

CITY OF GAINESVILLE

#090458

2010 City of Gainesville State Legislative Agenda

Gainesville, Florida City Commission

Mayor Pegeen Hanrahan (At Large)
Mayor-Commissioner Pro Tem Scherwin Henry (District 1)
Commissioner Lauren Poe (District 2)
Commissioner Jack Donovan (District 3)
Commissioner Thomas Hawkins (At Large)
Commissioner Jeanna Mastrodicasa (At Large)

Russ Blackburn, City Manager

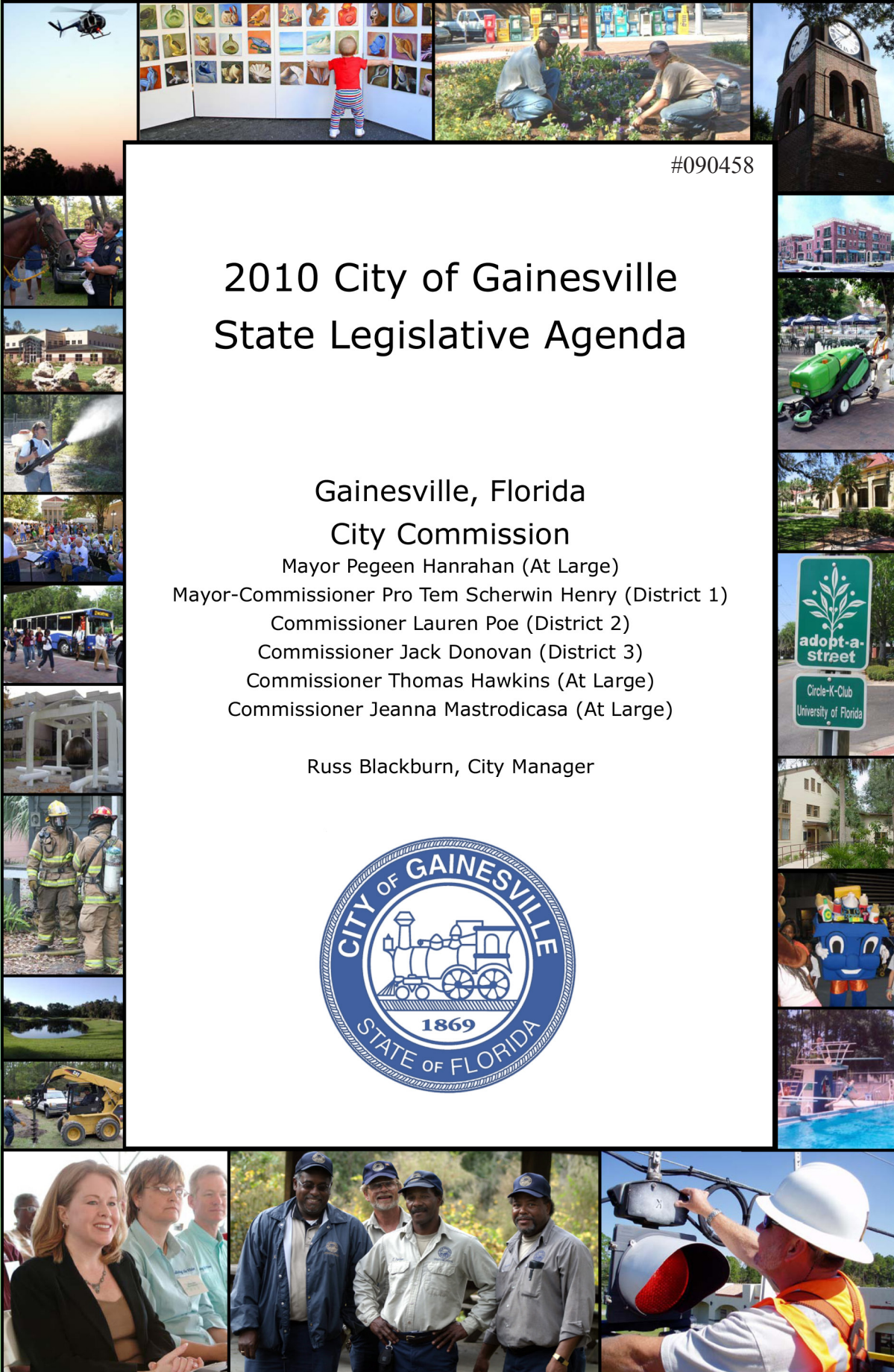


TABLE OF CONTENTS

	Page
General Legislative Policy.....	1
Priority Legislative Agenda.....	2
Amend Regulations Governing the Use of Student Fees by Community Colleges.....	2
Florida Forever.....	2
Local Government Revenues.....	2
Operation of Radios or Other Mechanical Sound Making Devices in Vehicles.....	2
Juvenile Assessment Centers.....	3
Warrantless Arrest Initiative.....	3
Uniform Traffic Citations.....	3
Priority Funding Requests.....	4
Paynes Prairie Sheetflow Restoration.....	4
Little Hatchet/Lake Forest Creek Watershed Management Plans.....	4
Urban Creek Cleanup.....	4

Preserve the City of Gainesville's Strategic Goals and Interests

As a general policy, the City of Gainesville seeks to preserve its home rule authority to govern the city, its citizens, and its property. The city will oppose any legislation viewed as detrimental to the city's strategic goals or that is contrary to the health, safety, and welfare of its citizens. The city will also oppose any legislation that mandates increased costs or loss of revenues, or that would diminish the fundamental authority of the city.

The city supports any legislation that will advance the city's strategic goals, that improves the health, safety, and welfare of its citizens, or that responsibly increases revenues or enhances the city's authority to conduct the public's business.

Florida League of Cities Legislative Priorities and Key Issues

The City of Gainesville is a member of the Florida League of Cities (FLC). Members of the Gainesville City Commission and City of Gainesville staff participate in the FLC legislative policy setting process and legislative policy councils. The City Commission generally supports the legislative priorities and key issue positions adopted by FLC. Through the duration of the legislative session, City of Gainesville representatives will communicate our position on specific legislation and our concurrence or differences with the FLC position. As a Charter City under the Florida Constitution, the City of Gainesville supports the Home Rule Authority of local governments.

1. Amend Regulations Governing the Use of Student Fees by Community Colleges

The City of Gainesville supports amending the regulations governing the use of community college student fees to permit their use in support of transit service. The intent of this request is to allow greater access to Santa Fe College and community college's statewide by providing a tool for students to easily commute using public transportation. The City of Gainesville's Regional Transit System (RTS) ranks highly statewide and nationally in terms of rider ship. RTS is well utilized due in part to the University of Florida allowing their student's student fees to fund unlimited access to the City of Gainesville's transit program.



2. Florida Forever

The City of Gainesville supports Florida Forever and legislative efforts to restore full funding to the program. Since the programs inception, millions of acres of Florida land have been purchased for conservation using Florida Forever funds. Florida Forever had previously been funded by the legislature at \$300 million annually. However, during the 2009 legislative session, Florida Forever was left unfunded by the legislature. Residents of Gainesville/Alachua County have shown their dedication and support for such programs by voting for the citizen-led Wild Spaces Public Places (WSPP) initiative. This program uses a one-half cent sales tax that will be collected for two years to fund countywide land conservation efforts. This program is a testament to Gainesville and Alachua County's desire to protect and conserve our natural resources. It is imperative that Florida Forever funding be restored to at least the level of funding that was provided previously so that Gainesville and other jurisdictions statewide can utilize the program to conserve and protect vital natural resources statewide.

3. Local Government Revenues

The City of Gainesville is benefited by being the host community for the University of Florida as well as many state and federal agencies. These industries bring a multitude of workers and visitors to Gainesville as well as a robust student population. However, Gainesville is unique when compared to other communities in Florida because while the city is fortunate to have these public institutions, Gainesville does not receive ad valorem revenue from these industries. In fact, more than 50% of the property value within the city-limits of Gainesville is exempt from the tax roll. The City of Gainesville supports actions by the Florida Legislature that assists the city to overcome the financial situation created by the abundance of tax exempt property. Potential opportunities include reinstatement of the Campus Development Trust Fund, fully funding the SHIP Affordable Housing Trust Fund and funding Florida Forever.

4. Operation of Radios or Other Mechanical Sound-Making Devices in Vehicles

The City of Gainesville supports an amendment to Chapter 316.3045 F.S. to enhance the penalties for repeat loud car stereo violations. Specific revisions include making the violation a "moving violation" and incrementally increasing the fine for multiple violations. It is currently unlawful for any person occupying a motor vehicle on a street or highway to operate or amplify

the sound produced by a radio or other mechanical sound-making device or instrument from within the motor vehicle so that the sound is plainly audible at a distance of 25 feet or more from the motor vehicle. Noise violations, specifically loud car stereo violations, continue to be an ongoing complaint of residents both in neighborhoods and adjacent to roadways. Surveys of residents have consistently indicated that noise emanating from vehicles is one of their top concerns. It is anticipated that incrementally increasing the fine for repeat loud car stereo violations and making the violation a “moving violation” will deter both new and repeat offenders.



5. Juvenile Assessment Centers

The State of Florida will be closing six Juvenile Assessment Centers statewide, including one that serves Gainesville and Alachua County. Juvenile Assessment Centers are multi-disciplinary receiving, screening and assessment facilities funded and operated by local partnerships of law enforcement agencies, school districts, human services agencies, the Florida Department of Juvenile Justice and other stakeholders. These centers provide an important service to at-risk youth, their families, and the community and funding levels should be maintained in order to keep these services available. The City of Gainesville supports Juvenile Assessment Centers and requests that the State of Florida reopen the facility serving Gainesville and Alachua County.

6. Warrantless Arrest Initiative

The Gainesville Police Department (GPD) is requesting an amendment to Section 800.03 F.S. to include a provision that if a person registered as a sexual offender/predator violates Section 800.03 F.S., law enforcement officers are allowed to make a warrantless arrest. Currently, if a law enforcement officer receives a report of an individual committing a lewd act in public, without actually witnessing the act, law enforcement can only initiate a sworn complaint against that individual. It then takes approximately six months to one year for a sworn complaint to become a warrant, and during this time, there is little to no penalty enforced in regards to the act committed. The requested amendment would allow law enforcement, in cases dealing with sexual offenders/predators and with probable cause, to make a physical arrest in a timely fashion.

7. Uniform Traffic Citations

The City of Gainesville supports amending Section 318.14, F.S., to require signature only on criminal citations. This change will bring the State of Florida in line with many other states that require signature only on criminal violations. This change will enhance and streamline electronic citation transmission. Current state statute requires that both criminal violations and noncriminal infractions citations must sign and accept a citation indicating a promise to appear. There is no requirement in the Florida Rules of Traffic Court, 2006 Edition, which requires signatures by the violators. Not only will this amendment create efficiency in the issuance of noncriminal citations, it will reduce costs associated with printing citations, transmitting paper copies of citations and filing of citations.

1. Paynes Prairie Sheetflow Restoration

The City of Gainesville is requesting \$2.5 million in funding for a water quality/surface water resource protection project. A funding request for this project is also included in the St. Johns River Water Management District Orange Creek Basin, State Funding Initiative. The requested funding will be used as cost-share funding for the construction of a sheetflow channel with water-control structures and backfilling the Sweetwater Canal that connects Sweetwater Branch to Alachua Sink. This funding would complete the final downstream component of a project to restore the historic sheetflow onto the wetlands of Paynes Prairie from Sweetwater Branch. Restoring the sheetflow would result in the restoration of 1,300 acres of wetlands and improvements to water quality within the park. As part of this project, the city will also complete improvements to the Main Street Water Reclamation Facility (MSWRF). The overall project will allow Alachua Sink to achieve the total maximum daily load (TMDL) for nitrogen which was established by the Florida Department of Environmental Protection. This request is 47% of the \$4.3 estimated construction cost of the sheetflow distribution channel with water control structures and 9% of the \$23 million total project construction cost.



2. Little Hatchet/Lake Forest Creek Watershed Management Plans

The City of Gainesville is requesting \$200,000 for this project. Both Little Hatchet Creek and Lake Forest Creek contribute surface water to Newnans Lake, a nutrient impaired total maximum daily load (TMDL) water body. In order to begin reducing nutrient loading to Newnans Lake, the city must first develop watershed management plans to identify and prioritize water quality improvement projects. This project is included in the St. Johns River Water Management District Orange Creek Basin, State Funding Initiative. The request is for 50% of the \$400,000 estimated total cost of developing the updated watershed management plans.

3. Urban Creek Cleanup

The City of Gainesville requests \$225,000 that will be used to help restore three Gainesville urban creeks by connecting approximately 15 residences to sanitary sewer lines in order to reduce fecal coliform contamination caused by septic systems that are either failing or not up to current standards. Because of the elevated levels of fecal coliform bacteria in Hogtown Creek, Sweetwater Branch, and Tumblin' Creek, FDEP listed these creeks as impaired and developed total maximum daily load limits (TMDL) that require reduction in fecal coliform. Failing or improperly sited septic systems near creeks are a source of fecal coliforms and can also contribute nutrients and other pollutants to creeks, creating a public health hazard. The requested funds will pay for extending the sanitary sewer line to each residence, plumbing connections, and abandonment of the septic system. GRU is working with the City of Gainesville Public Works Department, the Alachua County Department of Health, and the Alachua County Environmental Protection Department to identify and quantify sources of coliforms and to locate septic systems that are its source. This project is included in the St. Johns River Water Management District Orange Creek Basin, State Funding Initiative.