# 2014 Legislative Agenda

# Support for Tornado Recovery Efforts

- Governor Bentley's Tornado Recovery Action Council (TRAC) reported that of the 7,807 homes destroyed in Alabama, 2,375 were in Tuscaloosa (30.4 percent).

- TRAC reported that of the 5,817 houses with major damage in Alabama, 2,349 were in Tuscaloosa (40.3 percent).

- Based on census track data, 71 percent of the homes destroyed were rental with a median income of less than $28,000.

# Tornado Recovery

- Tuscaloosa has over $250 million in unmet needs in housing with thousands of citizens living in temporary housing.

- TRAC reported 114 commercial buildings destroyed and 242 commercial buildings severely damaged.

# Supports Enterprise Zones/Tax Incentives Expansion

- The City supports revisions to Chapter 23 of Title 41 whereby Enterprise Zones would be expanded to give consideration to Federally Declared Disaster Areas and to allow for tax incentives for retail developments, or in the alternative create a new statute to achieve the same objective.

# Supports Funding and ALDOT Construction of University Boulevard Bridge (Alberta)

- The City supports funding and construction of the University Boulevard Bridge over Kicker Road by the Alabama Department of Transportation to proceed with a sense of urgency as a means of supporting economic growth and recovery efforts in the Alberta area.

# Supports Tuscaloosa Preference by Alabama Housing Finance Authority

- The City supports the Alabama Housing Authority including in its Qualified Allocation Plan that Tuscaloosa be given preference so long as the Presidential Disaster Declaration remains in place.

# Supports Election Law Revisions

- The City supports revisions to the election laws contained within Title 11 and Title 17 to provide for consistency in regards to the 30 day residency requirement.

# Opposes Legislation Adverse to the City's Water and Sewer Operations

- The City produces over eight (8) billion gallons of water a year, serving over 45,000 households
- The City provides water to eight (8) rural water systems in Tuscaloosa County.
- The City's water rates are the lowest of any of the 13 suppliers in the County and has one of the lowest rates in Alabama.

# Opposes Legislation Adverse to the City's Water and Sewer Operations

- The City has an extensive water and sanitary sewer distribution system consisting of over a thousand miles of lines, plus two water treatment plants and one sewer treatment plant.

- The viability of the City's Water and Sewer Department is vital to the health, economic growth and quality of life for our region.

- With ever increasing regulations from EPA and ADEM creating additional financial and logistical strains, it is important to protect this efficient and effective community asset.

# Supports Lake Tuscaloosa Extra Territorial Zoning

- Completed in 1970, Lake Tuscaloosa consists of 5,885 acres with a full pool capacity of 40 billion gallons of water and a withdrawal capability of 200 million gallons per day.

- Lake Tuscaloosa serves a critical role as the primary source of drinking water for 94 percent of Tuscaloosa County.

- Over the last 30 years, there has been significant residential and commercial development in and around the Lake with the majority outside the corporate limits of the City.

# Supports Lake Tuscaloosa - Continued

- The City will spend $768,355 for FY 2014 maintaining and protecting Lake Tuscaloosa (operational costs).
- Studies indicate that uncontrolled development is impacting the water quality of Lake Tuscaloosa and reducing the amount of capacity due to sedimentation.
- In order to protect Tuscaloosa County's most vital natural resource, land use regulations around the Lake are needed in order to preserve and protect it from pollution and sedimentation.

# Supports Lake Tuscaloosa - continued

- Class Four (4) municipal bill, which would authorize the City to adopt zoning laws, ordinances and regulations outside its corporate limits to extend up to 1,000 feet from the acquisition line of Lake Tuscaloosa.

# Oppose Statewide Business Licensing and Sales Tax Collection

- Sales tax revenue is over 40 percent of the City's budget. The City's revenue stream must be safeguarded in order for the City to continue to provide services to the taxpayer
- The City can provide better customer service, flexibility and accountability.
- This legislation jeopardizes the financial stability of the City in two primary ways: 1) Cash Flow; 2) Proration.
- Administration and compliance nightmare

# Oppose Statewide Business Licensing and Sales Tax Collections – continued

- Such legislation would limit or prohibit a municipality from levying a business license on gross receipts derived from deliveries into the municipality, deceasing the annual revenues of the City of Tuscaloosa by a substantial amount.
- The Alabama League of Municipalities has surveyed other cities, and they report similar devastating effects on revenues.
- The amount of such business license is a fraction of a percent – in Tuscaloosa the amount is usually a base license of $75 plus 0.125% of the gross receipts.

# Oppose Statewide Business Licensing and Sales Tax Collections-Continued

- This revenue is used to help pay for road and transportation infrastructure for utilization by the delivery vehicles; storm drainage systems so the roadways remain clear; and fire, police and rescue protection while they are in the jurisdiction.
- The Business License Reform Act of 2006 already mandates a special reduced delivery license for companies that do no more then $75,000 in annual deliveries into a jurisdiction.

# Oppose Drug Sales Exemption from Gross Receipts for Determination of Business Licenses

- Pharmacy sales of prescription medication is currently exempt from sales taxes, as it should be; therefore, exemption of drug sales from business licensing would undermine the City's revenues and regulatory authority.

- It is estimated that the City would lose $125,000 annually should legislation of this type be adopted.

# Opposition to Limitations on Business Licenses for Deliveries into Municipalities

- Legislation would potentially decrease the annual revenues of the City of Tuscaloosa by substantial amounts.
- The Alabama League of Municipalities has surveyed other cities, and they report similar devastating effects on revenues.
- This revenue is used to help pay for road and transportation infrastructure for utilization by the delivery vehicles; storm drainage systems so the roadways remain clear; and fire, police, and rescue protection while they are in our jurisdiction.

# Opposition to Limitations on Business Licenses for Deliveries into Municipalities – Continued

- The Business License Reform Act of 2006 has already mandated a special reduced delivery license for companies that do no more than $75,000 in annual deliveries into a jurisdiction.

# Oppose “Unfunded Mandates”

- The City supports legislation requiring funding by the State General Fund for criminal corrections, mental health systems, transportation and maintenance, and the Department of Forensic Sciences.

# Tort Limits

- Unlike the State of Alabama, which has sovereign immunity from any tort claim for money damages, municipalities are liable for torts committed by their employees acting in the line and scope of employment.
- Such claims against municipalities are limited by law to $100,000 per person per occurrence and $300,000 in the aggregate.
- If the Municipality purchases insurance with much higher coverage limits, through special endorsements on the policy, individual employees may only be protected for the first $100,000/$300,000 of any court judgment.

# Tort Limits--Continued

- In order to allow public servants to perform their duties without risk to their private assets, it is imperative that the statutory caps be made clearly applicable to municipal employees in both their official and individual capacities for claims that arise out of the line and scope of employment with the municipality.

# Support for Increased Contributions to the Tuscaloosa Fire and Police Pension Fund

- Firefighters and Police Officers of the City of Tuscaloosa are covered by an independent pension plan, created in 1959 and comprehensively amended with Alabama Act No. 1999-568.
- The Pension Board has requested the City's support for an increase in both member and employer contributions to help assure the financial soundness of the pension plan.

# Support for Increased Contributions to the Tuscaloosa Fire and Police Pension Fund - continued

- The City of Tuscaloosa supports legislation to amend the Act that would increase the contribution by covered employees by ¼% of the employee's salary, and the contribution by the City by ¼% of the employee's salary, to be effective beginning fiscal year 2014.

# Other Agenda Items

- Support for Increased Contributions to the Tuscaloosa Fire and Police Pension Fund
- Support for Requiring Occupancy Restriction Information
- Support for Minor Amendment to City's Personnel Act
- Support for Modernization of Bicycle Laws
- Support for Administrative Approval of Minor Subdivisions