

THE FLORIDA LEGISLATURE
Sunset Review
OFFICE OF PROGRAM POLICY ANALYSIS
& GOVERNMENT ACCOUNTABILITY



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**Florida Government
Accountability Act
Sunset Reviews**

The act establishes the process, criteria, and schedule for the Legislature to assess whether state agencies and advisory committees need to continue to exist.

The following agencies are on the second year schedule for Sunset Reviews to be conducted by July 1, 2009.

- Department of Children and Families
- Department of Community Affairs
- Department of Management Services
- Department of State

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OPPAGA Reports on the Department of Community Affairs - 2001-2007

2007

Legislature May Wish to Consider Options for Enhancing Florida's Recreational Marine Industry, Report No. 07-48, December 2007. Available data indicates that the demand for public access to coastal waterways may be outstripping the supply of public boat ramps and other facilities. While the state has created several programs to enhance public access, these programs may not be able to counteract the economic forces that make it more profitable for marina owners to sell their waterfront property. The Legislature may wish to direct a state agency, such as the Department of Environmental Protection, the Department of Community Affairs, or the Florida Fish and Wildlife Conservation Commission, to monitor and periodically report on trends in public access to coastal waters.

Some boat manufacturers have recently left Florida to relocate in another state or expanded their operations outside the state. These manufacturers cited factors such as high property taxes; higher in-state costs for insurance, land acquisition, and labor; and financial incentives as factors in their decisions to leave Florida or expand in other states. Some of the other states' incentive programs have less stringent wage requirements than Florida.

The Legislature may wish to consider several options for enhancing the state's efforts to retain marine industry businesses. Such options include

- changing qualifications for existing incentive programs,
- creating a marine industry-specific incentive, and
- requiring Enterprise Florida, Inc., to create a unit that would focus on retaining or recruiting marine industry companies.

Local Government Comprehensive Planning Certification Program Has Limited Participation, Report No. 07-47, December 2007. Since the Local Government Comprehensive Planning Certification Program's creation in 2002, only five of the state's local governments have chosen to apply for certification. Three local governments were certified by the Department of Community Affairs (cities of Lakeland, Miramar, and Orlando) while two withdrew their applications (cities of Naples and Sarasota). The City of Freeport was certified as a result of a law passed in the 2005 legislative session.

The four certified cities have been subject to less state and regional oversight of their comprehensive plan amendments which has allowed them to expedite the amendments' approval. Counties, regional planning councils, and the Department of Community Affairs generally report they did not experience problems as a result of the cities participating in the program.

Given the low level of participation, the Legislature may wish to consider reviewing the program in the future in conjunction with other recent state initiatives that

are also intended to expedite the process of adopting comprehensive plan amendments, such as the Alternative State Review Process Pilot Program. When the Legislature reviews this pilot program, it may also wish to consider whether the Local Government Comprehensive Planning Certification Program be continued or discontinued.

2006

Legislature Should Consider Lessons Learned If It Wishes to Create a New Microenterprise Development Program, Report No. 06-77, December 2006. Microenterprise development programs typically provide loans, technical assistance, and business skills training to very small businesses. Florida has previously operated two microenterprise development programs, one administered by Enterprise Florida, Inc., and the second administered by the Department of Community Affairs' Office of Urban Opportunity. However, neither of these programs is currently in operation.

If the Legislature wishes to establish a new state-supported microenterprise development program, it should consider lessons learned from Florida's and other states' prior experiences. It would be important to

- establish clear program goals and ensure that the program's design matches its mission;
- clearly specify how state funds, interest earnings, and loan repayments could be used by microloan providers; and
- establish performance measures and objectives, and performance reporting requirements.

OTTED Has Taken Steps to Enhance the Florida Resource Directory, Report No. 06-70, November 2006. Since our 2005 report, the Governor's Office of Tourism, Trade, and Economic Development (OTTED) has taken steps to enhance the Florida Resource Directory to better serve as a comprehensive and current source of information on the state's community revitalization programs. These state programs are administered by the Department of Community Affairs, the Department of Environmental Protection, the Department of State, the Florida Housing Finance Corporation, the Governor's Office of Tourism, Trade, and Economic Development; and Enterprise Florida, Inc. Although OTTED has continued efforts to promote the Florida Resource Directory, it should continue to work with its state agency partners to ensure that state community revitalization programs' web pages include links to the directory.

2005

OPPAGA Report: Locals Find State Urban Revitalization Programs Useful; More Centralized Program Information Would Be Helpful, Report No. 05-32, May 2005. Redevelopment of distressed urban communities is primarily a local government responsibility. Local governments use the state's redevelopment programs in conjunction with other federal and local programs to help package deals for revitalizing distressed urban communities. These state programs are administered by the Department of Community Affairs, the Department of Environmental Protection, the Department of State, the Florida Housing Finance Corporation, the Governor's Office of Tourism, Trade, and Economic Development, and Enterprise Florida, Inc. While Florida's state programs do not directly provide a large amount of funds, they are viewed as being useful in helping leverage other funding support and in demonstrating government commitment to revitalization. Florida's programs also are viewed as being useful in helping local governments get community and private sector buy-in on revitalization projects.

However, state program fragmentation hinders local government officials in accessing current and comprehensive information about state programs and resources. The Office of Trade, Tourism, and Economic Development (OTTED) should work with other state entities to enhance its Florida Resource Directory website to provide more complete and up-to-date information on state programs and resources. The website also should be modified to incorporate an electronic mailing list that local officials could use to request information and assistance. OTTED also should enter into agreements with other state entities to market this website, as few local government representatives are aware of it.

2004

Urban Infill and Redevelopment Areas Have Uncertain Impact But Perceived as Useful, Report No. 04-14, February 2004. The 1999 Growth Policy Act authorized local governments to designate urban infill and redevelopment areas to help stimulate investment and development in distressed urban centers. Thirteen local governments have designated such areas, and the Legislature appropriated \$2.5 million for the program in Fiscal Year 2000-01. The Department of Community Affairs awarded 22 grants to local governments in January 2001.

While limited data is currently available on the impact of urban infill and redevelopment area designations on local conditions, representatives of local governments that received urban infill and redevelopment assistance grants believed they were useful.

If the Legislature creates similar programs in the future, it should consider requiring local governments to compile and report information on program activities and outcomes.

2003

Florida Communities Trust Has Taken Action to Expedite Land Acquisitions, Report No. 03-60, November 2003. The Florida Communities Trust has taken action to address our recommendations for improving its performance in expending its land acquisition funds. The trust reported

- completing all of its projects funded through the Preservation 2000 Program;
- expending all its Preservation 2000 funds for Monroe County Land Authority and the Areas of Critical State Concern Program;
- reducing the time to close projects under the Florida Forever Program; and
- selecting contingent project under the Florida Forever Program. These projects would receive funding contingent on the availability of additional funds resulting from favorable price negotiations, projects terminations, and withdrawals of projects.

OPPAGA Recommendation Adopted; Economic Development Toolkit Was Implemented, Report No. 03-20, March 2003. Since our 2001 report, the four entities responsible for administering the Toolkit for Economic Development (the Department of Community Affairs; Enterprise Florida, Inc.; the Executive Office of the Governor; and Workforce Florida, Inc.) adopted OPPAGA's recommendations, and the program operated until its grants were closed in December 2002. Workforce Florida, Inc., was designated to coordinate the initiative.

Although the program was appropriated \$25 million, it was able to award only \$13.6 million in grants to 30 distressed communities. These grants supported a broad variety of activities, such as providing computer training to welfare recipients, providing tutoring to at-risk students, and support services to grandparents and other relatives raising children in rural areas.

As a lasting benefit of the program, the entities developed an inventory that identifies federal and state resources that target Florida's distressed areas, including tax credits, incentives, and grants. This information is now on a [website](#).

2002

Florida Communities Trust Improves Its Timeliness; Further Actions Are Needed, Report No. 02-01, January 2002. The Florida Communities Trust helps local governments implement comprehensive plans by providing funds to acquire land identified for conservation and open space. However, delays in closing acquisition projects and a reluctance by the trust to terminate grants reduced its ability to efficiently spend its Preservation 2000 funds. Consequently, local governments that applied for grants, but were not selected, may have missed the opportunity to receive funds through the trust.

The trust has made progress in decreasing time needed to close projects. Further actions by the trust under the Florida Forever Program also are expected to reduce the likelihood of large unexpended fund balances.

To improve the trust's timeliness in spending funds, we recommend that the Legislature

- remove language authorizing the trust's governing board to extend grants beyond 24 months;
- require that the trust's unspent Preservation 2000 funds for the Green Swamp Program and Monroe County Land Authority be expended by June 2002; and
- require unspent Preservation 2000 funds for Areas of Critical State Concern be expended by June 2003.

We also recommend that the trust not extend active grant contracts beyond June 2002.

2001

Slow Startup, Lack of Structure Jeopardize Toolkit for Economic Development's Implementation and Funding, Report No. 01-25, May 2001. The Toolkit for Economic Development is an innovative approach for linking the many federal and state programs that support economic development in distressed communities.

However, the Toolkit's implementation has been delayed because it does not have an adequate administrative structure. Responsibility for implementing the Toolkit is diffused among four

coordinating partners: the Department of Community Affairs, Enterprise Florida, Inc., the Executive Office of the Governor; and Workforce Florida, Inc. None of these entities has stepped forward to manage the high level of intergovernmental coordination needed to make the initiative successful. As a result, its future success may be compromised. It is also likely that only a small portion of the initiative's \$25 million appropriation will be expended or obligated before its spending authority expires at the end of Fiscal Year 2000-01.

To increase the likelihood that the Toolkit will realize its potential to improve conditions in distressed communities, a single entity should be given responsibility for overseeing the initiative. The entity should be responsible for developing an implementation plan, monitoring projects, and evaluating the long-term effects of the initiative.

The Florida Legislature Office of Program Policy Analysis and Government Accountability



The Florida Government Accountability Act Sunset Reviews

The 2006 Legislature passed the Florida Government Accountability Act (Ch. 2006-146, *Laws of Florida*) to create a Sunset review process. The act

- establishes the process, criteria, and schedule for the Legislature to assess whether state agencies and advisory committees need to continue to exist;
- provides for the creation of a Legislative Sunset Advisory Committee and describes the membership and organization of the committee and committee duties; and
- requires reports and assistance from state agencies and the Legislature's Office of Program Policy Analysis and Government Accountability (OPPAGA).

Using these reports and other information, the Sunset Advisory Committee is to produce a report that includes recommendations to abolish, continue, or reorganize an agency or advisory committee under review.

Second Year Schedule for Agency Reviews

Agencies to be reviewed by July 1, 2010:

- (a) Department of Children and Family Services
- (b) Department of Community Affairs
- (c) Department of Management Services
- (d) Department of State