

INTRODUCED: December 5, 2016

Expedited Consideration

A RESOLUTION No. 2016-R085

To endorse, for the City of Richmond, legislative proposals set forth within the document entitled “City of Richmond, 2017 Legislative Priorities;” to request the Richmond delegation to the General Assembly of Virginia to take legislative action consistent with and in vigorous support of such recommendations; to support other legislative action recommendations and to encourage other organizations and individuals to support such recommendations.

Patrons – All Members of Council

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 5 2016 AT 6 P.M.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That this Council hereby endorses as priorities for the City of Richmond the legislative proposals set forth in the document entitled “City of Richmond, 2017 Legislative Priorities,” a copy of which is attached to this resolution. The Council respectfully requests that the Richmond delegation to the General Assembly of Virginia take legislative action consistent with and in vigorous support of such proposals and encourages other organizations and individuals to support these proposals.

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 5 2016 REJECTED: _____ STRICKEN: _____



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff

Council Ordinance/Resolution Request

TO Allen L. Jackson, Richmond City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *LB*

FROM Joyce L. Davis, Council Policy Analyst
Office of the Council Chief of Staff *JLD*

COPY All Members of Richmond City Council
Dwight C. Jones, Mayor
Selena Cuffee-Glenn, Chief Administrative Officer
Mark Kronenthal, Mayor's Chief of Staff
Haskell Brown, Deputy City Attorney
Meghan Brown, Deputy Council Chief of Staff

RECEIVED

NOV 23 2016

OFFICE OF CITY ATTORNEY

DATE November 23, 2016

PAGE/s 1 of 4

TITLE: CITY OF RICHMOND LEGISLATIVE RECOMMENDATIONS FOR THE 2017 VIRGINIA GENERAL ASSEMBLY

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

All Members of Council

SUGGESTED STANDING COMMITTEE

Request Committee Waiver, Expedited Consideration

ORDINANCE/RESOLUTION SUMMARY

A Resolution is requested to endorse, the City of Richmond's legislative proposals set forth within the document entitled, "2017 City of Richmond Legislative Proposals for the Virginia General Assembly," to request the Richmond delegation to the General Assembly of Virginia take legislative action consistent and in vigorous support of such recommendations to support other legislative recommendations and to encourage other organizations and individuals to support such recommendations.

BACKGROUND

City of Richmond 2017 Richmond Legislative

PROPOSALS for the 2017 Virginia General Assembly Legislative Session A. Richmond Requests—Virginia General Assembly Legislation Regarding:

1. Urban Street Maintenance Funding Formula

Increase state funding for urban streets maintenance and revise the distribution formula to: 1) recognize the various types of design and construction present in urban streets; 2) include a component that recognizes traffic counts on urban streets; 3) include a component to prioritize need using either criteria similar to that used for the state maintained primary and secondary highway systems or other professionally accepted criteria for urban street systems; and 4) ensure urban streets are being maintained in a "state of good repair." The Virginia Department of Transportation is studying this issue in response to legislation proposed in the 2016 session with a report expected by November 30, 2016.

2. Local Composite Index of Ability to Pay (LCI)

Review the LCI formula to identify the demands on local revenue for serving a high percentage of at-risk children. The LCI formula is heavily weighted towards real property values, adjusted gross income and taxable sales. A few outliers can easily skew these factors resulting in a representation of greater wealth than actually exists. The formula also does not include elements that recognize the demands on local revenue for serving a high percentage of at-risk children. The LCI should be revised to include the additional demands on a division's available local resources required to serve a large at-risk student population.

3. Comprehensive Poverty Reduction

Establish and fund a comprehensive Community Wealth Building state matching fund program to partner with local programs that target intractable long-term pockets of poverty through combined education and job training, housing and transportation resources, mentoring and prisoner re-entry, childcare and early education, and other programs that break the cycle of poverty. This effort would also include prioritizing the use of "Go Virginia" funding to create jobs for those in poverty.

4. Short-term Rental Regulation

Ensure that any legislation on short-term rentals (like Airbnb) includes: a) a requirement that all taxes due must be collected, made available to the city and be confirmable by the local taxing authority; and b) local land use controls to ensure that neighbors can be protected by the local government from noise, parking and other problems. When a short-term rental is in an owner-occupied dwelling, the city must have authority to regulate it like any other home occupation. The Virginia Housing Commission is studying this issue and is expected to issue its report prior to the 2017 session.

5. Town/City Council Member Salary Levels

Allow town and city governing bodies to set Councilmember salaries at a level, commensurate with the size and complexity of the local government, needed to attract and retain qualified candidates for local government office by removing

the state imposed cap on such salary levels. The Virginia Commission on Local Government is examining this issue in response to legislation proposed in the 2016 session and will deliver its report on November 30, 2016.

6. Excessive Calls for Police Service

Expand the definition of "Nuisance" to include "Excessive Use of Police Services" and allow for graduated fines when properties exceed the threshold for excessive calls for certain violations within a twelve (12) month period. Domestic violence calls would be excluded from the "excessive call" list for establishing a public nuisance.

7. Reporting of Stolen Firearms

Require owners of firearms to report to local law enforcement or state police within 24 hours anytime their firearm has been lost or stolen.

8. Leaving an Unattended Vehicle

Legislation would require a person who is driving or otherwise in charge of a motor vehicle not to leave the motor vehicle unattended until the engine is stopped, the ignition locked, the key removed, and the brake effectively set.

9. Law Enforcement Vehicle Emergency Lights

Legislation would add language to clarify the permissible nature of law enforcement vehicles utilizing "steady burning" emergency lights for public safety reasons in certain circumstances.

10. Natural Gas Utility

The Virginia State Corporation Commission does not define and decide where the municipal natural gas utilities in Virginia can serve natural gas customers. To ensure municipal governments grow and retain the number of customers that receive municipal natural gas utility services, this legislation is for the Virginia General Assembly to define and decide where the municipal natural gas utilities in Virginia can serve natural gas customers and that natural gas service shall only be provided by the municipal natural gas company in those areas.

B. Richmond Legislative Position Statements

Support:

1. Firearms in government buildings

Authorize local governments to ban firearms in local government buildings to ensure public safety and reduce risk to citizens. The Governor of Virginia has issued an executive order banning firearms in certain State government buildings.

2. Firearms purchase background checks

Require background checks on all firearms purchases. This includes, closing the gun show loophole and requiring that mental health status be checked.

3. Military assault-style weapons

Institute a ban on the sale of military assault-style weapons and a limit on the size of ammunition magazines that can be sold.

4. Food Deserts

Provide funding for approaches (including but not limited to the Virginia Grocery Investment Fund) that include financial and technical support for businesses to expand and ensure greater access to healthy food for residents of the Commonwealth.

5. Medicaid Expansion

Expand Medicaid for 400,000 Virginians to have access to health care coverage. If the Commonwealth of Virginia is not going to expand Medicaid, then it must significantly improve the health safety net for the working poor under a state developed program using state dollars collected and dedicated for this purpose. The working poor in Virginia are caught in a health care netherworld with employers classifying them as part-time workers or independent contractors, therefore avoiding any obligation to provide health care while the State has not expanded Medicaid to include low-wage earners and the current Virginia Medicaid standard for "affordable" coverage is not affordable for these families. Expand the health care network for the working poor by increasing and expanding services to those whose incomes are too high for Medicaid but too low to buy subsidized insurance on the Affordable Insurance Act exchange.

6. Virginia Municipal League/Virginia First Cities

Richmond also supports the legislative priorities of the Virginia Municipal League and Virginia First Cities.

C. Richmond Opposes

1. Richmond opposes any Virginia General Assembly legislative action that would:

- a. Reduce, cap or diminish the Virginia State Historic Rehabilitation Tax Credit program
- b. Reduce or eliminate local taxing authority without a comparable means of revenue replacement;
- c. Reduce funding for public education;
- d. Reduce or diminish local autonomy; or
- e. Reduce state financial assistance to localities.

FISCAL IMPACT STATEMENT

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact	\$	

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/Updated 12.22.08/srs



Lou Brown Ali
Council Chief of Staff

Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

City of Richmond 2017 Legislative Priorities

Requests for Legislation to:

Urban Street Maintenance Funding Formula - Increase state funding for urban streets maintenance and revise the distribution formula to: 1) recognize the various types of design and construction present in urban streets; 2) include a component that recognizes traffic counts on urban streets; 3) include a component to prioritize need using either criteria similar to that used for the state maintained primary and secondary highway systems or other professionally accepted criteria for urban street systems; and 4) ensure urban streets are being maintained in a "state of good repair." The Virginia Department of Transportation is studying this issue in response to legislation proposed in the 2016 session with a report expected by November 30, 2016.

Local Composite Index of Ability to Pay (LCI) – Review the LCI formula to identify the demands on local revenue for serving a high percentage of at-risk children. The LCI formula is heavily weighted towards real property values, adjusted gross income and taxable sales. A few outliers can easily skew these factors resulting in a representation of greater wealth than actually exists. The formula also does not include elements that recognize the demands on local revenue for serving a high percentage of at-risk children. The LCI should be revised to include the additional demands on a division's available local resources required to serve a large at-risk student population.

Comprehensive Poverty Reduction – Establish and fund a comprehensive Community Wealth Building state matching fund program to partner with local programs that target intractable long-term pockets of poverty through combined education and job training, housing and transportation resources, mentoring and prisoner re-entry, childcare and early education, and other programs that break the cycle of poverty. This effort would also include prioritizing the use of "Go Virginia" funding to create jobs for those in poverty.

Short-term Rental Regulation – Ensure that any legislation on short-term rentals (like Airbnb) includes: a) a requirement that all taxes due must be collected, made available to the city and be confirmable by the local taxing authority; and b) local land use controls to ensure that neighbors can be protected by the local government from noise, parking and other problems. When a short-term rental is in an owner-occupied dwelling, the city must have authority to regulate it like any other home occupation. The Virginia Housing Commission is studying this issue and is expected to issue its report prior to the 2017 session.

Town/City Council Member Salary Levels - Allow town and city governing bodies to set council member salaries at a level, commensurate with the size and complexity of the local government, needed to attract and retain qualified candidates for local government office by removing the state imposed cap on such salary levels. The Commission on Local Government is examining this issue in response to legislation proposed in the 2016 session and will deliver its report on November 30, 2016.

Excessive Calls for Police Service - Expand the definition of "Nuisance" to include "Excessive Use of Police Services" and allow for graduated fines when properties exceed the threshold for excessive calls for certain violations within a twelve (12) month period. Domestic violence calls would be excluded from the "excessive call" list for establishing a public nuisance.

Reporting of Stolen Firearms – Require owners of firearms to report to local law enforcement or state police within 24 hours anytime their firearm has been lost or stolen.

Leaving an Unattended Vehicle - Legislation would require a person who is driving or otherwise in charge of a motor vehicle not to leave the motor vehicle unattended until the engine is stopped, the ignition locked, the key removed, and the brake effectively set.

Law Enforcement Vehicle Emergency Lights - Legislation would add language to clarify the permissible nature of law enforcement vehicles utilizing "steady burning" emergency lights for public safety reasons in certain circumstances.

Natural Gas Utility - The State Corporation Commission does not define and decide where the municipal natural gas utilities in Virginia can serve natural gas customers. To ensure municipal governments grow and retain the number of customers that receive municipal natural gas utility services, this legislation is for the VA General Assembly to define and decide where the municipal natural gas utilities in Virginia can serve natural gas customers and that natural gas service shall only be provided by the municipal natural gas company in those areas.

Legislative Position Statements

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The City also supports the legislative priorities of the Virginia Municipal League and Virginia First Cities.

Opposition:

The City opposes any legislative action that would:

- Reduce, cap or diminish the State Historic Rehabilitation Tax Credit program
- Reduce or eliminate local taxing authority without a comparable means of revenue replacement;
- Reduce funding for public education;
- Reduce or diminish local autonomy;
- Reduce state financial assistance to localities.