four devastating storms, displacing thousands of citizens, wiping out roads, bridges, schools, and homes. In addition to these natural disasters, Haiti is currently in a state of political unrest. South Florida community and the City of Miami Gardens are home to many undocumented Haitian nationals who contribute to our society while sending money home to help their families. Due to the devastating circumstances that may prevent these undocumented Haitians from returning home, **the City of Miami Gardens City Council urges** the current Administration to grant temporary protected status to Haitian Nationals living in the United States. (Councilman Williams) (Temporary Protective Status Granted in January 2010)~~

Repeal of Section 511 of the Tax Increase Prevention and Reconciliation Act (TIPRA)

Section 511 of the Tax Increase Prevention and Reconciliation Action requires governments with annual expenditures in excess of \$100 million dollars to withhold three (3) percent on payments made for most goods and services. The requirement of a three (3) percent withholding not only places an enormous burden on state and local governments; it is extremely detrimental to the small businesses that are the backbone of Florida’s economy. Furthermore, it is likely that this three (3) percent withholding will

result in increased costs for local governments. **The City of Miami Gardens supports the repeal of Section 511 of the TIPRA due to the possible negative fiscal implications on the City's budget. (City Manager)**

Public Safety Employer-Employee Cooperation Act of 2009

The Public Safety Employer-Employee Cooperation Act of 2009 mandates that all state and local governments allow for unionization of their police force; requires collective bargaining with the unions; and requires bargaining over hours, wages, terms and conditions of employment. In addition, the legislation would empower the Federal Labor Relations Authority (FLRA) to review the existing collective bargaining laws in all 50 states to ensure that they meet the new Federal Standard. If the FLRA determines that the state fails to meet the standard, it will have the authority to mandate changes to the existing policies and procedures. This legislation forces public safety employees to unionize regardless of the desires of the group, and due to the fact that this legislation infringes of the home rule authority of states and local governments, the City of Miami Gardens City Council opposes the Public Safety Employer-Employee Cooperation Act of 2009.(City Manager)

APPROPRIATION AND AUTHORIZATION REQUESTS

Livable Neighborhoods Initiative

\$2,500,000

The Livable Neighborhoods Initiative for Sewer System Improvements project will fulfill the federal Environmental Protection Agency (EPA) priority to modernize waterways and protect the vital public service of water infrastructure. The initial benefits of this project include the elimination of the danger of flash flooding and extended water ponding posed by a lack of adequate drainage in these neighborhoods, especially during Hurricane Season. During the 2005 Hurricane Season, many residents were stranded in their homes because of excessive flooding. Emergency vehicles were unable to get to any resident that lived in these areas. The supplemental benefits are that this project intends to serve as the impetus for revitalization of neighborhood areas that are impoverished and whose residents feel neglected by local government. The City will provide matching funds in the amount of \$925,000 for this project.

Local Drainage Improvements

\$375,000.00

This project will reduce flood damage and improve water quality of stormwater runoff in two local areas within the City, as described below. This project will consist of the construction of on-site French Drain systems that will capture polluted stormwater runoff, retain this runoff within the project area, and filter the captured water before it enters the aquifer system. The project will also reduce flooding, thereby reducing flood damage and potential repetitive loss properties as defined by the Federal Emergency Management Agency (FEMA).

The results and benefits of this project include:

- Filtering stormwater runoff before it enters the aquifer, thereby protecting our sole source of drinking water;
- Preventing pollutants from entering surface waters of the City, thereby preserving the aesthetic, recreational and biological quality and value of those surface waters;
- Reducing potential flood damage loss claims under the National Flood Insurance Program; and
- Increasing the capacity in the primary canals in the City, this will reduce flooding when major rain events occur.
- Project locations: NW 171 Terrace, from NW 44 Avenue to 45 Court
 NW 38 Court, from NW 210 Street to 210 Terrace

State Road Seven Livable Community Corridor Project	\$1,930,000
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The State Road 7 Livable Community Corridor Project as proposed will acquire right-of-way, design, and construct ten (10) feet of widened ADA accessible stamped concrete sidewalks and bus bays through the State Road 7 corridor in the City of Miami Gardens. This project is part of a Livable Community Corridor Study of State 7 (US 441 – six lanes) from NW 215 Street (Miami Dade County and Broward County line) to the Golden Glades Interchange (SR 826, I-95, and U.S. 441).

Total Appropriation and Authorization Requests: \$4,805,000