



# City of Fort Myers 2014 Legislative Agenda

**Adopted by the City of Fort Myers City Council on October 21, 2013**



## **City of Fort Myers 2014 Legislative Agenda**

### **Introduction**

The City of Fort Myers proactively seeks to communicate and inform the local legislative delegation and community regarding the impacts of State and Federal actions on local government through the development and adoption of a legislative agenda. The Legislative Agenda provides the Fort Myers platform for legislative issues to be considered by the 2014 Session of the Florida Legislature that convenes on March 4, 2014 and ends on May 2, 2014. The legislative agenda is provided to the Local Legislative Delegation, Florida League of Cities, and City lobbyist to assist in representing the interests of Fort Myers in State governance.

### **Lee County Local Legislative Delegation**

The local legislative delegation for Lee County consists of the following members: Senator Lizbeth Benacquisto (District 30), Senator Garrett Richter (District 23), Representative Matt Caldwell (District 79), Representative Dan Eagle (District 77), Representative Heather Fitzenhagen (District 78), and Representative Raymond Rodrigues (District 76).

### **Mission of the City of Fort Myers**

The mission of the City of Fort Myers is to be financially responsible and to be a leader in municipal services, with a dedicated City workforce and an involved community.

### **Goals of the City of Fort Myers**

The five year goals established in the 2013 City of Fort Myers Strategic Plan are as follows:

- Financially sound City providing exceptional municipal services.
- Safe and livable neighborhoods.
- Economic prosperity and a growing economy.
- Vibrant downtown on the river.

The following 2014 legislative agenda issues were discussed in workshop on October 14, 2013 and adopted by the City Council of the City of Fort Myers on October 21, 2013.

# **City of Fort Myers 2014 Legislative Agenda**





## **Energy and Environmental Quality**

### **Policy Statement**

- Support a balanced water resources policy that provides for enhancements to water quality and resource conservation that provides for reductions in nutrients, flood damage prevention, protects the tourism economy, rehabilitates natural environments, and provides recreation opportunities.
- Support the establishment of a comprehensive, State-wide policy on sustainable energy development and conservation that provides incentives for the development and implementation of renewable and alternative energy sources.

### **Action Agenda**

- Support Coordinated Federal and State Funding for Water Quality Improvements in the Caloosahatchee River Basin. Support Coordinated Federal and State Funding for water quality improvements in the Caloosahatchee River Basin for reservoirs, the Central Everglades Planning Project, the Comprehensive Everglades Restoration Plan, and the restoration of the Herbert Hoover Dike.
- Support Legislation that Provides for Local Government Collection of Stormwater Fees from Public School Systems. Support the introduction of legislation that provides for the ability of municipalities to enforce payment by School Districts refusing to pay storm water utility bills of municipalities. The City opposes legislation that limits (or prohibits) the ability to appropriate address flooding and water quality improvement programs through the use of stormwater utility user fees.
- Support Legislation and Funding to Eliminate Septic System Discharges. Support the establishment and appropriation of funding for a program to eliminate nutrient discharges into surface and ground water sources from septic systems located near impaired water bodies and public drinking water sources.
- Support the Restoration of Funding to the Florida Recreation Development Assistance Program. Supports the restoration of funding by the State to the Florida Recreation Assistance Program (FRDAP) to clear the current backlog of granted projects and provide sufficient additional matching grant funds to provide for the development of parks and recreation facilities to provide for the expected quality of life and sense of place provided by municipalities.
- Oil and Gas Exploration. Oppose legislation authorizing exploration and drilling for oil and gas within Florida's territorial waters if the legislation fails to ensure scientific evidence of no impact to the travel-tourism industry for any drilling within 25 miles of the shoreline, limits or preempts municipal input and authority, or fails to properly apportion revenues derived from any gas or oil exploration in an equitable manner between cities and counties.



## **Finance, Taxation, and Personnel**

### **Policy Statement**

- The City opposes unfunded mandates and supports legislative action that strengthens the prohibition on unfunded mandates, improves identification and quantification procedures, eliminates loopholes, and requires full funding of new State mandates to the City.
- Support legislation that provides home rule authority of municipalities to diversify sources of revenues to provide for a healthy fiscal condition and reduce costs in the issuance of debt. The City opposes legislation that seeks to cap revenues of state and local governments.
- Support legislation that protects the home rule authority to negotiate benefits and pension plan provisions for municipal employees to ensure sound, secure, and stable pensions will exist for current and future City employees.

### **Action Agenda**

- Support the Continuation of Funding and Use of State Funds to Support Sustainable Police and Fire Pension Programs. Support efforts to enable State Chapter 175 and Chapter 185 funds to be used to support current benefits of police and fire pension programs. The City supports the continuation of funding by the State through the appropriation of Chapter 175 and Chapter 185 funds for use in all pension programs including defined benefit programs, defined contribution programs, and fire and police participation in the Florida Retirement System.
- Oppose Efforts to Reduce or Eliminate Municipal Revenue Authority including Communication Service Tax and Business Tax. The City will oppose bills filed that attack home rule and cap local revenues to include efforts that reduce or eliminate municipal taxing authority for property taxes, communication service taxes, and business taxes. Efforts on this issue will be coordinated with the Florida League of Cities.
- Support Legislation Extending the Authority to Cities to Establish and Receive Revenues from a Bed Tax. Support the development and introduction of legislation extending the authority of Fort Myers to implement a Bed Tax. The Florida Constitution currently prohibits a municipality from implementing any tax that is not authorized by State Statute. Statute currently permits Counties to levy a Bed Tax for the use of travel and tourism activities. The proposed language would extend the existing authority granted to counties to municipalities.

# **City of Fort Myers 2014 Legislative Agenda**



## **Finance, Taxation, and Personnel (continued)**

- Support Legislation Extending the Authority to Cities to Establish and Receive Revenues from the Local Option Infrastructure Surtax. Supports a change to Chapter 212, Tax on Sales, Use and other transactions, to allow a municipality to impose a ½ or 1 cent surcharge on sales and use tax within municipal boundaries, without an interlocal agreement or consent of the county for infrastructure improvement.
- Support Legislation to Increase Municipal Representation on County Value Adjustment Boards: Supports legislation that modifies the membership of each county's value adjustment board to provide for rotating municipal representation starting with the municipality that has the highest assessed value in the county. Provide municipal representation in appeal hearings regarding exemptions, classifications, property assessments, tax deferrals, and homestead portability.
- Support Legislation to Authorize Municipalities to Implement a Law Enforcement Assessment Fee. Support legislation to allow municipalities to implement a Law Enforcement Assessment Fee similar to the Fire Assessment Fee.
- Oppose Legislation that Limits Home Rule Authority to Establish Local Vendor Preference Programs. The City opposes legislation that prohibits or restricts municipalities to establish or enforce local vendor preference processes in competitive bidding practices and continuing contract processes.



## **Growth Management and Economic Development**

### **Policy Statement**

- The City supports legislation that promotes quality urban development, especially new statutory regulatory incentives for projects that involve infill development, job creation, and economic development.

### **Action Agenda**

- Support Legislation that Promotes Growth and Redevelopment in Urban Areas. Supports legislation that promotes quality urban development, especially new statutory regulatory incentives for projects that involve infill development, job creation, and economic development. The issue will be coordinated with the Florida League of Cities and the Florida Redevelopment Association.
- Support the Funding of the Florida Brownfield Program and Tax Credits. Supports the funding by the State of the Florida Brownfield Program Voluntary Cleanup Tax credit to clear the current backlog and to provide sufficient additional tax credit funding to encourage the redevelopment of blighted urban areas.
- Support Legislation to Reauthorize the Florida Enterprise Zone Program and Establish Super Enterprise Zones in Areas with Higher Rates of Unemployment and Poverty. The Florida Enterprise Zone program will sunset on December 31, 2015. The City encourages the State to reauthorize the program and expand incentives in areas with higher rates of unemployment and poverty. Encourage the State to examine the fiscal impact to include State costs offset for health and social services programs in addition to the cost of incentives to generate job growth and business investment.
- Support the Limited Use of Eminent Domain for Economic Development. Support the introduction of legislation that provides for the limited use of eminent domain by municipal governments and redevelopment agencies for the assembly of land in blighted areas for redevelopment purposes.
- Support the Restoration of Funding for the State Housing Initiatives Partnership (SHIP). Supports the funding by the State of the State Housing Initiatives Partnership (SHIP) from the Sadowski Trust Fund. The City uses SHIP funding to alleviate the backlog of residential rehabilitation projects for the elderly, disabled, and low-income persons.
- Support State and Federal Funding for Workforce Development and Programs Designed to Enhance the Graduation Rate of At-Risk Students. Supports legislative funding and efforts of the Southwest Florida Workforce Development Board to assist residents seeking employment, learning job skills, and provide programs to support employers locate employees and develop existing workforce.



# **City of Fort Myers 2014 Legislative Agenda**

## **Transportation and Intergovernmental Relations**



### **Policy Statement**

- Support legislation that preserves local control of transportation planning and provides opportunities for additional revenue options to fund municipal infrastructure projects.
- The City supports legislative efforts that strengthen home rule and recognizes the benefits of partnerships with public, private, and non-profit organizations in the provision of efficient and effective municipal services.

### **Action Agenda**

- Support an Amendment to Require Cable Service Providers to Provide Municipal Facilities Institutional Networks in Exchange for the Use of Municipal Rights-of-Way. Amend Chapter 610 of the State Statutes to provide for the no cost provision of institutional networks access leases to municipalities that provide public rights-of-way access to cable service providers. The amendment protects the tax payer from paying for private company profits for network cable leases to municipalities when the private companies are receiving the public rights-of-way access from the municipalities at no cost.
- Support Funding of Department of Transportation for Bicycle and Pedestrian Features, Aesthetic Improvements, and Drainage Infrastructure in Coordination with Adopted Redevelopment Plans on State Roads in the City. Support funding of FDOT to support transportation planning and infrastructure improvements to encourage redevelopment consistent with adopted City plans for U.S. 41, State Road 80, State Road 82, Fowler-Evans Corridors, and McGregor Boulevard.
- Support the 2014 Legislative Agenda of the Florida League of Cities. In adopting the 2014 Legislative Agenda for the City of Fort Myers, City Council includes the legislative efforts and platform of the Florida League of Cities as consistent with the efforts of the City.
- Support the Increase of Funding for the Prevention and Treatment of Substance Abuse and Mental Health Services. Support the increase of per capita funding by the State for substance abuse prevention and mental health treatment services using an equitable statewide formula. Increased efforts for drug abuse prevention and mental health treatment will improve the health of the citizens of the State and reduce the costs for public services that result from the failure to adequately fund mental health services.

## **Urban Administration**

### **Policy Statement**

- Support legislative actions that provide resources and programs for safe and livable neighborhoods and assist the City in providing exceptional municipal public safety services.

### **Action Agenda**

- Support the Protection of Local Ordinances that Regulate Loud Music. Supports the amendment of enabling Statute, §316.3045, for the operation of radios or other mechanical sound making devices or instruments in vehicles to change wording that was deemed by the Florida Supreme Court to be overly vague and “a content-based restriction on free speech which violates the First Amendment”. Amending the Statute to address the Court concern protects the continued enforcement of municipal noise ordinances that are based on the Statute.
- Support a Joint Resolution for a Constitutional Amendment to allow the Forfeiture of Real Property to Abate Criminal Nuisances on Homestead Properties. Supports the adoption of a Joint Resolution for a Constitutional Amendment to Article X, Section 4 of the State Constitution to support law enforcement efforts to abate criminal nuisance properties by providing an exception to homestead protection to allow property forfeiture when a clear nexus exists between the property and criminal activity.
- Support a Legislative Amendment to Increase the Requirements for Charter Amendments of the Electors of a Municipality. Seeks the amendment of State Statute 166.031 to increase the requirements for citizen petitions initiatives to amend municipal Charters to protect Charters from frivolous initiatives and reduce the financial burden on the taxpayers when such referendums are placed on the ballot.
- Support the Definition and Establishment of Regulatory Standards for Sober Homes: Support legislation that defines and establishes minimum regulatory standards for sober home facilities and allows for more stringent local regulations of these facilities.
- Support Legislation that Enhances the Continued Incarceration or Supervision of Violent Felony Offenders. Support legislation supported by the Florida Parole Commission that enhances the continued incarceration or supervision of violent felony offenders. The City opposes legislation that provides for the early release of inmates or reduces the current requirement for inmates to serve a minimum of 85% of their sentence.



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