

# Intergovernmental Relations Committee

Monday, October 19, 2020, 2:00 p.m.  
CMGC Room 267

The public and the media can view the meeting on the [Government Channel](#) or [City's YouTube page](#).

Committee Members: Tariq Bokhari, Co-Chair  
Braxton Winston, Co-Chair  
Larken Egleston  
James Mitchell  
Matt Newton  
Staff Resource: Dana Fenton, City Manager's Office

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Agenda Item	Time
<b>Call to Order &amp; Introductions</b>	2 minutes
<b>2021 Federal Legislative Agenda</b>	10 minutes
<ul style="list-style-type: none"><li>Committee will receive a presentation</li></ul>	
<b>2021 State Legislative Agenda</b>	20 minutes
<ul style="list-style-type: none"><li>Committee will receive a presentation</li></ul>	
<b>Committee Referral: Citizens Review Board Process and Subpoena Power</b>	20 minutes
<ul style="list-style-type: none"><li>Policy Question: Develop a legislative strategy to advance granting Subpoena Power for the Citizens Review Board</li><li>Committee will receive a presentation</li></ul>	
<b>Committee Discussion</b>	5 minutes
<b>Upcoming Opportunities</b>	2 minutes
<b>Upcoming Committee Meetings</b>	1 minute
<ul style="list-style-type: none"><li>Monday, November 16, 2:00 pm, Hosted from Room 267</li><li>Monday, December 21, 2:00 pm, Hosted from Room 267</li></ul>	

## UPCOMING COMMITTEE TOPICS

Items	Intergovernmental Relations Committee		City Council	
	Discussion / Information / Joint Meeting	Adoption / Recommendation	Strategy Session / Action Review / Other	Business Meeting
Strategy Session / Co-Chairs lead discussion of proposed agendas			November 2	
Action Review / Staff presents proposed agendas to Council			November 9	
IRC Meeting: Review feedback from Council on proposed state and federal legislative agendas; 2020 election update; continue discussion of Committee Referral for Citizens Review Board Process and Subpoena Power	November 16			
Council adopts state and federal legislative agendas				November 23
General Assembly Delegation Briefing			Targeting December 7 – 18	
IRC Meeting: Referral – Criminal Justice Advisory Group	December 21			
Congressional Briefings			Targeting March 7 – 10	



## 2021 Federal Legislative Agenda


Intergovernmental Relations Committee


October 19, 2020



## SUMMARY

- Committee heard eleven requests for the federal legislative agenda from Council committees, Councilmembers and staff
- Three requests related to Housing from the Great Neighborhoods Committee are still before the Committee and/or City Council and will not be considered for the Agenda at this time:
  - Low-Income Housing Tax Credit
  - Eviction Relief – Credit Reporting
  - Fair Housing – Source of Income Discrimination

 <b>FEDERAL REQUESTS</b>		
Legislative Request	Key Influencers	Leadership
2030 Transit Corridor System Plan	Supportive	Supportive
Fourth Parallel Runway	Supportive	Supportive
US 74 Wilmington to Asheville	Mix of support and opposition	Congress does not earmark funding
Modernized and Sustainable Infrastructure	Supportive	Supportive
Energy Innovation and Carbon Dividend Act	Mix of support and opposition	Mix of support and opposition
Digital Divide – Infrastructure costs	Supportive	Supportive
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 <b>FEDERAL REQUESTS</b>		
Legislative Request	Key Influencers	Leadership
COVID-19 Guidelines	Supportive	Supportive
Comprehensive Immigration Reform	Mix of support and opposition	Mix of support and opposition
Low-Income Housing Tax Credit	Mix of support and opposition	Mix of support and opposition
Eviction Relief – Credit Reporting	Very cautious at this stage	N/A
Fair Housing – Source of Income Discrimination	Mix of support and opposition Shelter industry supports reforming voucher program	Mix of support and opposition
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## STAFF RECOMMENDATION

- Continue 2020 Transportation & Infrastructure position and expand so it would incorporate requests related to:
  - 2030 Transit Corridor System Plan
  - Fourth Parallel Runway
  - US 74 Wilmington to Asheville
  - Modernized and Sustainable Infrastructure
  - Digital Divide



## STAFF RECOMMENDATION

- Continue the Comprehensive Immigration Reform position
- Add position concerning COVID-19 Guidelines for Airports
- Defer action on the three federal Housing issues until City Council refers issues to the Committee
- Do not take action on the Energy Innovation and Carbon Dividend Act due to the controversial nature of the Carbon Fee proposal

**STAFF RECOMMENDED 2021 FEDERAL LEGISLATIVE AGENDA  
FOR CONSIDERATION OF THE  
INTERGOVERNMENTAL RELATIONS COMMITTEE  
OCTOBER 19, 2020**

**Transportation & Infrastructure**

- **Transit:** Continue working with the Congress and the Administration to secure federal resources for the build-out of the 2030 Transit Corridor System Plan
- **Airports, Highways and Passenger/Freight Rail:** Support increased federal funding for infrastructure that serves to connect the region with other regions and rural areas, including funding for critical aviation infrastructure and connecting highways and rail lines
- **Modernized and Sustainable Infrastructure:** Support increased federal funding for research and infrastructure that accelerates our transformation to a sustainable economy and supports the reduction of greenhouse gas emissions, including: walking and biking infrastructure, electric vehicles and electric vehicle charging stations, alternative fuel vehicle refueling stations, energy efficient buildings, and renewable energy and renewable energy infrastructure. Support equitable workforce development opportunities in the clean energy sector.
- **Digital Divide:** Support increased federal resources to promote competition for broadband internet infrastructure to unserved and underserved rural, suburban, and urban communities, prioritizing communities in persistent poverty

**Comprehensive Immigration Reform**

- **H-1B Visas:** Support the continuation of the program and make changes that streamline processing times and allow spouses of Visa holders to work and volunteer
- **Asylum Seekers:** Support a path to residency and citizenship for asylum seekers
- **Temporary Protected Status:** Support a path to citizenship for those in Temporary Protected Status
- **Deferred Action for Childhood Arrivals:** Support continuation of the program and path to citizenship

## **COVID-19 Guidelines for Airports**

- Work with the Federal Aviation Administration and commercial service airports to develop standards for all airports in addressing COVID-19



## 2021 State Legislative Agenda

### Intergovernmental Relations Committee

October 19, 2020



## SUMMARY

- Committee heard 15 legislative requests from Council committees, Councilmembers and staff
- Two additional legislative requests are working their way through the process:
  - Mayor and Council Term Limits
    - Citizens Committee on Governance has not yet made its recommendations to the City Council
  - Charlotte Firefighters' Retirement System (CFRS)
    - CFRS Board recommended that the employer contribution rate be increased to address the System's growing unfunded actuarial liability
    - Recommendation referred to Budget & Effectiveness Committee
    - City Manager strongly supports this recommendation





## SUMMARY

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- Four requests related to Housing from the Great Neighborhoods Committee are still before the Committee and/or City Council and will not be considered for the Agenda at this time:
  - Low-Income Housing Tax Credit
  - Eviction Relief – Credit Reporting
  - Fair Housing – Source of Income Discrimination
  - Fair Housing – Reentry



## SUMMARY

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- Actionable
- Prioritized with reasonable number of requests
- Demonstrates collaboration with key influencers
- Within City's capacity to manage
- Achievable




## STATE REQUESTS

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Legislative Request	Key Influencers	Leadership
Charlotte Moves – New Source of Revenue, Use Sales Tax to Back Debt	Mix of support and opposition	Opposed
US 74 Wilmington to Asheville	Locally-based support and opposition	NCGA does not earmark road projects  State budget issues
Steele Creek Road	Strongly opposed to impacts fees, commuter taxes	Strongly opposed

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## STATE REQUESTS

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Legislative Request	Key Influencers	Leadership
NC Airport Improvement Program	Supportive	Supportive
Digital Divide	Support needs to be tested	Support needs to be tested State budget issues
Unemployment / Able to Work	Mix of support and opposition	Private employer issues  Potentially opens up the unemployment statutes

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 <b>STATE REQUESTS</b>		
Legislative Request	Key Influencers	Leadership
Eviction Relief – Post-Judgment Relief	Supportive	2019 HB 880 – Passed House but not Senate
Low-Income Housing Tax Credit	Mix of support and opposition	Tax credits State budget issues
Fair Housing – Reentry	Supportive of liability protection for landlords	2019 HB 880 – Passed House but not Senate
Fair Housing – Source of Income Discrimination	Strongly opposed	Strongly opposed
Mandatory Inclusionary Zoning	Strongly opposed	Strongly opposed
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 <b>STATE REQUESTS</b>		
Legislative Request	Key Influencers	Leadership
CMPD Crisis Response Team	Supportive of co-responder concept	State budget issues
Subpoena Power for Civil Service Board	Strongly opposed	Strongly opposed
Expand Role of Civil Service Board to Handle Appeals	Strongly opposed	Strongly opposed
Eliminate Cash Bail	Mix of support and opposition	Strongly opposed
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## STAFF RECOMMENDATIONS

- Incorporate the Charlotte Moves, US 74 Wilmington to Asheville and Steele Creek Road requests into a single Mobility position
  - Same issue exists with State, regional and local mobility needs – lack of resources to address the need
  - Placeholder position until the City Council can consider the recommendations of the Charlotte Moves Task Force (December) and NC First Commission (January)

Work with key stakeholders to support legislation that provides dedicated, stable and permanent sources of revenues for State, regional and local public transportation, roadway, bicycle, pedestrian, passenger rail, trail and safety capital improvement projects



## STAFF RECOMMENDATIONS

- Add North Carolina Airport Improvement Program

Work with key stakeholders to support the North Carolina Airport Improvement Program that provides sustainable, recurring funding to North Carolina's commercial service airports for capital improvements and debt service

- Add Subpoena Power for Citizen Review Boards

Work with key stakeholders to secure subpoena power for citizen review boards



## STAFF RECOMMENDATIONS

- Add Digital Divide

Work with key stakeholders to support legislation that aids low-income households in paying for internet service costs

- Defer action on the four state Housing issues until City Council refers issues to the Committee



## STAFF RECOMMENDATIONS

- Due to State budget issues and probable local match requirements, do not take action on Crisis Response Teams
- Do not take action on following requests due to need to build and maintain coalitions and garner support of Leadership for other priorities:
  - Mandatory Inclusionary Zoning
  - Expand Role of Civil Service Board to Handle Appeals
  - Eliminate Cash Bail
  - Unemployment / Able to Work

**STAFF RECOMMENDED 2021 STATE LEGISLATIVE AGENDA  
FOR CONSIDERATION OF THE  
INTERGOVERNMENTAL RELATIONS COMMITTEE  
OCTOBER 19, 2020**

**Mobility**

Work with key stakeholders to support legislation that provides dedicated, stable and permanent sources of revenues for State, regional and local public transportation, roadway, bicycle, pedestrian, passenger rail, trail and safety capital improvement projects

**Subpoena Power for Citizen Review Boards**

Work with key stakeholders to secure subpoena power for citizen review boards

**Digital Divide**

Work with key stakeholders to support legislation that aids low-income households in paying for internet service costs

**North Carolina Airport Improvement Program**

Work with key stakeholders to support the North Carolina Airport Improvement Program that provides sustainable, recurring funding to North Carolina's commercial service airports for capital improvements and debt service



## Committee Referral: Citizens Review Board Process and Subpoena Power

Intergovernmental Relations Committee

October 19, 2020

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## COMMITTEE REFERRAL

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- Mayor Lyles referred Citizen Review Board Process and Subpoena Power to the Intergovernmental Relations Committee
- Policy Question:
  - Develop a legislative strategy to advance granting Subpoena Power to the Citizens Review Board

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## LEGISLATIVE HISTORY

- Statewide legislation filed in 2015 and 2017 to allow citizen review boards to investigate allegations of police misconduct, exercise the power of subpoena and make findings and decisions on disciplinary action of police officers
- City requested subpoena power in 2017 and 2019
- Three other NC cities with citizen review boards similar to that of the City – Durham, Greensboro and Winston-Salem – chose not to seek the power of subpoena for their boards in 2017 and 2019



## CURRENT EVENTS

- Cities of Durham, Greensboro and Winston-Salem have not yet started legislative agenda development process
- In February, Raleigh formed police review board
  - Board does not have power to review the disposition of disciplinary charges against a police officer
  - Requested subpoena power from the General Assembly
- In June, Fayetteville formed civilian police advisory board
  - Board does not have power to review the disposition of disciplinary charges against a police officer





## CURRENT EVENTS

- In June 2020, Governor Cooper formed the North Carolina Task Force for Racial Equity in Criminal Justice
  - Task Force is expected to make its recommendations in early December for submittal to the Governor
  
- Workgroup #1 of the Task Force recently discussed the need for statewide legislation so that all cities and counties can form citizen review boards with the power of subpoena
  - Working Group #1 has not yet made a recommendation on the issue of subpoena power



## CURRENT EVENTS

- In June 2020, Speaker Moore formed the House Select Committee on Community Relations, Law Enforcement and Justice to examine North Carolina's criminal justice systems to propose methods of improving police training and relations between law enforcement and its communities
  
- Subpoena power for citizens review boards was submitted as an issue for consideration by the Committee
  
- Committee is expected to make its recommendations later this year



## STAFF RECOMMENDATION

- Monitor proceedings and recommendations of the:
  - North Carolina Task Force for Racial Equity in Criminal Justice
  - House Select Committee on Community Relations, Law Enforcement and Justice
  
- Councilmembers reach out to law enforcement employee organizations to seek out any areas of agreement with respect to subpoena power
  
- Seek out potential partner cities and counties and local government related associations for statewide coalition
  
- Continue this discussion on November 16