



CITY
OF
GAINESVILLE

1999 LEGISLATIVE STATEMENT

JANUARY 25, 1999

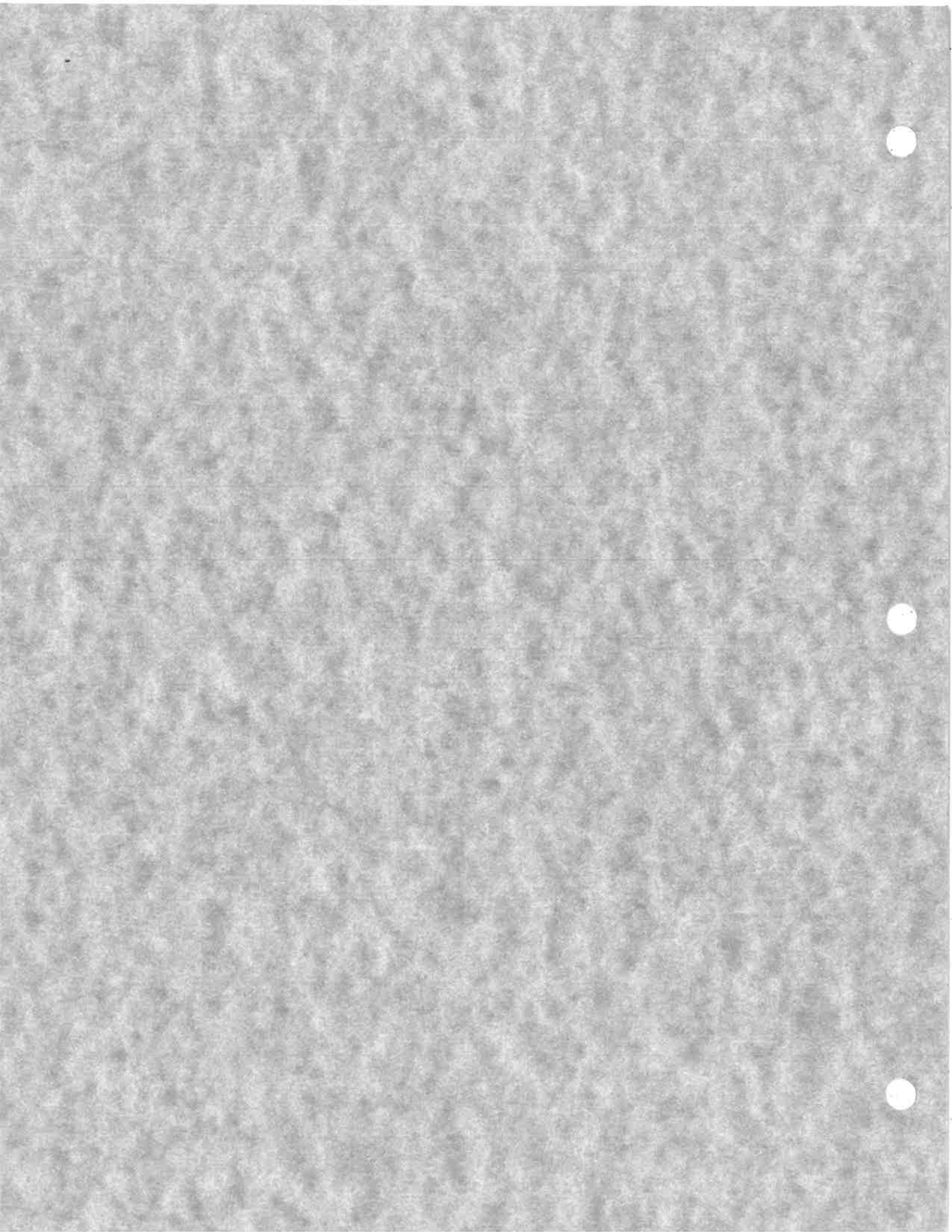


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LAW ENFORCEMENT

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

WIRELESS 911 COST RECOVERY IN FLORIDA

Position

The City supports extension of Florida Statute 365.171 to include 911 cost recovery for wireless phones.

Key Points

1. Florida Statute 365.171 currently provides for 911 cost recovery via a 50¢ monthly charge on all landline based phone bills. There is no mechanism in place to recover cost related to wireless 911 calls.
2. In Alachua County wireless 911 calls comprise approximately 20% of the incoming 911-call load. These calls do not provide Automatic Number Identification or Automatic Location Identification as do wireline calls and therefore, take about twice as long to process.
3. The wireless 911 call load is expected to double in the next five years, as more people buy wireless phones.
4. The Florida 911 Coordinators Group will present to the Florida Legislature a proposed Bill that will extend the 50¢ fee to wireless monthly phone bills. The Senate Committee of Community Affairs has studied the proposed legislation. The legislation is in three parts: the Main Bill (Senate Bill 178), the Public Records Exemption Bill (SB 180) and the Trust Fund Bill (SB 182).
5. Currently 36 states have already enacted wireless cost recovery legislation. Most of the other states are considering such legislation. The nationwide average for the monthly fee is 52¢.

Contact

Eddie Williams, Communication Coordinator

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

INCREASED REGULATION OVER SECONDHAND DEALERS

Position

The City supports legislation that increases the degree of regulation over secondhand dealers in order that the record of the types and nature of transactions may be of more use to law enforcement agencies, and that those transaction records are more readily available for these purposes.

Key Points

1. There has been an increase in transactions of stolen property with businesses that deal in used items, such as compact discs and video games.
2. There is no regulation of these transactions and no requirement for the merchant to obtain identification of the seller of the items.
3. This information could provide valuable leads to law enforcement and increase the opportunities for suspect identification.
4. Knowledge of such a law may act as a deterrent to theft of these items; if a person has to provide identification and knows that law enforcement will follow-up, criminals may feel less comfortable in entering into these transactions.

We Propose the Following

An act relating to secondhand dealers; amending s.538 to include merchants who deal in the purchase of used compact discs, video games and equipment. These merchants would be mandated to obtain a picture ID and thumbprint of any seller of these items.

Contact

Lieutenant Pete Backhaus, Public Information Office

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

PUBLIC RECORDS EXEMPTION FOR ALL JUVENILE CRIME VICTIMS

Position

The City supports amending the Public Records Law to exempt the identification of all juvenile crime victims.

Key Points

1. Identification of juveniles as crime victims exposes them to unwanted publicity and creates unnecessary stress in their lives.
2. Repeated contact by members of the media causes the juvenile to have to relive the incident, which causes additional trauma to the victim.

We Propose the Following

An act relating to public records; amending s.119.07, providing an exemption from public records requirements for the release of the identity of any juvenile crime victim.

Contact

Lieutenant Pete Backhaus, Public Information Office

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

RESTRAINTS FOR PASSENGERS IN THE BED OF PICK-UP TRUCKS

Position

The City supports legislation that would increase the safety of passengers in the bed of pick-up trucks.

Key Points

1. Passengers riding in the bed of pick-up trucks are exposed to increased risk of injury due to the lack of restraints.
2. There have been a number of documented cases of injury to passengers in the bed of pick-up trucks including a fatality in Gainesville in 1998 wherein the passenger was ejected.
3. Injuries can be prevented by the use of restraints by passengers in the bed of a pick-up truck.

We Propose the Following

An act relating to safety belt usage, amending s.316.614, providing for mandatory installation and usage of safety belts by any passenger in the bed of a pick-up truck.

Contact

Lieutenant Pete Backhaus, Public Information Office

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

SURCHARGE FOR FUNDING OF LOCAL CRIME STOPPERS PROGRAMS

Position

The City supports local programs that aid in the apprehension of criminals. Such programs that are citizen-driven and provide rewards for information and the apprehension of suspects aid law enforcement in the arrest of offenders and the prevention of additional crimes.

Key Points

1. Organizations such as Crime TRAC and Crime Stoppers assist local law enforcement in the apprehension of criminals, the recovery of stolen property, and the prevention of crime.
2. Funding is crucial to these organizations' ability to continue to operate. The money is used as incentive for persons to come forward in an anonymous capacity and provide information that assists law enforcement.
3. Information is obtained through these organizations that would otherwise not be obtained. They are a valuable resource.

We Propose the Following

An act that allows a \$1.00 surcharge to traffic citations and a \$1.00 fine assessment on all felony and misdemeanor convictions. Local Crime Stoppers, Crime TRAC, or similar organizations that provide rewards to citizens for the apprehension of criminals would designate the funds raised by this act for use.

Contact

Lieutenant Pete Backhaus, Public Information Office

ENVIRONMENT

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

CONTINUED FUNDING FOR RECYCLING GRANT PROGRAMS

Position

The City supports maintaining the current level of funding for recycling grant programs.

Key Points

1. The Solid Waste Management Act of 1988 required counties to reduce waste going to disposal facilities by 30% by 1994 through recycling.
2. It also provided local governments recycling and education grant funding to assist in the establishment of recycling programs and public education programs. Grant funds are allocated to each municipality based upon population. The City of Gainesville and Alachua County reallocate a portion of grant funding to the University of Florida. Through this cooperative effort, Alachua County achieved the 30% recycling goal by January 1993.
3. The availability of grant funding has been essential in this success. Recycling and education grants continue to provide critical support for recycling and education programs within the City. Continued funding is essential for the continued growth of local recycling efforts.

Contact

Teresa Scott, Public Works Director

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

BROWNFIELD LEGISLATION EXPANSION

Position

The City supports amending language in the Brownfield Legislation s.288.107, F.S. allowing \$500,000 grants to all Brownfield Pilot Projects designated by the United States Environmental Protection Agency (USEPA).

Key Point

Presently there are two funding categories, one for \$500,000 and another for \$200,000. Those projects that were designated by USEPA prior to May 1, 1997 are the only ones that receive the \$500,000. All Brownfield projects require significant levels of funding to comply with the state and federal requirements and therefore, projects designated since May 1, 1997, should also be eligible for the higher level-funding category.

Contact

Wayne Bowers, City Manager

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

ENCOURAGE REUSE AND REDEVELOPMENT OF BROWNFIELD PROPERTIES

Position

The City supports a state brownfields policy that promotes redevelopment, urban infill, sustainable development and environmental restoration.

Key Points

1. There is a need to change state and federal environmental brownfield policies to encourage the reuse and redevelopment of these properties.
2. Brownfields are abandoned, idle or under-used industrial and commercial properties typically located in older, often declining, developed areas with adequate infrastructure and in close proximity to population centers. Expansion or redevelopment is often complicated by real or perceived environmental contamination. Redevelopment activities could include industrial, commercial, community parks, and establishment of artificial wetlands for stormwater treatment and flood control.
3. Other factors such as market conditions, location, lack of employment opportunities, local growth patterns and deteriorating neighborhoods may discourage redevelopment of brownfields. Concern about potential cleanup costs related to contamination may discourage property transactions, investment, and redevelopment. Changes should not weaken environmental standards or shift the liability for environmental cleanup from the property owner to the taxpayer.
4. If brownfields legislation is adopted, the designation of brownfields should be limited to abandoned, idled or under-used industrial and commercially zoned properties where redevelopment is complicated by real or perceived environmental contamination and where adequate infrastructure already exists to support the proposed redevelopment project.

Contact

Wayne Bowers, City Manager

FINANCE and TAXATION

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

AUTHORITY OVER POLICE AND FIRE PENSIONS

Position

The City supports legislation that preserves municipal Home Rule and collective bargaining authority relative to local police and fire pension plans under Chapters 175 and 185, Florida Statutes. Additionally, the City will oppose any legislation that imposes unfunded mandates on taxpayers, unfairly discriminates among cities and has not been actuarially studied.

Key Points

1. The City opposes override of the Governor's veto of HB 3075.
2. HB 3075 is the equivalent of an unfunded mandate. For example, implementing just one provision, the elimination of the Social Security offset is estimated to cost the City of Gainesville at least \$375,000 per year. This plan provision exists as a result of the collective bargaining process with our Police and Fire Unions and should be eliminated in the same manner. This legislation is clearly an intrusion into the Home Rule powers of local governments.
3. The City will oppose any substitute/clarifying Bill that continues to result in cost increases or invades Home Rule.

Contact

Mark Benton, Finance Director

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

AUTHORITY OVER MUNICIPAL UTILITY SERVICES

Position

The City supports legislation that protects municipal authority to provide utility services, and also supports legislation that permits the utility to provide services outside incorporated boundaries and to charge a reasonable surcharge for these services.

Key Points

1. The City supports legislation that ensures the authority of municipalities to provide utility services now and into the future.
2. The City supports legislation that ensures municipal authority to levy, collect, audit and use Public Service Tax revenues at its discretion.
3. The City supports legislation that changes the Public Service Tax to a use or sales based tax.

Contact

Mark Benton, Finance Director

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

PRESERVATION 2000 PROGRAM

Position

The City supports continued funding of the Preservation 2000 Program and revisions in the rating criteria.

Key Points

1. Project rating criteria needs to be broadened to include restored natural areas. Present rating criteria only gives points for projects that are preserving pristine areas for public use. Rating criteria needs to be added in the scoring methodology that recognizes the value of non-pristine sites where natural habitat is being reestablished. These site reclamation projects might be either stand-alone projects or an expansion/connection of adjoining natural areas that provide significant natural experiences. Restored natural areas have a place in the process of assembling land for providing public access to natural areas.
2. Project rating criteria needs to have a broader definition of connectivity. Present criteria gives a high score to connected parcels, while no score is given to parcels that are separate but joined by a bike trail. This present scoring limits spatial planning to immediately adjoining parcels. Good opportunities may exist beyond that limit, but the scoring method deters a long-range plan for acquisition by its focus on connected parcels.

Contact

Carl Harness, Assistant City Manger

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

CONTINUED FUNDING FOR AFFORDABLE HOUSING (THE WILLIAM E. SADOWSKI ACT)

Position

The City opposes any reduction in funding for affordable housing and supports the use of documentary stamp collections to increase funding under the William E. Sadowski Affordable Housing Act.

Key Points

The City requests that the Legislative Delegation oppose any reduction in funding for affordable housing, specifically under the William E. Sadowski affordable Housing Act.

1. The City is a staunch supporter of affordable housing as it benefits our less fortunate citizens and our local businesses that build and provide such housing.
2. In 1992, the documentary stamp tax was increased for the purpose of providing affordable housing as set forth in the William E. Sadowski Act. This funding was increased by another dime in 1995.
3. The State of Florida's Sadowski Act's affordable housing programs are nationally recognized.
4. Florida is a state with a highly successful affordable housing program.

Contact

Gwendolyn B. Dawson, Housing Manager

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

CHARTER CHANGE TO PERMIT BUDGET ADOPTION AND AMENDMENT BY CITY COMMISSION RESOLUTION

Position

The City of Gainesville supports a Charter change by the Legislative Delegation to permit the Financial and Operating Plan to be adopted and amended by resolution.

Key Points

1. The City of Gainesville has been adopting and amending the Annual Financial and Operating Plan by City Commission resolution for many years.
2. A change in the state law requires that the Annual Financial and Operating Plan be adopted by ordinance, after two readings, unless the local charter provides otherwise.
3. The adoption of the Annual Financial and Operating by ordinance is not problematic. There must be two readings of the millage rate and adoption by ordinance can be concurrent with these hearings. However amending the Annual Financial and Operating Plan adopted by ordinance is lengthy, requiring two separate meetings of the City Commission. When the Annual Financial and Operating Plan amendments are finally adopted by ordinance the information is dated and no longer valid.

Contact

Richard C. Mills, Jr., Office of Management and Budget Director

ECONOMIC DEVELOPMENT

CITY OF GAINESVILLE

1999 LEGISLATIVE STATEMENT

BUSINESS INCUBATION FINANCIAL SUPPORT

Position

The City supports the startup of local businesses; particularly those that fall within the State's target industry list.

Key Points

Small companies are growing faster and creating more new jobs in the United States than large corporations. Florida cities and counties can benefit from that growth by developing programs that foster entrepreneurship and help grow small business startups. The State and its municipalities should take advantage of the research and development that occurs at educational institutions such as the University of Florida by aiding the transfer of technologies to entrepreneurs who can apply the technology and create viable products and companies. Funds should be made available to cities and counties as well as to educational institutions to leverage Federal funds awarded for the construction or operation of incubator facilities. Other than direct funds made available to specific universities, funds of this type in the State of Florida are only available through the Technological Research and Development Center for programs or facilities that focus on space-related technologies. The City believes it is in the best interest of the State to create a program that provides grant funds to business incubation facilities that incubate and help grow small startups that fall within the State's target industry list, not just space-related companies.

Contact

Conchi Ossa, Economic Development Director

TRANSPORTATION

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

TRANSPORTATION CONCURRENCY EXCEPTIONS

Position

The City supports amending the Transportation Concurrency Exception Area requirements of Rule 9J-5, F.A.C. (9J-5.005(6)) to promote more infill and redevelopment in small/medium sized communities.

Key Points

1. The City supports the work of the Transportation and Land Use Study Committee as reflected in their final report dated January 15, 1999.
2. The City concurs that existing authorizations pertaining to transportation concurrency exceptions should be reviewed by FDCA. FDCA should propose amendments as needed to the 1999 Legislature to provide greater flexibility to local governments in this area.

Contact

Tom Saunders, Community Development Director

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

TRAFFIC CALMING DEVICES

Position

The City supports legislation that would authorize municipalities to install traffic calming devices, including speed humps, on city streets.

Key Points

1. S. 316.006(2)(a) F.S. provides municipalities the jurisdiction over all streets and highways located within their boundaries, except state roads, and allows municipalities to place and maintain such traffic control devices which conform to the manual and specifications of the Department of Transportation upon all streets and highways under their original jurisdiction as they deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic.
2. Traffic calming devices, including speed humps, are not specifically defined in the current manual and specifications of the Florida Department of Transportation.
3. In August 1998, the City of Gainesville requested the Florida Department of Transportation amend their manual and specifications to include criteria for traffic calming devices, including speed humps.
4. The City has found traffic calming devices installed on certain streets to be effective at reducing the incidences of speeding motorists.

Contact

Teresa Scott, Public Works Director

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

FLORIDA METROPOLITAN PLANNING ORGANIZATION

Position

The City supports the MPOAC 1999 legislative proposal as adopted at the October 22, 1998 meeting.

Key Points

1. Provides an MPO and the MPOAC an exemption from the Florida Administrative Procedure Act by including organizations created pursuant to Section 339.175 as organizations that are not considered to be an agency for the purposes of Chapter 120, Florida Statutes.
2. Modifies the MPO designation process to comply with specific changes made in TEA-21, and reorganizes the order of the existing paragraphs in Florida Law to create a more logical sequence.
3. Allows an MPO to designate one or more of its members to represent the interests of intermodal agencies, such as those seaports and airports, which are agencies under the jurisdiction of municipal or county government.
4. Allows an MPO to submit to the Governor for approval an MPO member reapportionment plan that is exempt for the membership requirements in Florida Law, if it complies with federal law, and if this option is "needed to fulfill specific goals and policies applicable to that metropolitan planning area."
5. Deletes the ISTEA planning factors from Florida Law and provides that the MPOs, in developing plans and programs, are to consider "the planning factors established in federal law and regulations, as well as applicable state, regional and local planning processes."
6. Deletes a provision requiring the MPO and its technical advisory committee to classify projects and perform alternative analyses on projects having school safety concern.
7. Incorporates in Florida Law general planning provisions contained in TEA-21:
 - Including, for illustrative purposes, unfunded projects in the long-range transportation plan and transportation improvement program.
 - Coordination between MPOs for projects located within the boundaries of more than one MPO.
 - Public Notification in developing and adopting MPO plans and programs, as well as projects using federal funds that were obligated the preceding year.

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

FLORIDA METROPOLITAN PLANNING ORGANIZATION (Continued)

1. Enhances the nexus between Florida's Intermodal Development Program contained in Section 341.053 F.S. and the MPO Planning Process. It provides that intermodal projects funded by federal or state funds must be within MPO long-range plans and transportation improvement programs. It also provides that within urbanized areas the MPO is the conduit to be used by Intermodal Agencies requesting state funding for intermodal access projects. The MPO would provide documentation of the project's compatibility to the MPO long range plan and thereby allow the MPO to give project priority and funding consideration to intermodal access projects.

Contact

Teresa Scott, Public Works Director

FUNDING REQUESTS

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

FUNDING REQUESTS

Position

The City requests funding assistance from the State of Florida for several projects which have broad intergovernmental agency implications.

Key Points

1. The City requests \$1 million of funding assistance from the State of Florida for the business incubator. This project will further enhance economic development efforts by providing a facility and support services to grow new businesses for Gainesville and the State of Florida.
2. The City requests \$1 million of funding assistance from the State of Florida for a downtown stormwater basin and park. This project will provide a centralized master stormwater basin for downtown, will continue redevelopment in the Deport Avenue area, and will act as the major downtown connector to several of our Rail-Trails.
3. The City requests \$1.5 million of funding assistance from the State of Florida, Department of Transportation for the redesign of University Avenue which will better link our state's Flagship University with downtown Gainesville.

Contact

Wayne Bowers, City Manager

FLORIDA LEAGUE OF CITIES LEGISLATIVE STATEMENT

CITY OF GAINESVILLE 1999 LEGISLATIVE STATEMENT

FLORIDA LEAGUE OF CITIES LEGISLATIVE STATEMENT

Position

The City of Gainesville hereby supports and adopts the 1999 Florida League of Cities, Florida Legislative Statement.

Key Points

Each year the City of Gainesville usually sends one or more representatives to the Florida League of Cities conference to participate in the development of statewide legislative issues for cities. The attached statement and action agenda is a result of this year's process.

Contact

Wayne Bowers, City Manager

