



2013 Legislative Agenda

Tornado Recovery

- 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, 61 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.

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.

Protection of Lake Tuscaloosa

- 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 around the Lake with the majority outside the corporate limits of the City.

Protection of Lake Tuscaloosa

- The City will spend \$693,597 for FY 2013 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.

Protection of Lake Tuscaloosa

- 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 “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.

Oppose Statewide Business Licensing and Streamline 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 Business License

Limitations

- Such legislation would limit or prohibit a municipality from levying a business license on gross receipts derived from deliveries into the municipality, decreasing 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 a 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 Business License Limitations--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.

Drug Sales Exempted 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.

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.

Opposition to Legislation that would Redistribute Tax Proceeds in Tuscaloosa County

- In 2011, there were discussions regarding proposed legislation that would amend Section Two (2) of Act 81-739. The amendment would redistribute the proceeds and thereby decrease the compensation received by employees of the Cities of Tuscaloosa and Northport, and decrease revenues to Tuscaloosa County and to Tuscaloosa County Parks and Recreation Authority.

TABLE OF PERCENTAGE COMPARISONS

	2010 Census	Percent of County Total	Current Share
Tuscaloosa County	194,656		
City of Tuscaloosa	90,468	46.5%	36%

Corporate Limits

The City of Tuscaloosa supports the City of Northport's request to legislatively alter the corporate limit line to the midpoint of the Black Warrior River, so long as the following conditions are met:

- a) Adequate provisions to protect the City of Tuscaloosa's interest in its infrastructure, easements, rights-of-way, other property rights, and similar interests.

Corporate Limits--Continued

- b) The City of Northport assuming financial responsibility for operation and maintenance of public utilities located on the Hugh Thomas Bridge and any other area that is currently maintained by the City of Tuscaloosa, and of which becomes located in the City of Northport as a result of the altered boundaries.
- c) No loss of tax base to the City of Tuscaloosa at the time of the adoption of such legislation, and no levy of any license or tax by either city on the other as a consequence of the altered boundary line.

Corporate Limits--Continued

- d) A mutual aid and responsibility sharing agreement, or equivalent mutual understanding, between the two cities related to areas at or near the common boundary.

- e) Agreement between the two cities as to the precise boundary line.

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
- Support for Extending Law Enforcement Immunity to Tactical Paramedics