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WEEK IN REVIEW:

Mon (July 20)	Tues (July 21)	Wed (July 22)	Thurs (July 23)	Fri (July 24)
12:00 PM City Manager's Evaluation, Room 280 5:00 PM Council Zoning Meeting, Room CH-14		5:30 PM Metropolitan Transit Commission, Room 267		

CALENDAR DETAILS:

Monday, July 20

12:00 PM City Manager's Evaluation, Room 280

5:00 PM Council Zoning Meeting, Room CH-14

Wednesday, July 22

5:30 PM Metropolitan Transit Commission, Room 267

July and August calendars are attached.



July-August.pdf

INFORMATION:

Citywide Towing Services and Predatory Towing Practices Update

Staff Resource: Amelia Beonde, Management & Financial Services, Finance – Procurement Management, 704-336-3400, abeonde@charlottenc.gov

Following a request from Councilwoman Mayfield at the June 22, 2015 Council Meeting, Procurement Management has worked with representatives from 311 and CMPD to review available data related to towing services incidents reported through the City's Emerald or KBCops systems. Our staff's exhaustive search of internal and external sources has identified only a small number of reported incidences; primarily related to private companies neither currently under City contract, nor awarded contracts by Council on June 22nd. In order to ensure the City's concerns are appropriately addressed in the new contracts, Procurement Management has collaborated with the City Attorney's Office to incorporate specific contractual language to both define predatory towing practices and prohibit City towing vendors from engaging in these practices. A notification emphasizing activities that are prohibited by the contract and the consequences for violating these restrictions (to include potential contract termination) will be provided to the awarded vendors when they are presented their contracts for execution.

WFAE-FM to Feature Cross Charlotte Trail on "Charlotte Talks"

Staff Resource: Joe Frey, Engineering & Property Management, 704-336-5276, jfrey@charlottenc.gov

On Tuesday, July 21 at 9 am, WFAE, 90.7 FM will dedicate a one-hour episode to the Cross Charlotte Trail project (XCLT), a joint City-County effort to connect 26 miles of greenways and

urban trails between Pineville and Cabarrus County. The project was approved as part of the 2014 CIP bond referendum, with Council members touring a portion of the route on June 1.

Program guests will include:

- Joe Frey of Engineering & Property Management, XCLT Project Manager.
- Jay Higginbotham of Mecklenburg County Asset & Facility Management, Greenway Project Manager.
- Ty Houck, Director of Greenways for Greenville County, SC, expert on Greenville's popular and successful Swamp Rabbit Trail.
- Candace Damon of consultant firm HR&A, expert on economic development potential of urban trails.

The show will air live Tuesday at 9 am and be rebroadcast at 9 pm. It can also be streamed from the station's web site, <http://wfae.org/programs/charlotte-talks-wfae>.

Solid Waste Collection Routes Updated For Efficiency

Staff Resource: Victoria O. Johnson, Solid Waste Services, 704-336-3410, vojohnson@charlottenc.gov

In an effort to provide quality service at the best cost Solid Waste Services has updated some collection routes, which means approximately 9,000 citizens' collection schedules are changing effective August 3. Citizens will be notified of this change via direct mail. The notification card will be mailed to residents on Monday, July 20. As always, citizens can visit the website, Mecklenburg County's GEOPORTAL site or contact CharMeck 311 to verify their collection day or week. Solid Waste has worked diligently on this task to ensure the maximum service potential with the least inconvenience to our citizens. As such, Solid Waste Services will conduct dry-run practice session of the new routes the next three weekends (July 18 – August 1).

NBS Helps Connect Neighborhood Festivals to Digital Resources

Staff Resource: Gail Whitcomb, Neighborhood & Business Services, 704-336-5849, gwhitcomb@charlottenc.gov

In an effort to encourage neighborhood organizations to begin connecting their residents to digital resources, Neighborhood & Business Services (NBS) has partnered with local digital service providers to develop a resource sheet for neighborhood leaders to use when planning community festivals such as National Night Out (NNO) and Back to School events. The new digital resource contact list provides neighborhood leaders with contacts at organizations that provide digital training, internet access, and low-cost electronic devices to invite those organizations to their neighborhood events. Staff worked with each participating organization

to verify that they are able to attend community events to showcase the digital services that they offer.

Bridging the digital divide is particularly important as neighborhoods plan for back to school. 21st century skills require that students have access to technology at home. These resources can help communities with the tools they need for their families and students to be successful.

In addition to being available online, NBS will be distributing this to over 3,500 newsletter subscribers and through the personal relationships that NBS Community Engagement Specialists have with neighborhood leaders in each service area, sharing with neighborhoods participating in the July 18th Neighborhood Board Retreat as well as with those that hosted NNO and back to school events last year.

Participating organizations include:

Digital Training	Internet Providers	Low-Cost Electronic Devices
<ul style="list-style-type: none"> • Charlotte Mecklenburg Library • Central Piedmont Community College • Charlotte Mecklenburg Schools • Digi-Bridge • Knight School of Communication 	<ul style="list-style-type: none"> • AT&T • Google • Time Warner Cable 	<ul style="list-style-type: none"> • Goodwill Industries of the Southern Piedmont • Informative Technologies

The digital resource contact list can be found online at charmeck.org. For additional information on the work currently underway to develop a community digital inclusion strategic plan visit DigitalCharlotte.org.

2015 State Legislative Report #22

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

Attached is the latest State Legislative Report.



final week 22
report.pdf

July

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			1	2	3	4
					Independence Day Holiday	
5	6	7	8	9	10	11
12	13 12:00pm Governance & Accountability Committee Mtg., Room 280 3:30pm Transportation & Planning Committee Mtg., Room 280	14	15	16	17	18
19	20 12:00pm City Manager's Evaluation, Room 280 5:00pm Zoning Meeting, Room CH-14	21	22	23	24	25
26	27 5:00pm Citizens' Forum/Council Business Meeting, Room 267	28	29	30	31	

2015

August

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10 3:00pm Transportation & Planning Committee Mtg., Room 280	11	12	13	14	15
16	17 12:00pm Governance & Accountability Committee Mtg., Room 280	18	19	20	21	22
23	24 12:00pm City Attorney 's Evaluation, Room CH-14 5:00pm Citizens' Forum/Council Business Meeting, Room 267	25	26 5:30pm MTC Meeting, Room 267	27	28	29
30	31					

2015



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

July 17, 2015

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

FROM: Dana Fenton, Intergovernmental Relations Manager

SUBJECT: 2015 State Legislative Report #22

Trending Topics

- **HB 97, 2015 Appropriations Act** conferees were appointed; Mecklenburg County House members appointed by the Speaker were Representatives Brawley, Bryan, Bishop, Bradford, Jeter, Schaffer, Alexander, Carney, Cotham and Moore; Senate conferees include Senator Tarte; all appointees supported their chambers' budget proposal
- **HB 201, Zoning Changes / Citizen Input**, which repeals the "protest petition" that triggers the three-fourths majority vote of Council for conditional zonings, was sent to the Governor for signature
- **HB 765, Regulatory Reform Act of 2015** is scheduled to be discussed in House Environment Committee on Tuesday, 7/21
- **HB 168, Exempt Builder's Inventory** is scheduled to be heard in Senate Finance on Tuesday, 7/21
- **SB 541, Regulate Transportation Network Companies** is scheduled to be heard in Senate Finance on Tuesday, 7/21
- **HB 721, Subdivision Ordinance / Land Development Changes** was reported out of Senate Judiciary II with technical amendments secured by the City of Charlotte; HB 721 sponsor Representative Bryan worked closely with city staff on these amendments; Council is encouraged to thank him for working with us on these amendments

State Budget

2015 Appropriations Act ([HB 97 – Dollar, L. Johnson, McGrady and Lambeth](#)) is being conferenced by the House and Senate. Word is that the House and Senate are nearing compromise on a Medicaid reform proposal, which has been characterized as top priority for the Senate. The House and Senate must agree on a budget before August 14 or a new continuing resolution will have to be passed to keep State government operating.

Fiscal & Administrative

Exempt Builder's Inventory ([HB 168 – Hager, Millis, Brody and Collins](#)) was amended in Senate Commerce on June 30 to add a property tax exemption for commercial properties where a builder may exclude for up to five years the increase in value due to subdivision and improvements – excluding buildings. This provision is in addition to what was included in HB 168 passed by the House on June 17, which allowed a property tax exemption for any increase in the value of single family homes and duplexes and held for sale by a builder for up to three years, and broadened the definition of a “builder” by removing the requirement that they be licensed as a general contractor under G.S. 87-1. HB 168 is effective for taxes imposed for taxable years beginning or after July 1, 2016; and applies to subdivision of or other improvements made on or after July 1, 2015. HB 168 will be heard in Senate Finance on 7/21 and at a future Senate Appropriations/Base Budget Committee meeting prior to Senate floor debate. City Finance is working with Mecklenburg County to determine an updated fiscal impact.

Repeal Business License Fees ([HB 739 – Brawley](#)) would remove the authority for cities to charge a regulatory user fee to businesses that are located in cities, which was intended by some cities as a replacement for the privilege license tax. HB 739 passed the House and was referred to Senate Rules. Due to the concern that HB 739, if enacted, would repeal local authority to charge specific regulatory user fees, Representative Brawley has agreed to work with the NC League of Municipalities and City of Charlotte on language that precludes that possibility.

Regulatory Reform

Local Government Regulatory Reform Act 2015 ([HB 44 – Conrad, Lambeth, Hanes and Terry](#)) makes several regulatory changes affecting local governments. HB 44 passed the Senate and was sent back to House for concurrence, but the House rejected the changes. Sections of interest to the City are notification to property owners prior to beginning local government construction projects, conversion of travel lanes to bike lanes, riparian buffer reform, and county control of development. City staff is working with the NC League of Municipalities and other local governments on potential amendments to these sections. A committee of conference has been appointed to iron out differences between the House and Senate.

Regulatory Reform Act of 2015 ([HB 765 – McElraft](#)) was passed by the Senate on July 2 and sent back to the House for concurrence. The House Environment Committee will be holding a public hearing on HB 765 on Tuesday, 7/21, before the House takes a vote to non-concur with the Senate changes. Sections of interest to the City include a new requirement for local governments undertaking water, wastewater and storm water construction to consider the use of all piping materials, which has been sought by PVC piping manufacturers. While the section requires local governments to “consider” all piping materials, the language will require local governments to document these decisions thereby adding another layer of bureaucracy to such decisions. HB 765 also substantially amends recycling requirements of discarded computer equipment and televisions by repealing the manufacturer’s fee that funds drop off centers for discarded equipment but maintains the mandate that prohibits from dumping the equipment in

landfills. The fiscal impact to the City of repeal of the manufacturer's fee is estimated at greater than \$100,000.

Environmental & Planning

Outdoor Advertising ([HB 304 – Hager, Collins, J. Bell and Hanes](#) / [SB 320 – Brown, Rabon and Tarte](#)) preempts local authority with statewide standards with respect to the location, height and size of relocated signs and conversion to changeable message signs. The legislation appears to open the door to relocating outdoor advertising from industrially zoned areas to commercially zoned areas, notwithstanding local ordinances to the contrary, and allowing such signs to be higher and larger than those allowed under existing local ordinance. HB 304 received serial referrals to House Commerce and Finance Committees, and SB 320 received serial referrals to Senate Commerce and Finance Committees.

Subdivision Ordinance / Land Development Changes ([HB 721 – Bryan, Stam, Bishop and Bradford](#)) would reform performance guarantee practices. HB 721 passed the House and was reported favorably out of Senate Judiciary II. HB 721 will be heard by State and Local Government on 7/21 before heading to the floor of the Senate. Representative Bryan worked with the City of Charlotte on amendments to HB 721.

Zoning Changes / Citizen Input ([HB 201 – Stam, Goodman, Jackson and Fraley](#)) repeals the protest petition provisions that trigger the requirement for a three-fourths vote of governing body members to approve conditional zonings in the event of a qualified protest against a zoning map amendment and replaces it with a requirement for a simple majority vote for all zoning decisions. HB 201 also implements an affirmative requirement for written communications regarding all zoning cases to be submitted to governing body. HB 201 has been sent to the Governor for his signature.

Public Safety

Regulate Transportation Network Companies ([SB 541 – Rabon and McKissick](#)) was reported favorably out of Senate Transportation on July 1 with language allowing Airports to contract with transportation network companies for the appropriate use of airport facilities. SB 541 provides for a statewide regulatory regimen for transportation network companies and drivers administered by the Department of Motor Vehicles and addresses liability insurance requirements and background checks for drivers. SB 541 will be heard in Senate Finance on Tuesday 7/21.

Rental Registration ([HB 530 – Brawley](#) / [SB 442 – Gunn, Ford and Wade](#)) prohibits mandatory registration of all rental properties in favor of registration of only those units that meet certain crime and disorder thresholds. City currently requires all owners to register their properties so that Police can inform them of when crime occurs on the property, regardless of whether any of their properties meet the crime or disorder thresholds enumerated in the legislation. Without a database of rental properties and owners, the City will not be able to comply with its own requirement that all owners or managers be notified of crimes that occur on their properties. Legislation also prohibits local governments from imposing criminal penalties

for noncompliance. Violation of the local ordinance is classified as a misdemeanor, which is only charged as a last resort for flagrant violators. By charging a misdemeanor, it triggers the judiciary to adjudicate the end result and affords due process to both the City and the owner or manager of the property. HB 530 was reported favorably from House Local Government and has serial referrals to the House Regulatory Reform and Finance Committees. The NC League of Municipalities is working with Representative Brawley on compromise language.

City Requested Legislation

Stormwater Management ([HB 141 – Jeter, Cotham, Cunningham, Bradford, Bryan, Carney, Earle and R. Moore](#)) authorizes municipalities in Mecklenburg, Wake, Durham, Forsyth and Guilford Counties to utilize the statutory authority extended to Mecklenburg and Wake Counties in 2014 to implement flood reduction techniques that result in improvements to private property. HB 141 passed the House and was referred to Senate Rules.

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS
HB 97, EDITIONS 5 AND 7**

Key Sections	House	Senate
HB 97 Bill Text	Edition 5 Bill Text	Edition 7 Bill Text
HB 97 Committee Report	Committee Report	Committee Report
FY 2016 General Fund Expenditures	\$22.1 billion	\$21.3 billion
FY 2017 General Fund Expenditures	\$22.4 billion	\$21.5 billion
Earmarking of Year-End Revenues	\$200 million to rainy day fund \$200 million to repairs and renovations fund (Page 1 of Committee Report)	\$500 million to rainy day fund \$155 million to repairs and renovations fund (Page 1 of Committee Report)
Film and Entertainment Grant Fund	\$40 million each year (L-2 of Committee Report)	\$10 million each year (L-2 of Committee Report)
Historic Preservation Tax Credit	Incorporates HB 152 passed by House (Section 32.3 of Budget)	Not included
Municipal Service Districts (MSDs)	Not included	Creates process for registered voters residing within MSDs to petition and vote as to whether to abolish districts 15% of registered voters living within a district is sufficient to place question on the ballot Property owners residing outside the district would not be eligible to vote in such a referendum (Section 15.16B, page 325 of Budget)
Compensation	2% for members of the Teachers and State Employees, Legislative, and Judicial Retirement Systems (Section 30.21 of Budget)	Reserves \$34 million to adjust salaries in response to labor market demand (L-1 of Committee Report)
\$215.8 million Highway Fund Transfer to General Fund for Highway Patrol	Maintains transfer (Page 1 of Committee Report)	Ends transfer (Page 1 of Committee Report, K-4 of Committee Report)
LYNX Blue Line Extension \$25 million State share for construction	Maintains funding (Page 532 of Recommended Base Budget for Transportation)	Maintains funding (Page 532 of Recommended Base Budget for Transportation)
State Maintenance Assistance Program for transit agencies	Maintains funding (Page 532 of Recommended Base Budget for Transportation)	Maintains funding (Page 532 of Recommended Base Budget for Transportation)
Statewide Public Transportation Grants	\$1 million more each year (K-2 of Committee Report)	\$1 million more each year (K-2 of Committee Report)

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS
HB 97, EDITIONS 5 AND 7**

Key Sections	House	Senate
Powell Bill Program	Funding reduced by nearly \$7.7 million starting in the second year of the biennium FY 2017 due to lower motor fuels excise tax revenues; \$1 million fiscal impact to City in FY 2017 (K-1 of Committee Report)	Repeals statutory formula tying funding to 10.4% of motor fuels tax revenues Appropriates additional funding of \$1.2 million in FY 2016 and \$3.7 million in FY 2017 (K-1 of Committee Report, Section 29.17D of Budget)
Governor's Bond Proposal	Appropriates \$50 million as a debt service reserve if the Governor's proposed transportation bond proposal is passed by voters (K-6 of Committee Report)	Not included
Key Transportation Program Enhancements	Additional \$43.5 million recurring funds in FY 2016 for Strategic Transportation Investments, which is offset by \$22 million recurring reduction in FY 2017; Additional non-recurring funds of \$42.5 million in FY 2016 and \$120.5 million in FY 2017 for Contract Resurfacing program; Additional non-recurring funds of \$10.6 million in FY 2016 and \$30.1 million in FY 2017 for Ports Authority modernization; (K-2, K-4 and K-6 of Committee Report)	Additional \$167.2 million recurring in FY 2016 and \$171.9 million recurring in FY 2017 for Strategic Transportation Investments; Additional \$50 million recurring each year for Bridge Program; Additional \$35 million recurring each year for Pavement Preservation; Additional \$35 million recurring each year for Ports Authority modernization; (K-2, K-4 and K-6 of Committee Report)
Division of Motor Vehicle Fees	Across the board adjustments in Division of Motor Vehicles fees result in \$76.1 million in FY 2016 and \$172.2 million more in FY 2017 Effective January 1, 2016 (Section 29.30 of Budget, K-4 of Committee Report)	Across the board adjustments in Division of Motor Vehicles fees result in \$29.18 million in FY 2016 and \$76.99 million more in FY 2017 Effective January 1, 2016 (Section 29.30 of Budget, K-3 of Committee Report)

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS
HB 97, EDITIONS 5 AND 7**

Key Sections	House	Senate
Motor Fuels Tax Rate	Raises rate for diesel fuel from 35 cents to 36 cents per gallon Lowers rate for all other fuels from 35 cents to 33 cents per gallon Lowers revenues available for transportation by \$30.5 million in 2016 and \$28.7 million in 2017 Changes effective 1/1/2016 (Section 29.29 of Budget)	Not included
Strategic Transportation Investment Act Amendments	Requires use of “peak average daily traffic data in the Congestion formula” which favors rural areas, and tends to move program away from a “data-driven” approach (Section 29.3 (a) of Budget)	Not included

**COMPARISON OF HOUSE AND SENATE BUDGET PROPOSALS
HB 97, EDITIONS 5 AND 7**

Sales Tax Redistribution	House (HB 97, Edition 5)	Senate (HB 97, Edition 7)
State or Local Source of Revenue	House did not make any changes to current sales and use tax laws in its budget proposal	Local
Distribution Methods		FY 2016 – 75% Point of Collection / 25% Per Capita (Current Method) FY 2017 – 60% Point of Collection / 40% Per Capita FY 2018 – 45% Point of Collection / 55% Per Capita FY 2019 – 30% Point of Collection / 70% Per Capita FY 2020 – 20% Point of Collection / 80% Per Capita
Net new revenues for State from sales tax base expansion		FY 2016 – \$122.3 million FY 2017 – \$242.9 million FY 2018 – \$292.0 million FY 2019 – \$341.4 million FY 2020 – \$385.6 million
Net new revenues for local governments from sales tax base expansion		FY 2016 – \$49.7 million FY 2017 – \$100.1 million FY 2018 – \$120.6 million FY 2019 – \$141.5 million FY 2020 – \$162.4 million
Adjustment Factors		Eliminated
Distribution between Cities and Counties		No change from current law
City Hold Harmless		No change from current law
Transit Sales Tax		Benefits from local sales tax base expansion; otherwise, no change from current law
Earmarking of New Revenues		Counties must use net proceeds from per capita allocation for public education and community colleges No restrictions cited for cities
Local Sales Tax Cap		Caps local sales tax rates at 2.5%, except for Durham and Orange Counties who are at 2.75%; Mecklenburg would be at cap

COMPARISON OF HOUSE/SENATE ECONOMIC DEVELOPMENT PROPOSALS

COMPONENT	HOUSE (HB 117)	SENATE BUDGET (HB 97)
JDIG		
Modification of annual JDIG cap	One-time modification – collapse 2013-15 fiscal biennium and 7/1/15 to 12/31/15 into single period; increase cap from \$30M to \$45M for that period	One-time modification – collapse 2013-15 fiscal biennium and 7/1/15 to 12/31/15 into single period; increase cap from \$30M to \$35M for that period (\$50M, if high-yield project ¹ (HYP) is awarded) Persistent modification – increase \$15M cap to \$30M in years when a HYP is awarded a grant
Cap availability periods	Calendar year	Semi-annual periods (unused portion rolls forward until end of calendar year)
JDIG extension	1/1/20	1/1/18
Rebranding	Yes – Job Growth Reimbursement Opportunities – People Program	No
Modification to pre-requisite findings	Yes – EIC must find for tier 3 projects that the affected local governments have offered appropriate incentives	
Modification to minimum job creation requirement	Yes – increase tier 3 job creation minimum from 20 to 50 created eligible positions	Yes – increase tier 1 from 10 to 20, tier 2 from 20 to 50, tier 3 from 20 to 100, and Major Market Community ² (MMC) from 20 to 200
Reporting change	One-time report: study factors contributing to termination of JDIG grants, examining other state efforts/remedies re: underperformance	Annual report change: adds to the annual report a tier-itemized list of unaccepted, offered awards and the total value of the offers
Utility Account diversion change	Yes – increase diversion to UA from tier 3 areas from 25% to 30%	Yes, as follows: <ul style="list-style-type: none"> • Decrease diversion to UA from MMC areas from 25% to 15% • Decrease diversion to UA from tier 3 areas from 25% to 10% • Decrease diversion to UA from tier 2 areas from 15% to 5% • For HYP, diversion is eliminated during augmented award periods

¹ A high-yield project is one in which the business will invest at least \$750M in private funds and create at least 2,000 new jobs.

² A major market community is a county in which the average weekly wage for all insured private employers in the county is one of the three highest in the State. Currently, the 3 major market communities are Wake, Mecklenburg, and Durham Counties.

COMPONENT	HOUSE (HB 117)	SENATE BUDGET (HB 97)
Multi-location modification	No	Yes – use higher tier standards except for UA diversion where a tier 3/MMC project is also located in a tier 1/2 area and at least 66% of the created positions or benefits goes to the lower tier area, then use the UA diversion applicable to the lower tier area.
Clawback modifications	Yes – convert discretionary recapture provision to mandatory recapture provision if business fails to maintain operations for 150% of grant term	
Employment level maintenance comparison modification	Yes – changes the baseline from the year immediately preceding base period to the greater of employment at date of application or award	
Create wage standard	No	Yes – business must pay a percentage of average weekly wage for all insured private employers in the county equal to 100% for tier 1, 105% for tier 2, 110% for tier 3, and 120% for MMC.
Term modification	No	Yes – for HYP, limit is increased by 8 years during augmented award periods
JDIG withholding calculation modification	No	Yes – change from flat 75% to 80% for tier 1, 70% for tier 2, 60% for tier 3, 50% for MMC, and 100% for HYP during augmented award periods
One NC		
Rebranding	Job Growth Reimbursement Opportunities – Capital Program	No
Local Match Modification	No	Yes – change from flat 1:1 to a tiered 3:1 for tier 1, 2:1 for tier 2, 1:1 for tier 3, and 1:2 for MMCs
SIDF		
Rebranding	Site Acceleration Fund	No
Funding	\$20M from Job Catalyst Fund	\$13M GF appropriation
Utility Account		
Use Modification	Increase permissible uses from creating jobs to creating and retaining jobs	No