

CITY OF FORT MYERS
2012 LEGISLATIVE AGENDA

The following 2012 legislative agenda issues were discussed and adopted by the City Council of the City of Fort Myers on August 1, 2011. The legislative agenda is prepared to communicate a Fort Myers platform on issues to be considered by the 2012 Florida Legislature. The legislative agenda is provided to the Local Legislative Delegation, Florida League of Cities, and lobbyist J. Keith Arnold, to assist in representing the interests of Fort Myers in State governance.

The local legislative delegation for Lee County consists of the following members: Senator Michael Bennett (District 21), Senator Lizbeth Benacquisto (District 27), Senator Garrett Richter (District 37), Representative Ken Roberson (District 71), Representative Paige Kreegle (District 72), Representative Matthew Caldwell (District 73), Representative Gary Aubuchon (District 74), and Representative Trudi Williams (District 75). Senator terms expire in 2012 and the Representatives reflect the 2010 election results.

Energy and Environmental Quality

- 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.
- 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.

Finance and Taxation

- Oppose Unfunded Mandates. Support legislation 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. Action will be taken by the City's lobbyist as directed by

the City to oppose bills filed that create unfunded mandates. Efforts on this issue will be coordinated with the Florida League of Cities.

- Support Preservation and Expansion of Local Government Revenues and Oppose Legislation that Seeks to Cap Revenues or Limit Local Governance of Fiscal Policies. Oppose legislation such as the TABOR amendment that seeks to cap revenues of state and local governments. The City will oppose bills filed that attack home rule and cap local revenues. Efforts on this issue will be coordinated with the Florida League of Cities.
- Support the Introduction of 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.
- Support the Local Option Gas Tax for Urban Transportation Needs. Supports the authorization of cities to levy, by referendum, up to 2 cents of the existing 5-cent local option gas tax authorized by Statute to provide for local transportation needs and "Complete Streets" programs.

Growth Management and Transportation

- 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.

Intergovernmental Relations

- 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 Re-introduction of SB 414 to Create Super Enterprise Zones and Seek the Inclusion of Fort Myers in the Pilot Designation. Super Enterprise Zones are designated areas of existing enterprise zones with higher rates of unemployment and poverty. The designation would spur job creation and economic development through enhanced State tax incentives beyond those of existing enterprise zones. Enhanced incentives in SB 414 provide an exemption to certified businesses from paying for tangible personal property, sales, and use tax on purchases for their exclusive use within the zone. Items sold from within the zone priced less than \$1,000 are exempt from sales and use tax.
- Support the 2012 Legislative Agenda of the Florida League of Cities. In adopting the 2012 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.

Urban Administration

- Ensure the Continuation of State Funding for Pensions. Support 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.
- Support the Use of State Funds to Support 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. Bill language was drafted in 2009 for this issue. Legislation adopted in 2010 did not address this issue.
- 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 the Protection of Local Ordinances that Regulate Loud Music. Supports the amendment of enabling Statutes for the operation of radios or other mechanical sound making devices or instruments in vehicles to change wording that was deemed by the Courts 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 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.