

**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20031406

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Adopt Resolution supporting the State's continued beach management funding of \$30 million annually from documentary stamp tax revenues

**WHY ACTION IS NECESSARY:** To show Lee County's support to Florida legislature of the State's commitment to fund the beach management program, through the Florida Department of Environmental Protection's (FDEP) beach erosion control priority list.

**WHAT ACTION ACCOMPLISHES:** Affirm Lee County's support to local and State legislature for a dedicated funding source for the Ecosystem Management and Restoration Trust Fund, which is used to support the FDEP's funding for beach preservation and repair through erosion control projects.

**2. DEPARTMENTAL CATEGORY: 08  
COMMISSION DISTRICT #: 1 & 3**

*C8A*

**3. MEETING DATE:**

*12-09-2003*

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

*(Specify)*

STATUTE

ORDINANCE

ADMIN. CODE

OTHER

**6. REQUESTOR OF INFORMATION:**

A. COMMISSIONER

B. DEPARTMENT Public Works

C. DIVISION Natural Resources

BY: Roland Ottolini, P.E.

*[Signature]*

**7. BACKGROUND:**

Documentary stamp tax revenue was secured as a dedicated funding source for the FDEP's project priority list for beach preservation and repair in 1998. The funding source of \$30 million annually was identified for Florida's beaches. The revenue source, provided for by statute, is the real estate documentary stamp tax. Unanimously passed by the Legislature, with subsequent companion legislation signed by the Governor on the beaches of Pinellas County, this commitment has allowed local governments to leverage, dollar for dollar, state funding, and in most cases even more in federal matching funds.

State legislators have recently been attempting to abolish the documentary stamp tax revenues as a dedicated funding source to many state supported programs. Most of these programs are funded on a percentage basis, while the beach management program is funded as a fixed amount each year. Legislators are attempting to reprogram the funds for other sources, thus eliminating the funding source for erosion control projects.

The intent for adopting the resolution is to support shoreline repair and restoration projects to improve Florida's beaches. Keeping Florida's beaches healthy protects the economic benefit generated by tourism, which was estimated at \$41.6 billion in the year 2000 from direct and indirect spending.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services <i>11/24/03</i>			G County Manager
				<i>[Signature]</i>	QA	OM	Risk	GC
<i>[Signature]</i> <i>11-21-03</i>				<i>[Signature]</i> <i>11/24/03</i>	<i>[Signature]</i> <i>11/24/03</i>	<i>[Signature]</i> <i>11/24/03</i>	<i>[Signature]</i> <i>11/24/03</i>	<i>[Signature]</i> <i>11-21-03</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: *11/21/03*  
Time: *1:30 pm*  
Forwarded To:  
*Co. Adm. 11/21/03*

RECEIVED BY  
COUNTY ADMIN: *[Signature]*  
*11/21/03*  
*3:46 PM 2003*  
COUNTY ADMIN  
FORWARDED TO:  
*[Signature]*  
*11/21/03*

RESOLUTION No. 03-\_\_

RESOLUTION BY THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
IN SUPPORT OF CONTINUED BEACH MANAGEMENT  
FUNDING OF \$30 MILLION ANNUALLY FROM DOCUMENTARY STAMP TAX  
REVENUES

WHEREAS, beaches are Florida's most recognized and productive economic and environmental asset. Sandy beaches, including those enhanced by beach restoration and nourishment, are Florida's largest playground, public park, and habitat for endangered species, and

WHEREAS, Florida had 75.6 million visitors in 2002, with beaches being its number one tourist attraction, and

WHEREAS, Florida's economy benefits from \$21.9 billion in direct spending and \$19.7 billion in indirect spending by beach-going tourists (2000), and

WHEREAS, beaches contribute over \$1 billion in tourist-related sales tax to state revenues annually, and

WHEREAS, 442,000 jobs are created by beach-related tourism, with an \$8 billion payroll resulting from additional spending related to Florida's beaches, and

WHEREAS, over half of Florida's 825 miles of sandy beaches are experiencing erosion, with 333 miles designated by the Department of Environmental Protection as critically-eroded, and

WHEREAS, the Florida Legislature, pursuant to section 161.088 F.S., has declared beach erosion to be a serious threat to the economic and general welfare of the state and its residents; and has further declared it to be a necessary governmental responsibility to preserve Florida's beaches and make provision for beach nourishment projects, and

WHEREAS, the Florida Legislature, in 1998, pursuant to s. 161.091, and s. 201.15 (11), unanimously reaffirmed its commitment to our beaches by providing that funding of \$30 million annually be deposited in the Ecosystem Management and Restoration Trust Fund, and that documentary stamp tax revenues shall be the source of that funding, and

WHEREAS, this program represents a cost-effective intergovernmental partnership which leverages a dollar for dollar local government match, and up to 65% of the total project cost from federal sources and,

WHEREAS, to provide anything less than the \$30 million in state funding for FY 04-05 will result in federal and state matching beach dollars being diverted to other uses, and will send a message to intergovernmental partners that the State of Florida is backing away from its commitment to healthy beaches for future generations.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners, Lee County, Florida, strongly urges the Florida Legislature to fully fund the Department of Environmental Protection's beach erosion control project priority list for FY 04-05 for \$30 million as provided for in Chapters 161 and 201, Florida Statutes, and

BE IT FURTHER RESOLVED that the Board of County Commissioners, Lee County, Florida, respectively requests that the 2004 Florida Legislature oppose any legislative efforts to amend existing law which allocates \$30 million annually in certain documentary stamp tax revenues to the Ecosystem Management and Restoration Trust Fund for purposes of beach preservation and repair.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Lee County, Florida this \_\_\_\_ day of December 2003 by a vote of \_\_\_ to \_\_\_; the motion was made by \_\_\_\_\_, seconded by \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Bob Janes \_\_\_\_\_  
Douglas R. St. Cerny \_\_\_\_\_  
Ray Judah \_\_\_\_\_  
Andrew W. Coy \_\_\_\_\_  
John E. Albion \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

\_\_\_\_\_  
Ray Judah  
Chairman

ATTEST:

CHARLIE GREEN  
CLERK OF THE CIRCUIT COURT

APPROVED AS TO FORM:

BY: \_\_\_\_\_

BY: \_\_\_\_\_