



Infrastructure Surtax Panel

2023 FACERS Legislative Meeting

Ramon D. Gavarrete, P.E.
Public Works Director
December 1, 2022

Alachua County's Ballot Initiative

SHALL ALACHUA COUNTY: ACQUIRE AND IMPROVE LANDS FOR CONSERVATION, WILDLIFE HABITAT, WATER QUALITY, AND RECREATION; OPERATE AND MAINTAIN PARKS AND RECREATION FACILITIES; REPAIR ROADS AND IMPROVE ROAD SAFETY; CONSTRUCT AND RENOVATE FIRE STATIONS AND OTHER PUBLIC FACILITIES; ACQUIRE LANDS FOR AFFORDABLE HOUSING; FUND ECONOMIC DEVELOPMENT PROJECTS PURSUANT TO FLORIDA STATUTE 212.055(2)(D)(3); PROVIDE CITIZEN OVERSIGHT AND INDEPENDENT AUDIT; BY LEVYING A ONE PERCENT SALES SURTAX FOR TEN YEARS STARTING JANUARY 1, 2023

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Alachua County's Ballot Initiative

**WILD SPACES PUBLIC PLACES, ROAD REPAIR, FIRE STATIONS, AND
AFFORDABLE HOUSING ONE PERCENT SALES TAX**

Ballot Issue	Total	Percent
FOR the one-cent sales tax	47,747	52.20%
AGAINST the one-cent sales tax	43,725	47.80%
Total Values	91,472	100%

Alachua County's Ballot Initiative

Our County Portion of the Funding – FY 2023

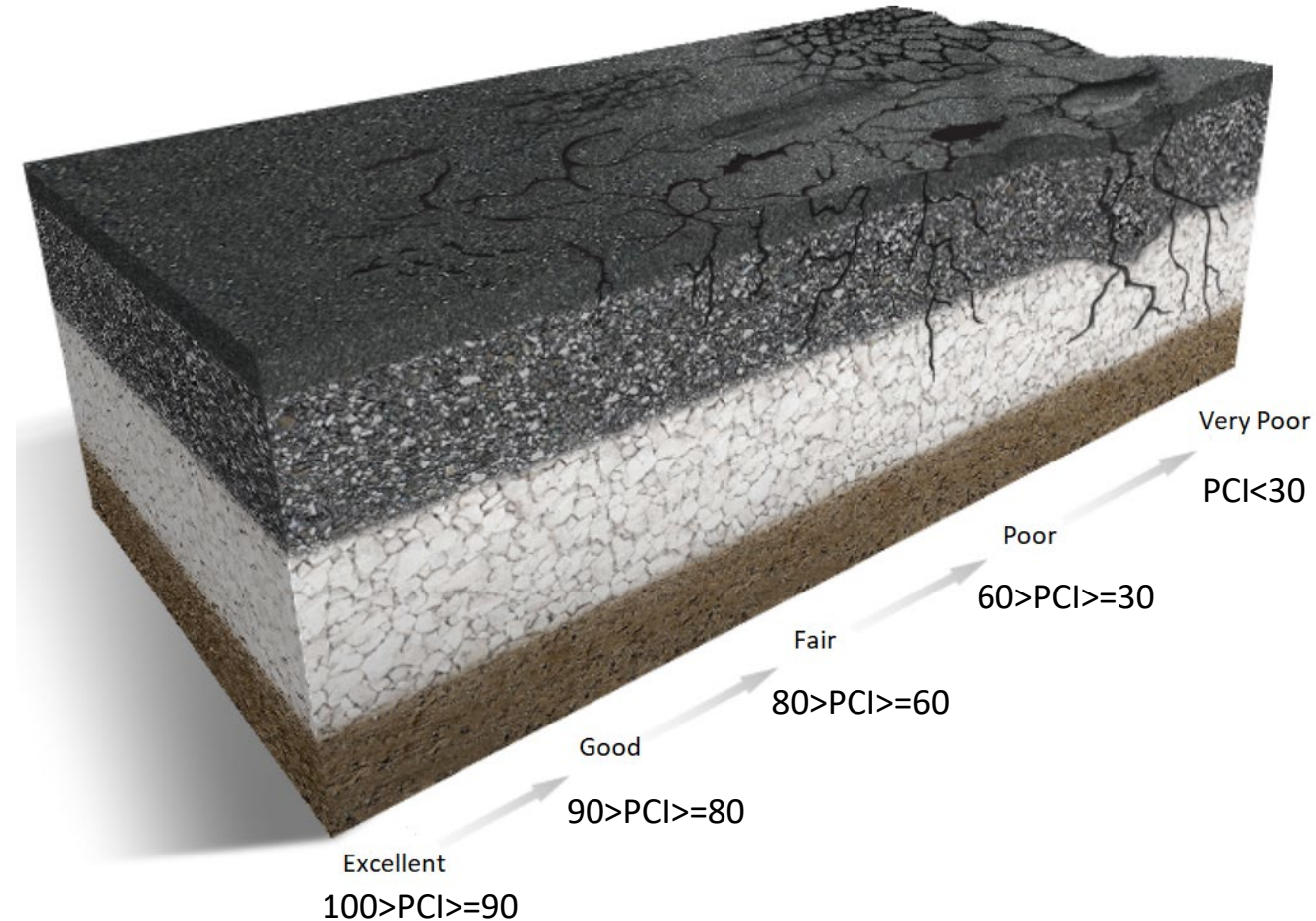
- 1 Percent Surtax = ~\$28 Million
- ½ Percent Surtax = ~\$14 Million
- 70% of ½ Percent Surtax = ~\$9.8 Million

Relating Pavement Conditions to Costs

Pavement Condition Index (PCI)

2021 - Conditions

- Roadways in Good Conditions - 22%
- Roadways in Poor Conditions - 44%

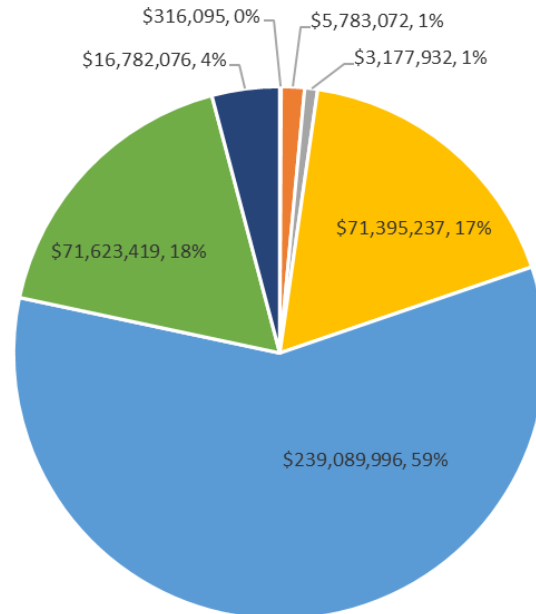


Condition	Maintenance Activity	Unit Cost per Square Yard Adj to 2022 \$
Good	Crack sealing	\$0.79
	Rejuvenator	\$1.21
	Preservation	\$7.87
Fair	Patching (4" Full-Depth Asphalt)	\$53.24
Fair/Poor	Rehab (Minor) (1.5" Mill & Fill)	\$58.69
Poor	Rehab (Major) (3.5" Mill & Fill)	\$90.75
Very Poor	Reconstruction – FDR	\$188.76

County Network Statistics From 2020 Pavement Condition Survey

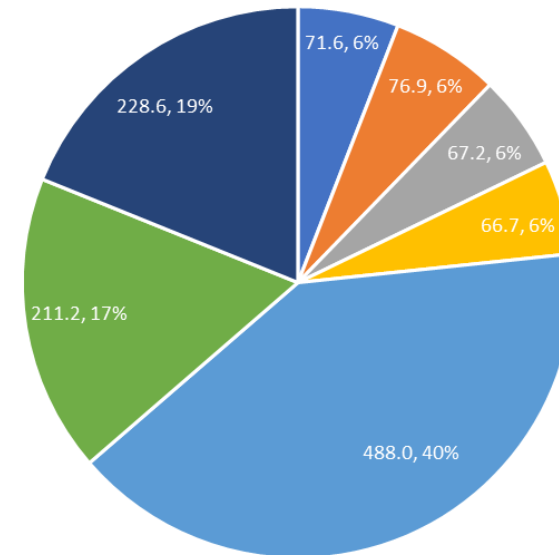


2020 Pavement Condition Survey			Updated to 2022 Costs		
Network Average PCI	=	60.1	Network Total Backlog	= \$	483,505,269
Arterial/Collector/Local Average PCI	=	57.9	Per Mile Backlog	= \$	682,358 / Mile
Subdivision Average PCI	=	63.9	Network Replacement Value	= \$	1,907,186,912
Total Network Lane Miles	=	1,423.0	Per Mile Replacement Value	= \$	2,691,562 / Mile
			Remaining Asset Value	= \$	1,146,219,334



Treatment Needs by Cost

- Crack Seal
- Patching
- Preservation
- Reconstruction-FDR
- Rehab (Major)
- Rehab (Minor)
- Rehab (Minor) - Res

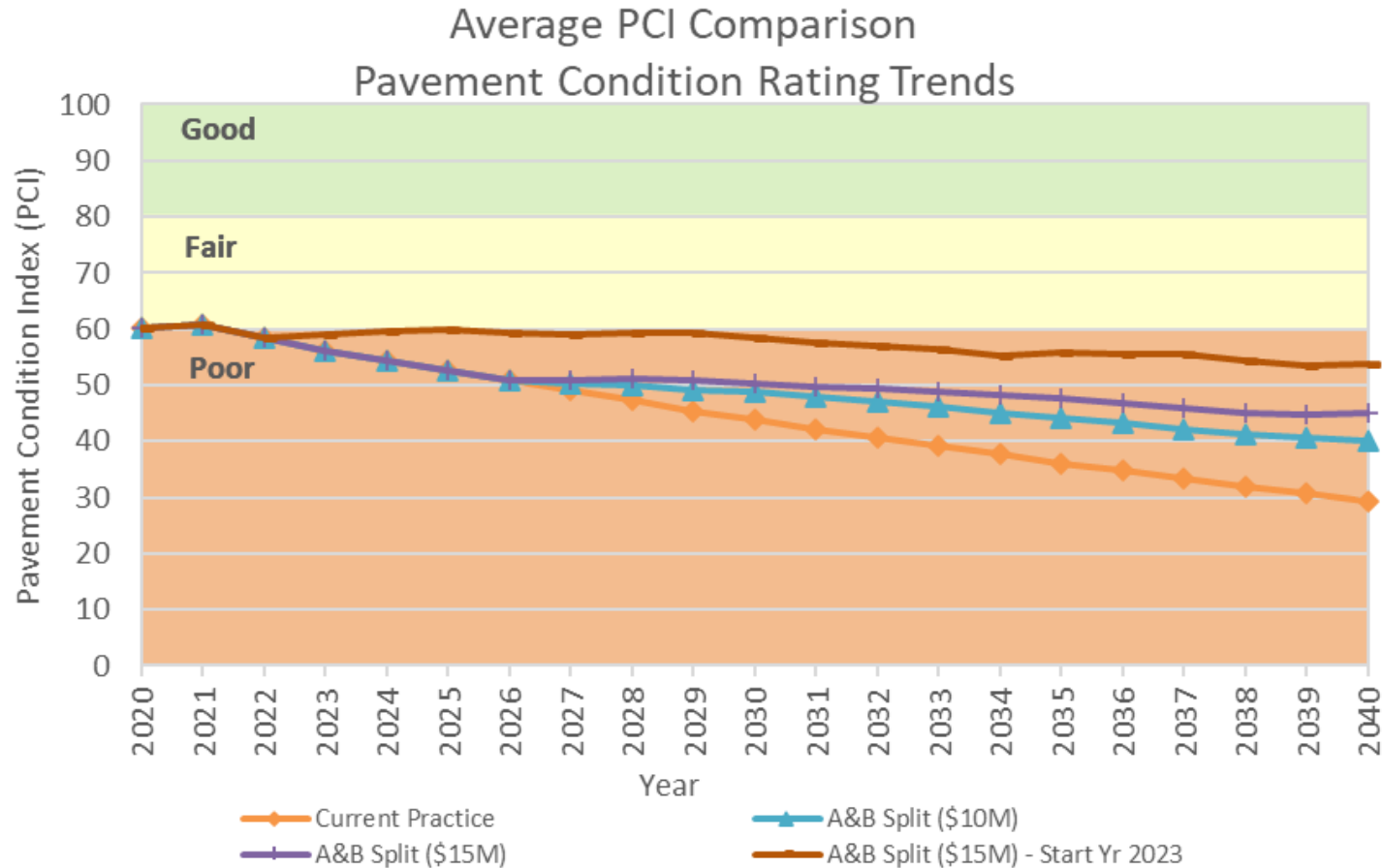


Treatment Needs by Lane Miles

- Crack Seal
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Alternative Budget Analysis Comparison

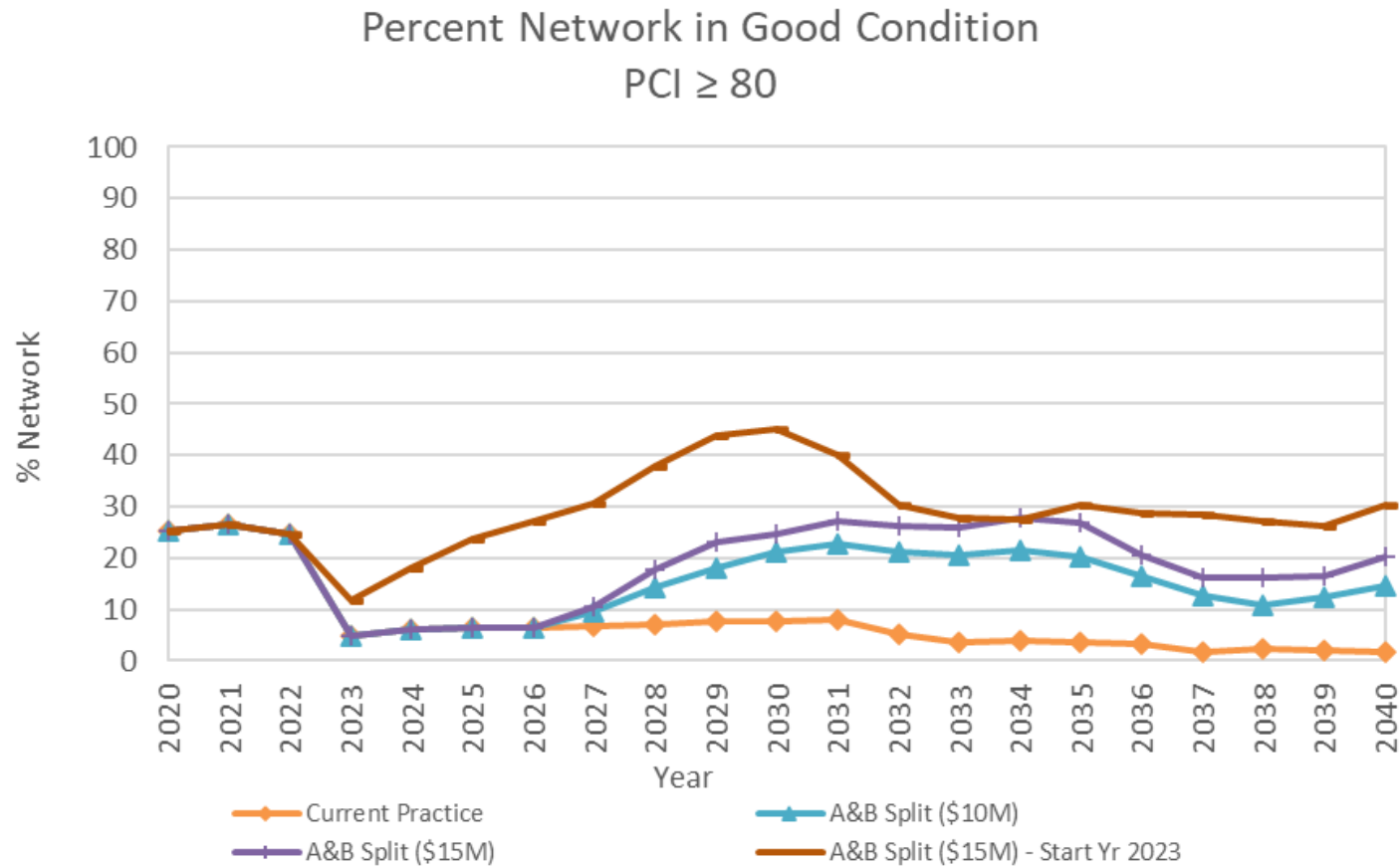
Change In PCI/Year



- **\$15M/Year – High/Low Volume Budget Split but Start in Year 2023**
- **\$15M/Year – High/Low Volume Budget Split**
- **\$10M/Year – High/Low Volume Budget Split**
- **Current Practice – Worst First/High Volume Roads Only**

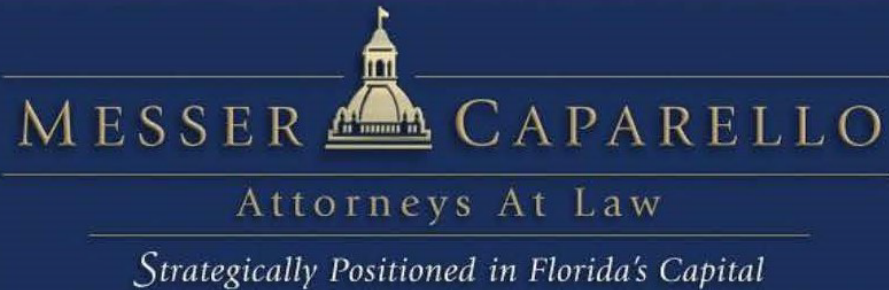
Alternative Budget Analysis Comparison

Change in % Good Roads/Year



- **\$15M/Year – High/Low Volume Budget Split but Start in Year 2023**
- **\$15M/Year – High/Low Volume Budget Split**
- **\$10M/Year – High/Low Volume Budget Split**
- **Current Practice – Worst First/High Volume Roads Only**

HB 921 – 2022 Revisions to Section 106.113, F. S.



DATE: June 17, 2022

TO: Florida League of Cities
Florida Association of Counties
Florida School Board Association

FROM: Mark Herron *MH*

RE: HB 921 – 2022 Revisions to Section 106.113, Fla. Stat.

HB 921 – 2022 Revisions to Section 106.113, F. S.

- HB 921 prohibits a local government or a person acting on behalf of local government from expending or authorizing the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning an issue, referendum, or amendment that is subject to a vote of the electors.
- This applies to communication initiated by a local government or its actors irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of an issue subject to a vote.
- HB 921 takes effect July 1, 2022.

Law Prior to 2022 Amendment

- Prior to its amendment in 2022, a local government or person acting on behalf of local government was prohibited from expending or authorizing the expenditure of, and a person or group could not accept, public funds for a political advertisement or electioneering communication concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors.
- Section 106.113 did not apply to an electioneering communication from a local government or a person acting on behalf of a local government which was limited to factual information.

Effect of 2022 Amendments

- Section 106.113 continues to prohibit the use of public funds for a “political advertisement... concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors.”
- A “political advertisement” is a “paid expression in a communication medium ... by means other than the spoken word in direct conversation, which expressly advocates ... the approval or rejection of an issue.” § 106.011(15), Fla. Stat.
- Thus, Section 106.113 prohibits the use of public funds for communications which contain express advocacy for or against a ballot issue (using words or phrases such as “vote for,” “vote against,” “approve,” “reject,” “support” or “oppose”) or which contain the “functional equivalent of express advocacy” which is defined as being “susceptible of no reasonable interpretation other than as an appeal to vote for or against a specific candidate” or issue.

Effect of 2022 Amendments

- As amended in 2022, Section 106.113, in addition, prohibits the use of public funds for any other communication sent to electors concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of an issue, referendum, or amendment.

Effect of 2022 Amendments

- The legislation does not define what is meant by “sent to electors,” but it further provides that “[t]his subsection applies to a communication initiated by a local government or a person acting on behalf of a local government...” “One definition of the word ‘send’ is, ‘to cause to go or be carried.’ Webster's New World College Dictionary 1305 (4th ed. 2001).”

Activities Not Precluded by HB 921

- Reporting on official actions of the local government's governing body in an accurate, fair, and impartial manner.
- Posting factual information on a government website or in printed materials. A person acting on behalf of a local government does not violate Section 106.113 by using local government resources to prepare and post factual information on a government website or by expending or authorizing the expenditure of public funds to prepare printed materials containing factual information.
- Hosting and providing information at a public forum. A local government or a person acting on behalf of a local government does not violate Section 106.113 by expending or authorizing the expenditure of public funds to host a public forum concerning an issue, referendum, or amendment that is subject to a vote of the electors. At the public forum, the factual information in printed materials can be provided to those in attendance.



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Thank You



Questions or Discussion?

