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2015 State Legislative Report #4	2

WEEK IN REVIEW:

Sun (Mar 8)	Mon (Mar 9)	Tues (Mar 10)	Wed (Mar 11)	Thurs (Mar 12)	Fri (Mar 13)
			5:30 PM Metropolitan Transit Commission, Room 280		

CALENDAR DETAILS:

Saturday, March 7 – Tuesday, March 10

National League of Cities Congressional City Conference, Washington DC

Wednesday, March 11

5:30 PM Metropolitan Transit Commission Meeting, Room 280

AGENDA: Selection of MTC co-chair; CATS CEO recruitment process; NCDOT TDM grant resolution; BLE project enhancements resolution; FY16/17 budget overview; Charlotte Gateway Station; Annual route performance report

March and April calendars are **attached**.



March-April
2015.pdf

INFORMATION:

2015 State Legislative Report #4

Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

Attached is the latest State Legislative Report.



2015 week 4
report.pdf

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2:00pm Retreat Planning Committee Mtg., 15 th Floor LCR 3:00pm Intergovernmental Relations Committee Mtg., Room 280 5:00pm Council Dinner Briefing, CH-14 6:00pm Council Business Meeting, Meeting Chamber	3	4	12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14 2:00pm Budget Committee Meeting, Room 280	6	7 <div style="border: 1px solid black; padding: 5px; text-align: center;"> NLC Congressional City Conference Washington, DC </div>
8	9	10	11 5:30pm MTC Meeting, Room 280	12	13	14
<div style="border: 1px solid black; padding: 5px;"> NLC Congressional City Conference Washington, DC </div>						
15	12:00pm Environment Committee Mtg., Room 280 2:00pm Community Safety Committee Mtg., Room 280 4:00pm Zoning Meeting, Room CH-14	12:00pm Transportation & Planning Committee Mtg., Room 280 2:00pm Budget Workshop, Room 267	18 5:30pm Council member David Howard Presents – An Evening with Bruce Katz, UNC Charlotte Center City Campus (320 E. 9th St.) <div style="border: 1px solid black; padding: 5px; text-align: center;"> NCLM Town Hall Day Raleigh, NC </div>	19 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14 2:00pm Budget Committee Mtg., Room 280	20	21 9:00am Council member Lyles' Interactive Bicycling Forum, Dilworth Neighborhood Grille – 911 E. Morehead St.
22	12:00pm Governance & Accountability Committee Mtg., Room 280 5:00pm Citizens' Forum/Council Business Meeting, Room 267	24	25 12:00pm Housing & Neighborhood Dev. Committee Mtg., Room 280 2:00pm Budget Workshop, Room 267 5:30pm MTC Meeting, Room 267 5:30pm Knight Cities Challenge Reception, CMGC Lobby	26 12:00pm Transportation & Planning Committee Mtg., Room 280	27 6:00pm Knight Cities Challenge Neighborhood Event, Anita Stroud Park	28
29	30	31			<div style="border: 1px solid black; padding: 10px; display: inline-block;"> 2015 </div>	

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2 2:30pm ED & Global Competitiveness Committee Mtg., Room CH-14	3 <div style="border: 1px solid black; background-color: #cccccc; padding: 5px; text-align: center;">Good Friday</div>	4
5	6 12:00pm Environment Committee Mtg., Room 280 2:00pm City Manager's Update Meeting, Room CH-14 3:00pm Intergovernmental Relations Committee Mtg., Room 280 5:00pm Focus Area Plan Retreat, TBD	7	8 12:00pm Housing & Neighborhood Dev. Committee Mtg., Room 280 2:00pm Budget Workshop, Room 267	9 12:00pm Community Safety Committee Mtg., Room 280	10	11
12	13 3:00pm Transportation & Planning Committee Mtg., Room 280 5:00pm Council Business Meeting, Room 267	14 <div style="border: 1px solid black; background-color: #cccccc; padding: 5px; text-align: center;">Optional Council trip to Raleigh</div>	15	16 12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14	17	18
19	20 5:00pm Zoning Meeting, Room CH-14	21	22 12:00pm Housing & Neighborhood Dev. Committee Mtg., Room 280 5:30pm MTC Meeting, Room 267	23 12:00pm Transportation & Planning Committee Mtg., Room 280	24	25
26	27 12:00pm Governance & Accountability Committee Mtg., Room 280 5:00pm Citizens' Forum/Council Business Meeting, Room 267	28	29	30		
					<div style="border: 2px solid black; padding: 10px; font-size: 24px; font-weight: bold;">2015</div>	



**CITY MANAGER'S OFFICE
M E M O R A N D U M**

March 6, 2015

TO: Ron Carlee, City Manager
Ron Kimble, Deputy City Manager

FROM: Dana Fenton, Intergovernmental Relations Manager

SUBJECT: 2015 State Legislative Report #4

State Budget: The Governor's proposed 2015-2017 budget for 2015-2017 was released Thursday. State General Fund revenue growth is characterized in the budget as "moderate" at 3.4% in FY 2016 and 3.8% in FY 2017. The budget proposes a \$1.2 billion to \$1.4 billion bond to advance the next set of transportation projects in line, scored under the Mobility Formula that have their environmental documents in place to ensure projects can begin immediately. The budget proposes \$10 million annual appropriations for the Film Grant Fund, and enactment of a modified historic preservation tax credit program. The proposed budget will now be considered by the House and Senate appropriations committees and subcommittees, and the House is expected to release their proposed budget in late April or early May.

NC Competes Act ([HB 117 – S. Martin, Jeter, Collins and Steinburg](#)) is the House Republican economic development incentives bill that proposes to continue the existing fuel sales tax cap for passenger air carriers by extending the sunset date from the end of 2015 to January 1, 2020, and make modifications to the Job Development Incentives Grant (JDIG), One NC, and Site Infrastructure Fund programs. Passed House and sent to the Senate.

Three stand-alone economic development measures were introduced to enact a new historic preservation tax credit ([HB 152 – Ross, Hardister, Lewis and Glazier](#)), modify the Film Grant Fund ([HB 171 – Davis, Lewis, Saine and Iler](#)), and specifically exempt the sales of fuel to an interstate air courier or an interstate passenger air carrier from all sales and use taxes ([SB 187 – Rabon](#)) were introduced. All three measures will have a fiscal note attached to them, most notably SB 187 as it goes further than current state law that allows a reimbursement for all such taxes paid above \$2.5 million.

Internal Revenue Code Update / Motor Fuels Tax Changes ([SB 20 – Rabon, Rucho and Tillman](#)): The House passed its own version of SB 20 with several amendments that will surely require a committee of conference with the Senate to iron out differences. SB 20 would set the

State motor fuels tax rate at 36 cents per gallon effective April 1, thereby preventing the NC Department of Transportation from having to substantially reduce statewide expenditures in the next biennium by anywhere from \$350 to \$500 million. Among the programs that would have been reduced substantially included those NCDOT programs that direct funding to local communities such as Powell Bill and public transportation. If SB 20 or any other legislation to maintain the state motor fuels tax rate at a minimum level of 36 cents per gallon is not enacted into law, then the resulting transportation funding shortfall will lead to some very difficult service level decisions to be made by local governments including the City Council and Metropolitan Transit Commission.

Zoning/Design and Aesthetic Controls ([HB 36 – Dollar, Brawley, Jordan and Glazier](#) / [SB 25 – Gunn, Apodaca and Tarte](#)) is identical to legislation from last session that the Senate was ready to consider but never actually voted upon ([2013 HB 150 Edition 4](#)). HB 36/SB 25 would specify when local governments could apply design and aesthetic controls to structures subject to regulation under the NC Residential Code for One- and Two-Family Dwellings. The bills also specify six exemptions from the legislation for structures located in local historic districts, or historic districts on the National Register of Historic Places, local, State or national historic landmarks, and requirements to meet life safety codes, manufactured housing regulations, and conditions of participation in the national flood insurance program. HB 36 was referred to House Local Government and SB 25 to Senate Rules.

As has been discussed frequently over the last two legislative sessions, proposals to limit when local governing bodies can consider building design elements in conditional zoning cases tends to limit the ability of Councilmembers to secure neighborhood support for such projects. In addition, the effective date language states that the bill “applies to ordinances adopted before, on, and after the effective date”. Thus, these bills would appear to impact not only future conditional zoning decisions but those that have already been adopted by the City Council.

Planning Statute Update: The North Carolina Bar Association has proposed a rewrite of the statutory authority for municipal planning and zoning regulation. This statutory authority, currently codified under Article 19 of Chapter 160A, would be recodified as Chapter 160D. The purpose behind the new Chapter 160D is to modernize and update planning and zoning authority enacted during the early 20th century while remaining policy neutral. The proposed Chapter 160D would be submitted to the General Assembly for approval during the current legislative session.

City Requested Legislation

Charlotte Firefighters’ Retirement System ([HB 70 – Bishop, Bradford](#) / [SB 137 – Tarte, Ford, Jackson and Waddell](#)) amends the City’s firefighters’ retirement system legislation in accordance with the direction provided the System by the Internal Revenue Service. Referred to House Retirement and Pensions Committee.

Civil Service Board ([HB 143 – Bishop, Cunningham, Cotham and Bradford](#)) amends the City Charter provisions for the Civil Service Board consistent with the City’s legislative request.

Stormwater Management ([HB 141 – Jeter, Cotham, Cunningham and Bradford](#)) adds statutory authority for Mecklenburg County municipalities to utilize the County’s statutory authority to implement flood reduction techniques that result in improvements to private property.

Street Gang Nuisance Abatement: NC Metropolitan Police Chiefs Association is working with potential sponsors of City supported legislation to provide authority for the Courts to extend temporary injunctions for good cause shown against gang activity.

Metropolitan Transit Commission

Special Assessments for Critical Infrastructure Needs Act: Sen. Hartsell of Cabarrus County will be sponsoring legislation supported by the Towns of Apex and Mooresville and Metropolitan Transit Commission to repeal the sunset date of the Special Assessments for Critical Infrastructure Needs Act. The towns are considering using the legislation for projects in their communities.

Other Bills

Eminent Domain ([HB 3 – McGrady](#) / [SB 74 – B. Jackson](#))
Justice for Rural Citizens Act ([HB 51 – Pittman, Speciale and Ford](#))
Land Application of Biosolids ([HB 61 – Pittman, Ford and Speciale](#))
Omnibus Economic Development Improvements ([HB 89 – Hamilton, R. Moore and Hanes](#))
DOT Condemnation Changes ([HB 127 – Stam, Jackson and Bryan](#))
Referendum for Certain Local Debt ([HB 128 – Speciale](#))
Exempt Builders’ Inventory ([HB 168 – Hager, Millis, Brody and Collins](#))
Revenue Laws Technical Changes ([SB 19 – Rabon, Rucho and Tillman](#) / [HB 41 – Howard, Brawley, Lewis and Setzer](#))