CHARLOTTE

Charlotte City Council

Governmental Affairs Committee

Meeting Summary for January 3, 2012

COMMITTEE AGENDA TOPICS

I. **Subject:** **GAC Overview**
Action: None.

II. **Subject:** **State Emerging Issues**
Action: None.

III. **Subject:** **Adopt Meeting Calendar**
Action: Committee agreed to meet the first Monday of each month at 3:00 p.m.

VI. **Subject:** **Next Meeting**
Action: Monday, February 6 at 3:00 p.m. in Room 280

COMMITTEE INFORMATION

Present:	Andy Dulin, Claire Fallon, Patrick Cannon, James Mitchell and Beth Pickering
Absent:	None
Time:	3:00 p.m. to 4:00 p.m.

ATTACHMENTS

1. Agenda
2. PowerPoint: Overview of Government Affairs Committee
3. PowerPoint: 2012 Emerging State Legislative Issues

DISCUSSION HIGHLIGHTS

Committee Discussion:

Vice Chair Fallon called the meeting to order.

I. GAC Overview

Deputy City Manager Ron Kimble introduced Dana Fenton to the Committee as the Intergovernmental Relations Manager better known as our Lobbyist.

[Handout: PowerPoint Presentation – Overview of Government Affairs Committee]

Mr. Fenton reviewed mission of the GAC as well as the recommended schedule for state and federal legislative agendas.

[Dulin arrives] Chair Dulin welcomed the two new Committee (and Council members) and encouraged them to participate in the National League of Cities Conference in March which is a highlight of how well our Council works together.

Council member Dulin expressed concern that Speaker Tillis has indicated this will be a shorter than short session and wondered if Town Hall Day might be moved and if we would be nimble enough to react to issues. Mr. Fenton advised that Town Hall Day was a fixed day by the League (and therefore difficult to change) and he felt sure we would be able to stay on top of issues even at an accelerated pace.

Mr. Fenton reminded the Committee that in the Short Session local legislation can only be introduced if it has been approved by all Delegation members and statewide legislation is actively discouraged. Two mini-sessions have been scheduled and may focus on redistricting and veto overrides. Mr. Kimble added that any bill that passed in either the House or State in the long session but not the other is also still alive.

Mr. Fenton advised the Committee that they would be briefed by our federal legislative lobbyist, Holland & Knight, from time to time. They were extremely important in helping us overcome the hurdle regarding security funding for the DNC. Council member Dulin noted that Holland & Knight also works for Tampa, which helped with the security funding, but added they are precluded from working with any other North Carolina city. Their contract is through 2012 at $198,000.

Mr. Fenton concluded this presentation by saying that he will be back in front of the Committee on a monthly basis going over the status of the federal and state legislative agendas. He also introduced Keith Richardson, an integral part of the Intergovernmental Relations Team.

Mr. Kimble advised the Committee that Mr. Fenton stays in Raleigh generally Monday night through Thursday afternoon or Friday to stay on top of issues and prepares weekly reports. Council member Fallon asked how often it was necessary for Council members to go to Raleigh. Mr. Fenton said "as often as needed," which is more in the long session, but it does send a strong message that we are on the same page. He added that phone calls work just as well and you can see members of the Delegation in Charlotte on Mondays, Fridays and weekends.

II. State Emerging Issues

[Handout: PowerPoint Presentation – 2012 Emerging Stage Legislative Issues]

Mr. Fenton advised this was a 30,000 foot look at the big statewide issues.

Transit Funding

A Study Committee was formed to look at funding for mass transit projects and possible elimination of State funding. This is an important issue to us! Mayor Pro Tem Cannon added for the benefit of the new Committee members that this relates to additional roadways, business retention/attraction and air quality.

Council member Dulin wondered if there was time to actually go after this funding in the Short Session and noted that three members of the Committee are part of our Delegation. The Committee discussed that this could affect projects in areas of the Delegation. Mr. Fenton added that the Committee has yet to meet, but could meet up to four times.

State Motor Fuels Tax

The gas tax in North Carolina is the highest in the Southeast and is a huge part of NCDOT's revenues. If there are changes to the tax it will affect resurfacing, bridge projects and cities and towns will have their Powell Bill funds reduced.

Nonvoted Debt

This is a result of concern that debt has been abused. None of the examples come from North Carolina; in fact, North Carolina has some of the strongest laws regarding the issuance of debt already. We would not want to lose our ability to issue debt.

Underground Damage Prevention

The major utility companies want the North Carolina Act to conform to the federal act. The issues include enforcement and fines. Mayor Pro Tem Cannon accurately noted that we could be the enforcer and finer to ourselves.

Planning and Zoning Authority

Theme continues that local governments overstep their planning and zoning authority. Several initiatives have been proposed to grant broad rights to property owners:

- Abuse of Discretion / Attorney Fees (enacted)
- HB 652 Property Owners Protection Act (under study)
- SB 560 Sport Shooting Range Relocation (crossover)
- SB 731 Design Standards (crossover)

Mr. Fenton said that as written the property owners protection act grants broad rights to property owners and that local governments are looking for more balance. Council member Dulin noted they could make it harder to build sidewalks for example or expand an intersection. Mr. Fenton acknowledged such a possibility might make providing infrastructure more difficult.

The Committee discussed the number and location of sport shooting ranges in Charlotte and noted this was created probably as the result of someone doing something somewhere – with support from the NRA.

SB 731 would restrict the ability of cities to require design standards on new residential structures.

Extraterritorial Jurisdiction

This is an outgrowth of the annexation legislation.

Next Steps

Mayor Pro Tem Cannon asked about the business privilege license tax. Mr. Fenton said that would be considered in the context of tax reform so it shouldn't be looked at again until 2013. It is still a possibility. They have talked about broadening the sales tax as a replacement and not have as many exemptions, but it is a difficult issue. [Example: paying sales tax on doctor's visits.]

Council member Dulin advised the new Committee members that the business privilege license tax is worth $17.5 million to the City. Mr. Kimble added the next largest city gets $6-$7 million.

III. Adopt Meeting Calendar

The Committee agreed to meet on the first Monday of each month at 3:00 p.m. By meeting at 3:00 p.m., they'll have an opportunity to have an hour to prep for the Council meeting.
They agreed to go ahead and meeting on February 6 even though there isn't a Council meeting. And, to adjust their September meeting to August 27 with the time to be determined.

IV. Next Meeting

Monday, February 6 at 3:00 p.m. in Room 280