



88th Annual Conference

Proposed Resolutions

**Westin Diplomat
3555 South Ocean Drive
Hollywood, FL 33019
Phone: (954) 602-6000**

2014 RESOLUTIONS COMMITTEE

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First Vice President, Florida League of Cities

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Ben Boukari, Jr., Commissioner, City of Alachua
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Gary Bruhn, Mayor, Town of Windermere
Chair, Urban Administration Committee

Phillip Walker, Commissioner, City of Lakeland
Chair, Growth Management and Economic Development Committee

Keith Britton, Councilman, City of Oviedo
Chair, Transportation and Intergovernmental Relations Committee

Teresa Heitmann, Council Member, City of Naples
Chair, Federal Action Strike Team

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Sergio Asuncce, Building Official, City of Hallandale Beach
President, Building Officials Association of Florida

Audrey Sikes, MMC, City Clerk, City of Lake City
President, Florida Association of City Clerks

Lee Garner, City Manager, City of Chattahoochee
District 1 Director, Florida City & County Management Association

Kingman Schuldt, Fire Chief, East Naples Fire District
President, Florida Fire Chiefs' Association

Audrey E. Vance, City Attorney, City of Bonita Springs
President, Florida Municipal Attorneys Association

Sean Hemingway, Chief of Police, City of Bay Harbor Islands
District Director, Florida Police Chiefs' Association

Vickie Strickland, Human Resources Generalist, City of Lakeland
President, Florida Public Human Resources Association

Jeremy Earle, Executive Director, Dania Beach CRA
President, Florida Redevelopment Association

William F. Underwood, II, Director Financial Services, City of Oakland Park
Past President, Florida Government Finance Officers Association

Denise Perez, Human Resources Director, City of Naples
President, FL Public Employer Labor Relations Association

Ned Huhta, IT Director, City of Ormond Beach
President, Florida Local Government Information Systems Association

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Thomas Barnhorn, Vice Mayor, City of Seminole
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Scott Black, Commissioner, City of Dade City
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Susan Haynie, Mayor, City of Boca Raton
Mort Levine, Mayor, Town of Juno Beach
Delores Madison, Mayor pro tem, City of Midway
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Jack Nazario, Commissioner, City of Belleair Bluffs
Ken Philipson, Councilman, Village of Islamorada
Jack Seiler, Mayor, City of Fort Lauderdale
Shelley Stanczyk, Mayor, Village of Palmetto Bay
George Vallejo, Mayor, City of North Miami Beach
Gil Ziffer, Commissioner, City of Tallahassee

Procedures for Submitting Resolutions
Florida League of Cities' 88th Annual Conference
Westin Diplomat, Hollywood, Florida
August 14 – 16, 2014

In order to fairly systematize the method for presenting resolutions to the League membership, the following procedures have been instituted:

- (1) Proposed resolutions must be submitted in writing, to be received in the League office by July 9, 2014, to guarantee that they will be included in the packet of proposed resolutions that will be submitted to the Resolutions Committee.
- (2) Proposed resolutions will be rewritten for proper form, duplicated by the League office and distributed to members of the Resolutions Committee. (Whenever possible, multiple resolutions on a similar issue will be rewritten to encompass the essential subject matter in a single resolution with a listing of original proposers.)
- (3) Proposed resolutions may be submitted directly to the Resolutions Committee at the conference; however, a favorable two-thirds vote of the committee will be necessary to consider such resolutions.
- (4) Proposed resolutions may be submitted directly to the business session of the conference without prior committee approval by a vote of two-thirds of the members present. In addition, a favorable weighted vote of a majority of members present will be required for adoption.
- (5) Proposed resolutions relating to state legislation will be referred to the appropriate standing policy committee. Such proposals will not be considered by the Resolutions Committee at the conference; however, all state legislative issues will be considered by the standing policy councils and the Legislative Committee, prior to the membership, at the annual Legislative Conference each fall. At that time, a state Legislative Action Agenda will be adopted.
- (6) Proposed resolutions must address either federal issues, state constitutional issues, matters directly relating to the conference, matters recognizing statewide or national events or service by League officers. All other proposed resolutions will be referred for adoption to either the Florida League of Cities Board of Directors or FLC President.

Municipalities unable to formally adopt a resolution before the deadline may submit a letter to the League office indicating their city is considering the adoption of a resolution, outlining the subject thereof in as much detail as possible, and this letter will be forwarded to the Resolutions Committee for consideration in anticipation of receipt of the formal resolution.

Proposed Florida League of Cities 2014 Resolutions

1. City of Pensacola
2. City Government Week
3. Transportation Funding
4. Internet Tax
5. Marketplace Fairness Act
6. Municipal Financing
7. Community Development Block Grant Program (CDBG)
8. Waters of the United States
9. Immigration Reform
10. Home Rule
11. Sober Homes

2014-01

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.,
EXPRESSING APPRECIATION TO PENSACOLA, FLORIDA, FOR
ITS SUPPORT OF P.C. WU AS PRESIDENT OF THE FLORIDA
LEAGUE OF CITIES.

WHEREAS, P.C. Wu, Councilman of Pensacola, Florida, has served as the President of the Florida League of Cities (FLC), Inc. from 2013 through 2014; and

WHEREAS, the citizens, mayor, council members and staff of Pensacola have been most understanding of the demands placed upon Councilman Wu in his role as President of the League; and

WHEREAS, in his presidency, Councilman Wu engaged FLC members in technology discussions through his task force for the betterment of municipal service delivery and innovation; and

WHEREAS, the membership and staff of the FLC recognize that the commitment of the City of Pensacola to Councilman Wu's presidency assured his active participation in League activities and unselfish service to the League, and permitted him to successfully promote the programs, projects and philosophy of the League during the past year.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities' membership and staff do officially and personally appreciate the commitment Pensacola's citizens, mayor, councilmembers and staff made to President Wu's presidency.

Section 2. That a copy of this resolution be presented to the mayor and city council of the City of Pensacola.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

Lori Moseley, First Vice President
Florida League of Cities, Inc.
Mayor, Miramar

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-02

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., RECOGNIZING THE WEEK OF OCTOBER 19-26, 2014, AS "*FLORIDA CITY GOVERNMENT WEEK*," AND ENCOURAGING ALL FLORIDA CITY OFFICIALS TO SUPPORT THIS CELEBRATION BY PARTICIPATING IN THE "*MY CITY: I'M PART OF IT, I'M PROUD OF IT!*" ACTIVITIES.

WHEREAS, city government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Florida City Government Week is a very important time to recognize the significant role played by city government in our lives; and

WHEREAS, Florida City Government Week offers a great opportunity to spread the word to all Floridians that they can shape and influence this branch of government, which is closest to the people; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., encourages all city officials, city employees, school officials and citizens to participate in events that recognize Florida City Government Week and to celebrate it throughout Florida.

Section 2. That the Florida League of Cities, Inc., supports and encourages all city governments to promote, sponsor and participate in "*My City: I'm Part of It, I'm Proud of It!*"

Section 3. That a copy of this resolution be provided to Florida Governor Rick Scott, the Florida Cabinet, Florida School Boards Association and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-03

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., URGING CONGRESS AND THE ADMINISTRATION TO ENACT A NATIONAL TRANSPORTATION PLAN THAT STRENGTHENS OUR INFRASTRUCTURE, CREATES JOBS, INCLUDES THE LOCAL VOICE IN PLANNING AND PROJECT SELECTION, AND CHOOSES THE BEST MIX OF TRANSPORTATION OPTIONS TO FIT THE NEEDS OF THE REGION.

WHEREAS, the current federal surface transportation program, Moving Ahead for Progress in the 21st Century (MAP-21), funds highway transit and other surface transportation programs, and is set to expire on September 30, 2014; and

WHEREAS, MAP-21 does not address the long-term funding challenges facing federal surface transportation funding and the Highway Trust Fund is nearing a major fiscal crisis; and

WHEREAS, previous federal programs have included the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), the Transportation Equity Act for the 21st Century (TEA-21) and the Intermodal Surface Transportation Efficiency Act (ISTEA); and

WHEREAS, the lack of investment in Florida's transportation system continues to impact our economy and the cities, which are the economic engine of our state; and

WHEREAS, a new federal approach to surface transportation must include all levels of government at the table in establishing an effective transportation network; and

WHEREAS, continued federal funding of a successor program to MAP-21 and the need to provide flexibility to local governments to address local transportation needs are critical to Florida and its urban and rural communities.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., strongly urges the U.S. Congress to create a federal surface transportation program that provides adequate funding for federal transportation programs to support bridges, roads, highways and transit, and provides funding directly to local governments for transportation programs.

Section 2. That Congress considers input from local municipal officials as it contemplates the next federal surface transportation program.

Section 3. That a copy of this resolution be provided to the Florida Congressional Delegation, Florida Governor Rick Scott, the Secretaries of the U.S. and Florida

Departments of Transportation, the National League of Cities, the Chairs of the U.S. Congressional Transportation Committees and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-04

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.,
URGING CONGRESS TO OPPOSE LEGISLATION THAT WOULD
PREEMPT STATE AND LOCAL AUTHORITY OVER THE
COLLECTION OF CERTAIN TAXES AND FEES RELATED TO
INTERNET ACCESS.

WHEREAS, in October 1998, Congress passed the Internet Tax Freedom Act (ITFA), imposing a three-year moratorium on multiple and discriminatory taxes on electronic commerce and Internet access; and

WHEREAS, the moratorium was extended 3 times, in 2001, 2004 and 2007, and is now set to expire on November 1, 2014; and

WHEREAS, the Internet access moratorium was originally conceived at a time when the Internet was experiencing tremendous growth and Congress believed that in order to foster this growth it was necessary to halt any taxes that might constrain the Internet; and

WHEREAS, now the Internet is universal with more and more services moving from a telecommunications/cable delivery system to broadband, and it no longer needs special tax protection; and

WHEREAS, H.R. 3086 by Representative Bob Goodlatte (R-VA) would permanently extend the moratorium on multiple and discriminatory taxes on electronic commerce and Internet access; and

WHEREAS, Florida law also prohibits any tax on Internet access; and

WHEREAS, over the next several years, most of the services known as telecommunications and cable services will transition to broadband; and

WHEREAS, as a result, the scope of the services that ITFA shields from state and local taxation will greatly expand; and

WHEREAS, a temporary extension of the moratorium would allow more time to fully assess the transition from telecommunications and cable services to ITFA-protected broadband services; and

WHEREAS, a temporary extension of the moratorium would also allow more time to determine the impact on the relative tax obligations of industry sectors to which ITFA does not apply and provide Congress the opportunity to revisit the moratorium to correct any unintended consequences.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., urges Congress to oppose a permanent extension of the moratorium on multiple and discriminatory taxes on Internet access and instead support a temporary extension of the current moratorium.

Section 2. That a copy of this resolution be provided to President Barack Obama, the Florida Congressional Delegation, the National League of Cities, the U.S. Conference of Mayors, the Government Finance Officers Association, Florida Governor Rick Scott and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-05

**A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.,
URGING CONGRESS TO PASS LEGISLATION THAT WOULD
GRANT STATES THE AUTHORITY TO COMPEL ONLINE AND
CATALOG RETAILERS TO COLLECT SALES TAX.**

WHEREAS, the use of the Internet as a way to purchase goods and services has been steadily increasing for the past decade; and

WHEREAS, as the result of court decisions and congressional inaction, many online and catalog retailers currently are not obligated to collect sales taxes from consumers; and

WHEREAS, this tax loophole is unfairly advantageous toward online and catalog retailers and results in both the loss of tax revenue for state and local governments and market conditions that are unfavorable for Main Street and "brick and mortar" small businesses; and

WHEREAS, the Streamlined Sales Tax Project was created in 1999 to assist states in administering a simpler and more uniform sales and use tax system; and

WHEREAS, to date, 44 states, including Florida, have approved the Streamlined Sales and Use Tax Agreement (SSUTA), which sets the minimum sales and use tax statutory simplifications required of any state desiring to participate in the simplified system and minimizes cost and administrative burdens on retailers; and

WHEREAS, 24 of those states, not including Florida, have modernized their sales and use tax statutes to conform to the requirements of the SSUTA; and

WHEREAS, bipartisan legislation has been proposed in Congress providing states that are members of the SSUTA and in compliance with the federal legislation with the authority to require online and catalog retailers to collect and remit sales and use taxes on remote transactions attributable to sales in those states; and

WHEREAS, last year, the U.S. Senate passed S. 743, titled the Marketplace Fairness Act of 2013; however, there has been no action on similar legislation, H.R. 684, in the U.S. House of Representatives.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., urges Congress to support bipartisan legislation that would provide states the authority to enforce state and local sales and use tax laws in a fair and equitable manner to both in and out of state retailers.

Section 2. That the Florida League of Cities, Inc., urges the State of Florida to conform with the SSUTA so that it may be eligible to comply with federal legislation on streamlining the sales and use tax.

Section 3. That a copy of this resolution be provided to President Barack Obama, the Florida Congressional Delegation, the National League of Cities, Florida Governor Rick Scott and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-06

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., URGING THE ADMINISTRATION AND CONGRESS TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF INTEREST EARNED ON MUNICIPAL BONDS AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED ON MUNICIPAL BONDS.

WHEREAS, since 1913, when the federal income tax was imposed, the interest earned on municipal bonds has been exempt from federal taxation; and

WHEREAS, municipal bonds have been the primary method by which state and local governments finance public capital improvements and infrastructure construction such as schools, hospitals, water and sewer systems, roads, highways, utilities, public safety structures, bridges, tunnels and other infrastructure projects; and

WHEREAS, the projects funded through municipal financing are engines of job creation and economic growth; and

WHEREAS, according to national statistics, state and local governments are responsible for building and maintaining more than 75 percent of the nation's infrastructure, which is financed mostly by tax-exempt municipal bonds; and

WHEREAS, on average, state and local governments save up to two percentage points on their borrowing rates through the use of tax-exempt municipal bonds; and

WHEREAS, these savings allow state and local governments to invest more in critical infrastructure and essential services and provide construction jobs while holding down the cost to taxpayers; and

WHEREAS, in 2013, a joint report titled "Protecting Bonds to Save Infrastructure and Jobs 2013" was issued by the U.S. Conference of Mayors, the National League of Cities, and the National Association of Counties, with assistance from the Government Finance Officers Association; and

WHEREAS, the report estimates that 1,250 tax-exempt bonds financing more than \$103 billion in infrastructure improvements were issued over the last decade in the State of Florida; and

WHEREAS, the report also states that in 2012 alone, more than 6,600 tax-exempt bonds were issued financing more than \$179 billion in infrastructure projects across the nation; and

WHEREAS, several proposals have been discussed over the last few year as Congress and the Administration seek tax reform; and

WHEREAS, many of these proposals have included a proposed reduction or elimination of the current tax exemption on interest earned from tax-exempt municipal bonds; and

WHEREAS, in his fiscal year 2015 budget proposal, President Obama has again proposed capping the value of the tax exemption for municipal bond interest at 28 percent; and

WHEREAS, it is estimated that if the proposed cap for municipal bonds was in effect over the last decade, it would have cost state and local governments an additional \$173 billion in interest expense; and

WHEREAS, it is estimated that if the tax exemption had been fully eliminated over the last decade, it would have cost state and local governments an additional \$495 billion in interest expense; and

WHEREAS, 2010 Internal Revenue Service data shows that 57 percent of municipal bond interest is paid to individuals 65 years of age and older who in many cases live on fixed incomes, and 52 percent of municipal bond interest is paid to individuals who earn less than \$250,000 annually.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., urges President Obama and Congress to preserve the current tax-exempt status of the interest earned on municipal bonds and oppose any attempt to cap or eliminate the tax exemption on the interest earned on municipal bonds.

Section 2. That a copy of this resolution be sent to President Barack Obama, the Florida Congressional Delegation, the National League of Cities, and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-07

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.,
URGING CONGRESS TO MAINTAIN FUNDING FOR THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the Community Development Block Grant (CDBG) program was enacted and signed into law by President Gerald Ford as the centerpiece of the Housing and Community Development Act of 1974; and

WHEREAS, the CDBG program has as its primary objective "the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income"; and

WHEREAS, the CDBG program has considerable flexibility to allow municipalities to carry out activities that are tailored to their unique affordable housing and neighborhood revitalization needs; and

WHEREAS, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, and state and local government-sector associations are unanimous in their support of CDBG and the need to keep this program intact; and

WHEREAS, according to the U.S. Department of Housing and Urban Development, CDBG is most commonly used to support activities that improve the quality of life in communities; to promote energy conservation and renewable energy resources; for construction of and improvements to public infrastructure such as streets, sidewalks, and water and sewer facilities; and for small business assistance to spur economic development and job creation/retention; and

WHEREAS, since 2010, Congress has cut CDBG funding by more than \$1 billion; and

WHEREAS, Florida's local governments received almost \$130 million in CDBG grants in fiscal year 2014 to catalyze or support employment, housing and neighborhood revitalization efforts; and

WHEREAS, nationally, for every dollar of CDBG funding invested in a project another \$4.05 is leveraged from other sources; and

WHEREAS, over the past nine years, the CDBG program has created or retained 330,546 jobs for low- and moderate-income persons through a variety of economic development activities.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., urges Congress to provide at least \$3.3 billion in formula funding for CDBG.

Section 2. That a copy of this resolution be sent to the Florida Congressional Delegation, the National League of Cities, the Secretary of the U.S. Department of Housing and Urban Development and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-08

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., URGING THE U.S. ENVIRONMENTAL PROTECTION AGENCY TO FURTHER CONSIDER THE PUBLIC COMMENT ON THE PROPOSED RULE REDEFINING THE DEFINITION OF "WATERS OF THE UNITED STATES" IN THE CLEAN WATER ACT AND URGING CONGRESS TO FULLY CONSIDER THE INCREASED BURDEN AND EXPENSE SAID RULE WILL HAVE ON MUNICIPALITIES.

WHEREAS, in March, 2014, the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) released a proposed rule attempting to clarify waters subject to the Clean Water Act (CWA); and

WHEREAS, the proposed rule redefines the current "waters of the U.S." definition in the CWA in a way that will impact all CWA programs according to the EPA's and Corps' joint *Economic Analysis of Proposed Revised Definition of Waters of the U.S.*; and

WHEREAS, the proposed rule focuses on three areas: stream systems, waters that are adjacent to other waters, and "other waters"; and

WHEREAS, the proposed rule will affect a broad array of activities, including the regulation of local stormwater and wastewater systems, municipal and industrial discharges, agricultural practices, the Corps' wetlands regulation, and the reach of the Endangered Species Act; and

WHEREAS, because of Florida's flat terrain, the proposed changes to the CWA are more likely to affect Florida more than other states, which could lead to significant costs for Florida's municipalities; and

WHEREAS, many of Florida's 410 municipalities have municipal stormwater and wastewater utilities and the proposed rule could lead to significantly increased costs and additional water quality rules and regulations for local governments; and

WHEREAS, the proposed rule lacks clarity and certainty as to what consequence the expanded definition of "waters of the U.S." will have on the State of Florida and its municipalities; and

WHEREAS, H.R. 5078, the *Waters of the United States Regulatory Overreach. Protection Act of 2014*, sponsored by Representative Steve Southerland (R-2) and others, would narrow the authority of the proposed rule and require EPA and the Corps to consult with state and local governments to formulate a consensus regulatory proposal that would identify the scope of waters to be covered under the CWA; and

WHEREAS, EPA is now accepting comments on the proposed rule through October 20, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES,
INC.:

Section 1. That the Florida League of Cities, Inc., urges the EPA to consider fully the comments and concerns raised by state, local and private stakeholders that would be significantly impacted by the "waters of the U.S." proposed rule.

Section 2. That the Florida League of Cities, Inc., urges the Florida Congressional Delegation to support the Waters of the U.S. Regulatory Overreach Protection Act and contact administrators at the EPA and Corps and highlight the burdens and increased expense the proposed rule will place on persons and entities in Florida.

Section 3. That a copy of this resolution be provided to the Administrator of the EPA, the Florida Congressional Delegation, the Speaker of the Florida House of Representatives, the President of the Florida Senate and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: FLC Staff

2014-09

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC., URGING OUR FEDERAL GOVERNMENT UPHOLD ITS CONSTITUTIONAL RESPONSIBILITY TO DEVELOP AND IMPLEMENT A COMPREHENSIVE, COORDINATED AND WELL REGULATED IMMIGRATION SYSTEM; URGING THE SYSTEM MATERIALLY ALLEVIATE THE SIGNIFICANT STRAIN CURRENTLY PLACED ON THE FINANCIAL RESOURCES, PUBLIC INFRASTRUCTURE AND PUBLIC SERVICES OF FLORIDA'S CITIES, TOWNS AND VILLAGES.

WHEREAS, our city officials have often taken pride in the cultural differences and diverse nationalities that make up Florida's cities, towns and villages; and

WHEREAS, immigrants, when admitted to the United States through a comprehensive, coordinated, and well regulated immigration system, strengthen Florida's cities, towns and villages by creating economic opportunities, increasing scientific and cultural resources, strengthening our sister cities' programs, fulfilling humanitarian commitments, and building strong family ties and family values that in turn build strong communities; and

WHEREAS, the Congress and the Administration have failed in their constitutional responsibilities to provide a comprehensive, coordinated, and well regulated immigration system by, among other things, failing to adequately secure our borders, failing to adequately track visa recipients, failing to enforce illegal immigration worksite enforcement programs, and failing to develop a program that deals humanely with immigrants wrongfully in our country; and

WHEREAS, the failure to address these problems has had a significant impact on the financial resources of Florida's cities, towns and villages, and has materially strained the public infrastructure and public services offered by Florida's cities, towns and villages.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., urges our federal government uphold its constitutional responsibility to develop and implement a comprehensive, coordinated, and well regulated immigration system.

Section 2. That the Florida League of Cities, Inc., urges our federal government develop and implement a system that materially alleviates the significant strain currently placed on the financial resources, public infrastructure and public services of Florida's cities, towns and villages.

Section 3. That a copy of this resolution be provided to the Florida Congressional Delegation, the National League of Cities and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th day of August, 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST:

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted By: Luigi Boria, Mayor, City of Doral

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES, INC.,
REAFFIRMING ITS SUPPORT FOR MUNICIPAL HOME RULE AUTHORITY
AND ITS OPPOSITION TO UNFUNDED FEDERAL MANDATES; URGING
THE FEDERAL GOVERNMENT TO REFRAIN FROM PLACING
UNFUNDED MANDATES ON FLORIDA'S MUNICIPALITIES.

WHEREAS, home rule is the power of a local municipality to set up its own system of governing and local ordinances without being governed by the state and limited only by the state constitution and statutes; and

WHEREAS, home rule language was proposed in the 1968 Florida Constitutional revision, and was adopted by the people; and

WHEREAS, the state of Florida adopted the Home Rule Powers Act of 1973, which ended challenges related to city and county powers; and

WHEREAS, under Florida's Constitution, Florida's municipalities have the governmental, corporate and proprietary powers to conduct municipal government, perform municipal functions, render municipal services, and exercise any power for municipal purposes; and

WHEREAS, unfettered municipal home rule authority leaves each city, town and village free to exercise its police powers in the manner best suited to the needs and conveniences of its citizens; and

WHEREAS, with full responsibility resting upon the citizens, municipal home rule authority permits citizens an opportunity to become educated in the principles and methods of municipal government and to develop common interests in community affairs; and

WHEREAS, unhampered municipal home rule authority permits prompt action in dealing with fresh municipal problems as they arise; and

WHEREAS, municipal home rule authority relieves the federal government of the details of local government so that it may concentrate on the pressing affairs of the country; and

WHEREAS, the federal government has increasingly placed unfunded mandates on Florida's municipalities; that is, it has required municipalities to provide services or perform functions without providing adequate federal funding to comply with the mandate; and

WHEREAS, unfunded mandates represent the greatest infringement upon municipal home rule authority as they deprive cities, towns and villages of the limited revenues they use to respond to the needs and conveniences of their citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES,
INC.:

Section 1. That the Florida League of Cities, Inc., hereby reaffirms its support of home rule authority for all of Florida's municipalities and hereby rejects any and all federal measures that seek to limit their home rule authority.

Section 2. That the Florida League of Cities, Inc., hereby urges the Congress and all federal agencies to provide a financial analysis of all federal mandates before their implementation and to identify federal funding that will be adequate to comply with each federal mandate.

Section 3. That the Florida League of Cities, Inc., hereby urges the Congress and all federal agencies to refrain from implementing an unfunded mandate unless the mandate addresses a compelling federal interest and there is no alternative means to fulfill the interest.

Section 4. That a copy of this resolution be provided to the Florida Congressional Delegation, the National League of Cities and the membership of the Florida League of Cities, Inc.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th day of August, 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____
Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: John Marks, Mayor, City of Tallahassee

2014-11

A RESOLUTION OF THE FLORIDA LEAGUE OF CITIES,
INC., SUPPORTING THE ESTABLISHMENT OF A
REGULATORY STRUCTURE FOR THE RECOVERY
RESIDENCE INDUSTRY AND URGING CONGRESS TO
ENACT LEGISLATION REGARDING RECOVERY
RESIDENCES TO PROTECT THE HEALTH, SAFETY AND
WELFARE OF FLORIDA RESIDENTS.

WHEREAS, recovery residences, also known as "sober living homes" or "sober houses" provide a great value to persons overcoming drug and alcohol addictions; and

WHEREAS, the recovery residence industry's prolific growth has raised questions nationwide as to whether a regulatory structure is necessary; and

WHEREAS, these homes typically provide a drug and alcohol-free living environment for individuals recovering from substance abuse, however, there is no universally accepted definition for these businesses, leaving to interpretation those characteristics that distinguish them from other regulated housing options; and

WHEREAS, individuals in recovery are disabled within the meaning of the Americans with Disabilities Amendments Act (ADAA) and handicapped within the meaning of the Federal Fair Housing Amendments Act (FHAA), which prohibit discrimination on the basis of disability/handicap status; and

WHEREAS, there is no clarifying definition of the protected class, except to describe individuals blanketed by the law as individuals who are "not currently using alcohol or substances"; and

WHEREAS, states and local governments are limited by federal laws in their ability to address the impacts to local communities of "over-concentration" and "clustering" due to the proliferation of homes in many cities around the country; and

WHEREAS, the Department of Housing and Urban Development (HUD) is charged with the interpretation of the FHAA, while the Department of Justice (DOJ) is charged with the enforcement of the law, but there has been no updated interpretation of the acts and how it applies to these homes or their protected residents since a Joint Agency Statement dated August 18, 1999, entitled, Group Homes, Local Land Use, and the Fair Housing Act; and

WHEREAS, the courts have applied the FHAA and ADAA inconsistently over the years causing a great financial and social burden on states and local governments facing over-concentration of sober homes; and

WHEREAS, there are myriad concerns for the health, safety and welfare of the residents themselves since the lack of regulation has sometimes resulted in poorly run houses that provide little or no supervision or support for individuals recovering from addiction; and

WHEREAS, patient brokering arrangements between some homes and service providers result in costly over-utilization of lab workups and the over-charging of private-pay residents, health insurance companies, and Medicaid

NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA LEAGUE OF CITIES, INC.:

Section 1. That the Florida League of Cities, Inc., urges the National League of Cities (NLC) to support efforts by states and local governments to regulate businesses in the form of recovery residences in order to protect the health, safety, and welfare of the residents of the recovery homes as well as local communities.

Section 2. That the Florida League of Cities, Inc., urges the Department of Housing and Urban Development in concert with the Department of Justice to amend and update their Joint Agency Statement dated August 18, 1999, entitled, Group Homes, Local Land Use, and the Fair Housing Act to more clearly define and give guidance regarding who is and is not included in the protected class of individuals under the FHAA and ADAA with respect to recovery residences.

Section 3. That the Florida League of Cities, Inc., urges Congress, in recognition of the large and growing number of states and local governments throughout the nation attempting to address the myriad of concerns resulting from the lack of regulation of recovery residences, to amend federal statutes to provide states and local governments appropriate latitude to oversee and regulate recovery residences within their jurisdictions.

Section 4. That the Florida League of Cities, Inc., further requests Congress to enact legislation that provides state and local authority to develop a regulatory structure with respect to recovery residences.

PASSED AND ADOPTED by the Florida League of Cities, Inc., in conference assembled at the League's 88th Annual Conference, at the Westin Diplomat, Hollywood, Florida, this 16th Day of August 2014.

P.C. Wu, President
Florida League of Cities, Inc.
Councilman, Pensacola

ATTEST: _____

Michael Sittig, Executive Director
Florida League of Cities, Inc.

Submitted by: City of Delray Beach