

**Charlotte County  
Legislative Agenda  
2013-2014**

**Guiding statement**

As government closest to the people, local governments' role in the representation of Florida's citizens should be respected by honoring home rule and charter county authority, and avoiding preemption of local authority. Local governments' desire to keep its taxpayers' burdens low should be recognized by refraining from unfunded mandates and cost shifts.

**Fiscal Responsibility**

▪ **Consultants Competitive Negotiation Act (CCNA)\***

The CCNA selection process, which is mandated by State statute, does not allow cost to be a factor while selecting a contractor for engineering and design services. The inability to factor in cost as part of the selection process limits the County's ability to ensure that the best price is obtained for engineering and design services contracts.

STATEMENT: Support revisions to the Consultants' Competitive Negotiation Act to allow costs and fees to be a factor in the selection process.

▪ **Public Records Law\***

Cost estimates are required to be included in each project's CIP (budget) and made available to the public. This provides consultants and contractors with significant leverage during the negotiation process or when submitting bids.

STATEMENT: Support creation of a temporary exemption from public records law to keep cost estimates of construction project costs confidential until after the procurement process.

▪ **County Health Department (CHD) Funding\***

Charlotte County pays a significantly higher per capita local contribution for CHDs compared to other similarly sized counties throughout the State.

STATEMENT: Support greater equity in state funding of CHDs. **SUPPORT** reinstating the ability of CHDs to provide primary care and direct patient care services, particularly in communities without adequate substitutes or alternative providers for these services.

▪ **Code Fine Liens**

When code fines are not paid, the County places liens on offending properties in an effort to collect payments. As properties go through the foreclosure process, payment of the fines is often difficult to collect.

STATEMENT: Support code fine liens or at least abatement costs and out of pocket expenses being on parity with state, county, municipal and tax liens.

▪ **Internet Sales Tax/"Main Street" Fairness Act\***

Retailers are only required to collect sales tax in states where they have brick-and-mortar stores. The current sales tax system is perceived as being unfair to brick-and-mortar retailers that employ local residents, including local stores and national chains.

STATEMENT: Support legislation that promotes an equitable, competitive environment between brick-and-mortar businesses and remote business establishments conducting business in Florida.

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## Transportation

### ▪ **Gas Tax Funds**

Of the total gas taxes paid at the pump in Charlotte County, only about 40% come back for road projects within the County. The remaining portion is utilized to fund state and federal projects outside of the County. In 2011, \$40 million was spent at the pump and \$16M was spent on road projects within the County.

STATEMENT: Support a restructure of the formula and methodology used in the distribution of gas tax funds. Support a review of the methodology of state prioritization for transportation projects.

### ▪ **Railroad Crossing Improvements**

Railroad operators are responsible for designing and constructing railroad crossing improvements within the County, however, the County is responsible for paying the cost for the design improvements. The railroad operators have complete control of the design criteria and process, which does not allow for the County to ensure that best practices are being utilized in order to obtain a reasonable price for construction.

STATEMENT: Amend the Florida Statutes regulating public railroad-highway grade crossings to require railroads to provide detailed cost estimates to local governments when performing railroad crossing improvements requested by the local governments. Provide that if the cost estimate is rejected, the local government may proceed to perform the construction, rehabilitation, or maintenance itself.

### ▪ **State Roads Serving State Parks**

Legislation was introduced in last year's transportation bill that would have authorized the Florida Department of Transportation to maintain roads serving state parks, which would provide a significant benefit to the County.

STATEMENT: Seek legislation authorizing the Florida Department of Transportation to maintain county roads that provide access to property in the state park system.

## Public Safety

### ▪ **Juvenile Justice\***

As demonstrated by the ruling of Okaloosa, et al. v. DJJ, counties paid a disproportionate share for housing juveniles for a number of years.

STATEMENT: Provide reimbursement or credit all counties for overpayments to DJJ in accordance with the decision in Okaloosa, et al. v. DJJ. Support utilizing the appropriate state/county cost share as determined in the lawsuit as the basis for calculating county cost shares in future years.

### ▪ **Pain Clinics\***

Last year, legislation was introduced that would have preempted local governments from regulating pain clinics. We want to ensure local authority and flexibility to protect the community through local ordinances to regulate pain clinics.

STATEMENT: Oppose preemption of the regulation of pain management clinics to the state.

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## **Public Health and Environment**

### ▪ **Public Sewer Expansion Program**

Many homes in Charlotte County were built in the 1950's – 1970's and are still being served by original pre-1983 septic tanks. A considerable number of these inefficient systems are within 150 feet of Charlotte Harbor, an impaired water body, and therefore are contributing to pollution of the Harbor.

Statement: Support Area I Sewer Expansion Program with funding to convert properties with old septic tank systems to a new, centralized sewer service.

### ▪ **Reclaimed Water**

Charlotte County is required to build infrastructure and provide reclaimed water to the residents of Charlotte County, however, pre-existing commercial developments are not mandated to hook up to the new reclaimed water lines if they already have alternate water sources. This creates a financial burden for the County by the need to fund the reclaimed water infrastructure without an offsetting revenue source or commercial disposal site.

STATEMENT: Require commercial developments to connect to reclaimed water when it's available and only be permitted to use their alternate water supply as back-up.

### ▪ **Smoking Regulation\***

The Clean Indoor Air Act currently gives the State all authority to regulate smoking in public areas. The Act does not enable counties to further restrict smoking on County owned properties such as parks, beaches, and other recreational areas. The County would like to be able to limit smoking in and around sports facilities as well as within close proximity of playgrounds while, at the same time, creating designated smoking areas for those that wish to smoke.

STATEMENT: Expand the Clean Indoor Air Act to allow local governments to control smoking on county owned property, including outdoor areas.

## **Job Creation and Economic Development**

### • **Develop Regional Talent Supply and Innovation Clusters**

Southwest Florida's economic base is largely dependent on the retirement industries of health care, restaurant and retail. We are working to establish new industries that help to provide a sustainable economy for our region in the future. Expansion of Digital Media education programs, particularly in areas of Smart Medical and Smart Home applications, and training programs in the construction trades industries help to generate economic and technology activity in communities that are predominantly retirement oriented.

STATEMENT: Provide additional educational tools (funding) for communities in SW Florida to expand our economic base. Invest in strategic economic development priority training programs, both regionally and statewide.

### • **Economic Development Programs**

With transparency in government process, the State Incentive Tool Kit and marketing budget needs to be funded at levels highly competitive with other comparable states. Flexibility in development and implementation of incentive programs for smaller counties and rural areas will help overcome the challenge of having a one-size-fits-all program.

STATEMENT: Fund State economic development programs aggressively.

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- **Enterprise Zones**

Enterprise Zones encourage private investment in targeted redevelopment areas, both residential and commercial, in need of redevelopment and job creation. Enterprise Zones are also a well known incentive to site selectors in their review of properties for economic development projects.

STATEMENT: Maintain the Enterprise Zones as an incentive for community redevelopment efforts by renewing the Enterprise Zone program that sunsets December 31, 2015 for another 10 years.