

**LEGISLATIVE #**

**110278A**

## **CITY OF GAINESVILLE 2012 STATE LEGISLATIVE AGENDA**

### **GENERAL LEGISLATIVE POLICY**

#### **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 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. The city will oppose any legislation that mandates increased costs or loss of revenues, or that would diminish the fundamental home rule authority of the city. The City of Gainesville will oppose legislation by the State of Florida that preempts local authority to represent the interests of our citizens and will support efforts to repeal such preemptions that currently exist.

#### **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.

### **ECONOMIC DEVELOPMENT**

---

#### **CENTRAL CITY DEVELOPMENT**

The central city core of Gainesville is experiencing economic growth due in large part to the redevelopment efforts of the City of Gainesville and its partners as well as interest from private developers. This area, including downtown and east Gainesville, has seen significant development and infrastructure improvement which has impacted the economic potential for the central city. The City of Gainesville and its partners such as the University of Florida, Alachua County, the State of Florida and others have worked together to create an atmosphere of economic opportunity and sustainable growth with a goal of revitalizing this part of our community. Gainesville has a unique opportunity to leapfrog ahead and create a new model of community economic development; the community has mobilized with unified goals of establishing a model of community collaboration and innovation and to further enhance its effectiveness as a crucible for developing high tech companies. Establishing true public/private partnerships and further leveraging research funding and faculty expertise coming into the University of will catalyze growth and spur the creation of creative class jobs.

Current and planned projects include: Depot Park which includes the remediation of a contaminated site; the Southeast Gainesville Renaissance Initiative (SEGRI); Innovation Square and the Power District; historic preservation; mixed use development; economic development; and infrastructure improvements such as streets, sidewalks, street and pedestrian lighting, and utility improvements. **The City of Gainesville would like the support of the Alachua County**

**delegation for these redevelopment efforts. Initiatives that are at the forefront which are essential for the successful revitalization of the central city and the overall economic prosperity of the city are Innovation Square, premium transit services, and job training and education.**

### **Innovation Square**

**The City of Gainesville supports incentive programs available through the State of Florida to encourage the continued development of Innovation Square and the attraction and retention of companies that will utilize Innovation Square and benefit the local and state economy.** Innovation Square is a significant redevelopment project located between Downtown Gainesville and the University of Florida campus. This project is a coordinated effort of the City of Gainesville, the University of Florida, and Shands. From being a super incubator to company relocation, Innovation Square will support research and development companies in the physical, engineering, or life sciences. Innovation Square has the capacity to bring huge benefits to Gainesville. The most obvious impacts will be in the areas of economic development and job creation/retention among other benefits such as the redevelopment of the former Alachua General Hospital site and enhancement of the surrounding properties. Economic development programs such as those aimed at job creation/retention, business start up and incubator funds, and workforce training and development will be beneficial to Innovation Square. Additionally, the City of Gainesville and its Innovation Square development partners will actively pursue funding and incentive programs that can be utilized to assist in the infrastructure needs to improve the Innovation Square site and ultimately attract quality businesses and employers. This includes utility projects and transit service improvements.

### **PREMIUM TRANSIT SERVICES**

A significant component to the economic success of downtown Gainesville and the surrounding central city is quality and reliable public transit service. Premium transit service typically means a high quality transit, either rail or bus, that reduces transit travel times, enhances regional connectivity, and provides improved vehicle and transit amenities to attract new customers. Quality transit service is a key component to support the planned high density and mixed use development within the central city. Bus Rapid Transit (BRT) and street car service are two projects that are envisioned to improve Gainesville's transit system and enhance the economic development of the central city core. BRT is a priority program for the city with the streetcar envisioned as a key component for the future development of transit services in Gainesville.

**Bus Rapid Transit (BRT) Service** – BRT is an enhanced bus system that operates on designated travel lanes or other running ways that allows BRT to operate at faster speeds, provide greater service reliability and increase customer convenience. These attributes combined with its use of advanced technologies and operational enhancements such as alternative fare collection methods and Intelligent Transportation System (ITS) create a system with a strong positive image and identity. The City of Gainesville, Alachua County and Metropolitan Transit Planning Organization locally adopted transportation plans all support the implementation of BRT service as soon as 2015. The initial BRT implementation would likely connect a regional shopping mall, the University of Florida main campus, downtown Gainesville, and then terminate at the regional airport. **BRT service is a priority for the City of Gainesville to provide premium transit services both in terms of implementation and transit resources.**

**The funding needs for this project are estimated at \$38 million for infrastructure improvements and over \$3.6 million in annual operating expenses.**

**Streetcar Service** – Gainesville’s streetcar project is envisioned as a key component to stimulating downtown redevelopment, enhancing community livability and promoting infill development. The streetcar would operate on existing streets in existing travel lanes. **The streetcar project is in a development phase and feasibility studies will need to be conducted prior to implementation. Early cost estimates indicate that this project could cost \$128 million for infrastructure and approximately \$2 million to operate annually.** The Streetcar is currently in the early planning phase, but is quickly gaining support from a diverse group of community stakeholders. City staff recently submitted a grant application to receive FTA Livability funds to conduct a streetcar Alternatives Analysis and is waiting on the award results.

## **JOB TRAINING AND EDUCATION**

**Job Training** – The City of Gainesville recognizes the importance of a diverse workforce that possesses a variety of talents to attract businesses and spur economic development. For the city to reach its economic development goals and for projects such as Innovation Square and central city redevelopment to be successful it is essential that our citizens have opportunities to receive job training and education. **Gainesville supports the creation of programs and the continuation of existing programs that assists job seekers and the unemployed receive training and education that will allow them to take advantage of existing jobs and jobs that will result from the economic development efforts of the city and its partners. The city supports minority employment programs as well as programs aimed at employment of at-risk populations such those that focus on reducing the recidivism rate of ex-felons.**

**Education** – The City of Gainesville has a goal to facilitate broader community support to improve the educational opportunities for city youth. The city has involved stakeholders in this initiative such as Taking Stock in Children, Alachua County Public Schools Foundation, the University of Florida, Santa Fe College, School Board of Alachua County, Alachua County, and the state and federal government. Gainesville along with community partners have implemented programs to address the educational needs of our community such as mentoring programs, after school and summer programs, and programs for at-risk youth and those at high dropout risk. One such program is the Reichert House Youth Academy which is a successful partnership with the Reichert House Youth Academy, the Black on Black Crime Task Force, the School Board of Alachua County and other local agencies and jurisdictions to achieve the goal of improving intervention strategies for at-risk youth, decreasing gang activity and supporting educational and mentoring activities for this population. **The city supports partnership opportunities and assistance from the State of Florida to enhance existing programs and creating new programs to address educational needs within the Gainesville community.**

## **GENERAL GOVERNMENT**

---

### **Local Government Pension Plans**

Chapters 175 and 185 of the Florida Statutes were established under the pretext of providing a uniform retirement system for Firefighters (175) and Police Officers (185). The statutes authorize the establishment and collection of excise taxes on property and casualty insurance

policies sold within a municipalities corporate limits to be used to pay for pension benefits of firefighters and police officers. The Statutes also define minimum benefits and restrict the use of tax receipts above the base year (1997) to be used for “extra benefits.” **The City of Gainesville is seeking amendments to Statutes 175 and 185 to allow a system that provides realistic minimum benefits, to allow for all excess premium tax revenue to be used to provide these benefits, and to allow more flexibility to local governments is essential to enable local governments to react to the rising costs and current revenue pressures.**

### **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.

#### *University Concurrency Trust Fund*

The current Campus Development Agreement between the University of Florida and the City of Gainesville/Alachua County expires in 2015. This agreement identifies the level of service standards for public facilities and services and determines the impact of proposed campus development on identified public facilities and services as well as any deficiencies likely to occur as a result of proposed campus development. Additionally, the Campus Development Agreement provides funding from the University Concurrency Trust Fund to offset the cost of the service needs and development impact to the host community. **The City of Gainesville does not support legislation related to university campus development that creates a negative fiscal impact to the city without a mechanism to financially offset those impacts.**

#### *Communications Services Tax*

**The City of Gainesville does not support amendments to the Communications Services Tax rate that would result in a reduction of revenue to the city.** Under current law, cities are authorized to impose communications services taxes at a rate of up to 5.1%, or higher rates which are authorized under various provisions of current law. The City of Gainesville opposes any efforts to reduce the rate lower than the current level.

#### *Grant Programs*

The City of Gainesville utilizes many State of Florida grant programs. These programs often allow the city the ability to leverage local dollars along with grant funding to make meaningful and beneficial improvements to the community. This includes but is not limited to public infrastructure such as roads, sidewalks, and water / wastewater projects; public transportation projects; park and recreation enhancements; adult and youth programs; crime prevention and enforcement; affordable housing and neighborhood improvement; and environmental / resource conservation programs. **The city generally supports the preservation and enhancement of current programs as well as new opportunities to address the needs of the community that can be addressed through grant partnerships with the State of Florida. The Florida**

**Forever program is a priority grant program for the City of Gainesville and the city supports it being funded at a sustainable level.**

## **HEALTH AND PUBLIC SAFETY**

---

### **Internet Gaming Establishments**

**The City of Gainesville supports efforts by the State of Florida to increase enforcement and strengthen regulation of establishments offering sweepstakes or games of chance.** Establishments offering sweepstakes or games of chance, often associated with internet based games, are regulated by State of Florida Statute. These establishments are quickly being opened throughout the Gainesville community and other communities statewide. While many of these establishments are operating within the provisions in State Statute, many may be offering a product that is not allowable in current regulation. The City of Gainesville will regulate sweepstake and game of chance establishments to the extent of our ability and request adequate support in the form of increased enforcement and enhanced regulation from the State of Florida to aid in this endeavor.

### **Koppers Health Study**

Community partners have proposed a Community Health Study to assess the health status of the residents living in proximity to the Koppers superfund site, with the goal of evaluating and comparing the incidence of health problems in this population as compared to the general population. A comprehensive health study has never been implemented for the residents surrounding the superfund site. There are numerous benefits to conducting a health survey for this population. It is assumed that residents living in the proximity of the Koppers Superfund site may have been exposed to a variety of chemical contaminants. If a correlation between exposure to these contaminants and incident of adverse health effects can be determined, educational programs aimed at reducing residents exposure can be implemented resulting in an improved health status of the residents. Public health information about health effects related to the contaminants will improve the quality of the medical care and services for the general population. **It is estimated that a Community Health Study will cost approximately \$100,000. The partners participating in the Community Health Study project anticipate looking to various local, state and federal sources for funding contributions to complete the Community Health Study.**

### **Regulation of Alcohol Establishments**

**The City of Gainesville supports the strengthening of Florida State penalties against bars / restaurants that violate alcoholic beverage laws. The city supports the regulation of drink specials that encourage excess or binge drinking behavior. The State of Florida is one of only a few states that do not restrict drink specials. The city also supports additional resources for the Division of Alcoholic Beverages and Tobacco for the inspection of alcohol establishments, enforcement of alcohol laws, and providing education to license holders.**

### **Warrantless Arrest Initiative**

**The City of Gainesville 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.

### **Official Misconduct**

**The City of Gainesville supports amending Section 838.022 F.S., titled Official Misconduct, to include committing any felony or any misdemeanor crime which is sexual in nature.**

Such acts include but are not limited to sexual battery, prostitution, voyeurism, video voyeurism, stalking, obscene or harassing phone calls, lewdness, indecent exposure, obscenity, and sexual performance of a child. The current statute identifies the following actions as official misconduct: falsifying or causing another person to falsify any official record or document; concealing, covering up, destroying, mutilating, or altering any official record or official document or cause another person to perform such an act; or obstructing, delaying, or preventing the communication of information relating to the commission of a felony that directly involves or affects the public agency or public entity served by the public servant. Any person who violates the provisions of Section 838.022 F.S. commits a felony of the third degree.

## **CAPITAL PROJECTS**

---

*The City of Gainesville will seek funding through the State of Florida during 2012 for the following projects. Funding will be sought through state agencies, grant programs, and other available funding sources.*

### **Paynes Prairie Sheetflow Restoration**

The City of Gainesville is seeking \$2 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 design and construction of Phase 1 and Phase 2 of the enhancement wetland facilities. Restoring sheetflow will result in the restoration of 1,300 acres of Paynes Prairie 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 project will satisfy the City of Gainesville's obligation to reduce nutrient loading to Alachua Sink, where a total maximum daily load (TMDL) has been established by the Florida Department of Environmental Protection. This amount sought is 9.5% of the \$21 million estimated cost of the first year construction and 7.7 % of the \$26 million total project cost.

The City of Gainesville is also seeking \$500,000 in funding for Restoration of the Sweetwater Canal in Paynes Prairie. This project will fill in a two mile long man made canal and is a necessary part of the larger Paynes Prairie Sheetflow Restoration project. The total project cost is \$1 million.

### **Little Hatchet/Lake Forest Creek Watershed Management Plans**

Both Little Hatchet Creek and Lake Forest Creek contribute surface water to Newnans Lake which is a hypereutrophic lake due to high concentrations of nitrogen and phosphorous. Newnans Lake is also classified as an impaired water body by the Florida Department of Environmental Protection (FDEP). The FDEP (per the adopted 2007 Orange Creek Basin Management Action Plan) has stated that a 74% reduction in total nitrogen and a 59% reduction in phosphorous is required for the lake to not be impaired. The FDEP has also classified Little Hatchet Creek as being impaired for high levels of fecal coliform. Approximately 22% of the nitrogen loading and 28% of the phosphorous loading into Newnans Lake comes from Little Hatchet Creek and Lake Forest Creek.

In order to begin reducing nutrient loading to Newnans Lake and meet the pollution load reduction goals set by the FDEP, the city needs to develop watershed management plans to identify and prioritize water quality improvement projects. This project is going to be included in the St. Johns River Water Management District Orange Creek Basin, Surface Water Improvement and Management Plan and is a priority for the Orange Creek Basin Working Group. The City of Gainesville is seeking \$200,000 which is 40% of the \$500,000 estimated total cost of developing the updated watershed management plans. Funding will be sought from appropriate State of Florida agencies and grant programs.

### **Tumblin Regional Wetland**

The City of Gainesville completed a watershed management plan (WMP) for Tumblin Creek. This creek discharges into Bivens Arm which is classified as an impaired water body by the FDEP. Bivens Arm has low levels of dissolved oxygen, high levels of nitrogen and phosphorous and high turbidity. A significant amount of the contributing runoff into Bivens Arm is from Tumblin Creek.

The City of Gainesville has identified (through the recently completed WMP for this watershed) a number of projects that can help in improving the water quality in Tumblin Creek and Bivens Arm. One of the projects identified in the WMP is a regional wetland treatment project which includes the following:

1. Addition of a trash trap in Tumblin Creek before it discharges into Bivens Arm
2. Re-hydration of wetlands adjacent to Tumblin Creek's outlet into Bivens Arm to treat runoff before discharge into Bivens Arm
3. Creating of a wetland channel in Tumblin Creek before discharge into Bivens Arm
4. Creating a sheet pile weir system to hold back more runoff in the wetlands adjacent to Bivens Arm before being discharged into Bivens Arm

This project will reduce the biological oxygen demand by 51%, the total suspended solids by 66%, the total nitrogen by 15% and the total phosphorous by 14%. In order to improve the water quality in the Tumblin Creek watershed, Bivens Arm and meet the pollutant reduction goals set by the FDEP, the city needs to construct this regional wetland. The cost of all phases of this regional wetland is \$908,500. The city will seek \$908,500 from sources including State of Florida agencies and grant programs.

This work ties directly into the potential storm water management systems envisioned for Innovation Square as well. On-site treatment is proposed at Innovation Square, before the un-



treated water reaches the mouth of Tumblin Creek. Through this process, much of the un-treated current run-off will be managed in such a way that it supports the revitalization of the watershed and puts better water into the system.

### **Flooding and Conveyance in Tumblin Creek**

The City of Gainesville has completed a watershed management plan (WMP) for Tumblin Creek and has identified areas with severe conveyance deficiencies. These deficiencies have resulted in flooding due to undersized conveyance structures. The WMP identified 3 major areas of concern and below are these areas listed in priority and their associated costs for improvement:

1. The Innovation Square site: \$820,000
2. The NW 6<sup>th</sup> Street and University Avenue area: \$250,000
3. NW 14<sup>th</sup> Street from University Avenue to NW 5<sup>th</sup> Avenue: \$350,000

To prevent flooding in these areas and provide the residents in these areas safe access during severe storm events, the city needs to improve the stormwater conveyance system in these flooding areas. The city is seeking funding from State of Florida agencies and grant programs for all three conveyance upgrades in the priority set above.

This work also ties directly to the storm management systems envisioned at Innovation Square. The project is conceived of as providing both on-site capacity management, as well as district-wide capacity management for storm water. In addition, the square can act as a gateway into the larger Tumblin Creek system, providing capacity at that point for all upstream runoff. This work will support the overall goal of the district as a model for stormwater management.

### **Gainesville Police Department**

The Gainesville Police Department GPD Headquarters building was constructed in 1952 and was subsequently expanded in 1961, 1972, and 1983. The City initially envisioned a modest renovation, however once the project was underway, various construction issues were identified that would cause the projected renovation costs to exceed the originally contemplated budget.

As a result, a new project has been initiated to either remodel the existing structure and/or construct a new GPD Headquarters building along with the renovation for the Physical Training Facility. The renovations are expected to cost approximately \$9.5 million and will provide the Gainesville Police Department with facilities that will meet the needs of the city and its citizens.

**The City of Gainesville seeks support from the Alachua County Delegation to complete the Gainesville Police Department project, specifically assistance in ensuring that the GPD Headquarters is a hardened structure for use during significant emergency events, technology features, and security measures.**