

PROPOSED

RESOLUTION NO. 2021-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO APPROVE SENATE BILL 1030 AND HOUSE BILL 763, REPEALING THE MULTI-USE CORRIDORS OF REGIONAL ECONOMIC SIGNIFICANCE (“M-CORES”) PROGRAM; URGING GOVERNOR RON DESANTIS AND THE FLORIDA LEGISLATURE TO REALLOCATE FUNDS BUDGETED FOR THE M-CORES PROGRAM TO THE GENERAL REVENUE FUND; DIRECTING THE COUNTY ADMINISTRATOR TO PROVIDE A COPY OF THIS RESOLUTION TO THE OFFICIALS DESIGNATED HEREIN; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

(Sponsored by Commissioner Beam Furr)

WHEREAS, on May 17, 2019, Governor Ron DeSantis signed Senate Bill 7068 into law and created the Multi-Use Corridors of Regional Economic Significance (“M-CORES”) program, bypassing the Florida Department of Transportation’s (“FDOT”) planning processes for statewide highways through Florida’s Future Corridors program and annual five-year listing of approved transportation projects (“Work Program”);

WHEREAS, the M-CORES program defeats the community protections in Section 339.135, Florida Statutes, the authorizing statute for the annual FDOT Work Program, and circumvents critical stages of FDOT’s review process, especially the preliminary determination of need or economic feasibility;

WHEREAS, the Northern Turnpike Connector Task Force, the Suncoast Connector Task Force, and the Southwest-Central Florida Task Force (collectively, the “Task Forces”) were created pursuant to the M-CORES program for various purposes, including evaluating the need to develop each corridor and the potential economic, environmental, hurricane evacuation, and land use impacts of such development;

1 WHEREAS, each of the Task Forces' final reports as presented to the Governor,
2 the Florida House of Representatives, and the Florida Senate, stated that each respective
3 Task Force "did not reach a conclusion based on the information available at this time
4 that there is a specific need for a completely new greenfield corridor or modification of
5 existing facilities through the study area to achieve the statutory purpose";

6 WHEREAS, independent projections by organizations such as Florida TaxWatch
7 and 1000 Friends of Florida suggest the cost of roadway projects created through the M-
8 CORES program could cost \$26 billion or more, depending on how long it takes to finish
9 these projects;

10 WHEREAS, in Fiscal Years 2019-20 and 2020-21, \$142.5 million was allocated by
11 the Florida Legislature for M-CORES toll roads without any determination of need or
12 feasibility;

13 WHEREAS, the aspects of the M-CORES program designed to ensure proper
14 planning and evaluation, such as requirements for a determination of need, economic
15 feasibility, and economic impacts, have yet to be fulfilled;

16 WHEREAS, in Fiscal Year 2020-21, M-CORES funding was increased by
17 \$27 million more than the statutorily-required amount of \$90 million, while funding for
18 critical transportation and water quality projects were cut -- projects that could have been
19 fully funded but for M-CORES;

20 WHEREAS, the funding of M-CORES through Fiscal Year 2020-21 resulted in
21 reducing funding by more than \$8.2 million for 31 projects and programs that would have
22 benefited Broward County residents;

23 WHEREAS, FDOT has not fully provided costs and accountability for millions of
24 dollars already spent on M-CORES projects;

1 WHEREAS, cutting M-CORES funding will save the state more than \$100 million
2 in the current fiscal year alone;

3 WHEREAS, Turnpike Enterprise drivers across the state are already subsidizing
4 M-CORES, and when construction is bonded, Florida motorists on heavily-traveled toll
5 roads in southeast and central Florida will pay disproportionately more for M-CORES
6 roads located elsewhere in the state and which they are unlikely to use on a regular basis;

7 WHEREAS, M-CORES is contrary to key aspects of FDOT's mission to provide a
8 safe transportation system that ensures the mobility of people and goods, enhances
9 economic prosperity, and preserves the quality of our environment and communities;

10 WHEREAS, highways fragment wildlife habitats and collisions with vehicles are an
11 added source of wildlife mortality; for endangered large mammals like the Florida panther,
12 additional fragmentation of remaining habitats could imperil their existence;

13 WHEREAS, more than 4 million acres of protected conservation land, and more
14 than 400,000 acres of land in already-approved Florida Forever projects, are located
15 within the M-CORES corridor study areas;

16 WHEREAS, the COVID-19 pandemic has drastically altered traffic patterns and
17 devastated toll revenues, with an estimated \$189 million in losses to date, and moving
18 forward with additional toll roadways under M-CORES is not justified financially;

19 WHEREAS, the COVID-19 pandemic has underscored the need to be able to fund
20 and respond to critical needs for the benefit of all Floridians;

21 WHEREAS, the Office of Economic & Demographic Research projected there will
22 be a revenue shortfall in the state budget of \$2.75 billion for Fiscal Year 2021-22,
23 \$1.9 billion for Fiscal Year 2022-23, and \$927 million for Fiscal Year 2023-24 due to the
24 COVID-19 pandemic;

1 WHEREAS, State Senator Tina Polsky has filed State Bill (SB) 1030 and State
2 Representative Ben Diamond has filed House Bill (HB) 763 for the 2021 Legislative
3 Session, which would repeal funding of the M-CORES program; and

4 WHEREAS, the Broward County Board of County Commissioners (the "Board")
5 urges the repeal of funding of the M-CORES program to better support fiscal discipline,
6 protect environmental assets and resources, and preserve rural lands and the agriculture
7 industry and the quality of life of Florida's residents and visitors,

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9 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
10 BROWARD COUNTY, FLORIDA:

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12 Section 1. The Board urges the passage of HB 763, filed by Representative Ben
13 Diamond, and SB 1030, filed by Senator Tina Polsky, and any similar legislation that
14 would repeal the M-CORES program.

15 Section 2. The Board urges Governor Ron DeSantis and the Florida Legislature
16 to cease funding the M-CORES program and to terminate the post-task force phases of
17 the program.

18 Section 3. The Board encourages the Governor and the Florida Legislature to
19 return the funds dedicated for the M-CORES program to the State's General Revenue
20 Fund to be used for projects that reduce gridlock, improve public transit, and preserve
21 Florida's environment.

22 Section 4. The County Administrator shall transmit a certified copy of this
23 Resolution to Governor Ron DeSantis, Representative Ben Diamond, Senator Tina
24 Polsky, and the members of the Broward County Legislative Delegation.

1 Section 5. The actions and policies contained in this Resolution shall be added
2 to Broward County's 2021 State Legislative program.

3 Section 6. Severability.

4 If any portion of this Resolution is determined by any Court to be invalid, the invalid
5 portion shall be stricken, and such striking shall not affect the validity of the remainder of
6 the Resolution. If any Court determines that this Resolution, or any portion hereof, cannot
7 be legally applied to any individuals, groups, entities, properties, or circumstances, such
8 determination shall not affect the applicability hereof to any other individual group, entity,
9 property, or circumstance.

10 Section 7. Effective Date.

11 This Resolution is effective upon adoption.

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13 ADOPTED this _____ day of March, 2021.

14 **PROPOSED**

15 Approved as to form and legal sufficiency:
16 Andrew J. Meyers, County Attorney

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18 By /s/ Nathaniel A. Klitsberg 02/24/2021
Nathaniel A. Klitsberg (date)
Senior Assistant County Attorney

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20
21 By /s/ René D. Harrod 02/24/2021
René D. Harrod (date)
Deputy County Attorney

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23
24 NAK/RDH/vu
2021-02-24 Resolution to repeal funding M-CORES
02/25/2021