

DRAFT

2021 City of Richmond

Legislative Proposals for the Virginia General Assembly

Position Statements

EDUCATION

Public Education Funding - Significant progress was made in public education funding during the 2020 Regular Session. However, much of that progress has subsequently been deferred due to the economic impact of the COVID-19 pandemic. The City believes the 2021 General Assembly session should focus on restoring the deferred funding for public education, including increasing the At-Risk Add-On, while continuing to mitigate the ongoing impact of COVID-19. The City fully supports the RPS 2021 State Legislative Priorities for funding as adopted by the Richmond School Board.

Broadband - Broadband coverage and affordability is a pervasive issue that has far-reaching implications for K-12 education and lifelong learning. The City urges a concentrated governmental effort to ensure broadband coverage is both available and affordable to those that are most in need. [The above statement to replace **Mandatory Wi-Fi assess** for distant learning not discriminate by low-income communities. (Robertson) **NOTE: Need more specificity on the change being sought before a legislative request or position statement can be drafted.**]

HOUSING (AFFORDABILITY, EVICTION, GENTRIFICATION AND BLIGHT)

Affordability and Gentrification - The City requests and supports General Assembly actions to provide local governments with all possible tools to deal with the impacts of a market that, on the one hand, is vibrant, and on the other is driving home prices upward to the point of being unaffordable for a vast majority of residents. The City needs to increase the supply of affordable housing. The Commonwealth can encourage this by providing local governments additional sources for financing and encouraging all possible resources to leverage federal dollars to the benefit of affordable workforce and senior housing. Any and all tools to encourage private developers and non-profits to develop, construct and/or rehabilitate housing that is affordable should be incentivized by the state. This includes specific support for:

- Enactment of a state tax credit program that works in tandem with the federal LITC program and is specifically for affordable housing.
- Authority to establish a local Homestead Property Tax Exemption program/ordinance that would allow a lump sum deduction from the assessed value of a residential single-family home based on a fixed deduction amount that is set by the local governing body on an annual basis. (Newbille, Robertson, Larson, Hilbert)

Housing Trust Fund - The City supports the restoration of funding and increased funding for the Virginia Housing Trust Fund that was deferred due to the economic impact of the COVID-19 pandemic. The City also supports changes that would provide greater flexibility in using a portion of the Fund to match local housing trust funds to support innovative housing projects and low- and moderate-income housing projects that are located in areas experiencing extreme shortages of such housing. (Newbille, Robertson)

~~Transformation of Public Housing Fund~~—Request the Transformation of Public Housing Fund appropriation be a dollar for dollar match from the Commonwealth to local jurisdictions that have public housing stock. (Hilbert). **Upon further research and conversation, Councilman Hilbert would like to exclude this item.**

Evictions - As the COVID-19 pandemic has laid bare an already exacerbated eviction problem in the Commonwealth, especially in the City of Richmond, further work needs to be done to create a healthier balance between those seeking to obtain or maintain adequate housing and those with housing to offer. The City of Richmond City Council is supportive of the following items:

- Prohibiting evictions for lease violations based on a local nuisance ordinance;
- Requiring a provision in leases for early lease termination for medical reasons for senior or disabled tenants;
- Lowering the statutory maximum amount a landlord may require as a security deposit in a lease from two months to the equivalent of one month's rent;
- Requiring eviction records be sealed within a specified amount of time and automatically expunged where cases are dismissed or decided in favor of the tenant;
- Requiring that tenants facing eviction for reasons other than nonpayment of rent be entitled to legal counsel (Jones);
- Allowing localities that desire the ability to enact an ordinance(s) requiring all residential rental property owners register each unit owned and require contact information for the owner or an individual designated by the owner, as well as an ordinance that would allow localities to recoup the costs of maintaining the registry from registrants. (Jones)

[The above would replace the following items: **Nuisance Ordinance Evictions** (*Request for Legislation*) – Prohibit evictions for lease violations based on a local nuisance ordinance or for repeated police calls. (Jones) **NOTE:** Question for City Attorney – Could this legislation be applied to existing rental contracts or would it have to be applied prospectively? Answer from City Attorney for all three items: It would have to apply prospectively. **Early Lease Termination** (*Request for Legislation*) – Require that residential property leases include a provision allowing early termination for medical reasons by a tenant who is a senior or disabled – Seniors and people with disabilities who need to move due to medical reasons that make them unable to care for themselves should be allowed to terminate their lease early. (Jones) **Decrease to Maximum Amount for Security Deposit** (*Request for Legislation*) – Lower the statutory maximum amount a landlord may require as a security deposit in a lease from two months to the equivalent of one month's rent. (Jones). **Sealing/Expungement of Eviction Records** (*Request for Legislation*) – Require that eviction records be sealed within a specified amount of time and that such records be automatically expunged where cases are dismissed or decided in favor of the tenant. Each of these would increase access to housing opportunities because it would remove the weight of an eviction from a tenant's application. (Jones) **NOTE:** Potential state fiscal impact. **Legal Counsel for Tenants** (*Request for Legislation*) – Require that tenants facing eviction for reasons other than nonpayment of rent be entitled to legal counsel. The Eviction Diversion Program only provides assistance for those facing eviction because of nonpayment of rent. Tenants who have representation throughout eviction proceedings fare better than those who do not have access to an attorney. (Jones) **NOTE:** Potential state fiscal impact. **Landlord Registry** (*Request for Legislation*) – Allow localities enact ordinances requiring all residential rental property owners to register each unit owned and require contact information for the owner or an individual designated by the owner. Also allow localities to recoup the costs of maintaining the registry from registrants. (Jones) **NOTE:** Potential local government fiscal impact.] **Tax Abatement for Low Income Housing** – Forego tax abatement for non-profit housing or developers to allow tax abatement for taxes if they create or provide low income and affordable housing. (Robertson) **NOTE:** ~~Need more specificity on the change being sought before a legislative request or position statement can be drafted.~~ **New Construction Affordable Housing Tax Abatement** – ~~Allow affordable housing tax abatements to be used outside of~~

~~designated conservation areas, which would promote the development of more affordable housing outside of conservation areas. (Robertson)~~

~~§ 58.1-3219.4. The governing body of any county, city, or town may, by ordinance, provide for the partial exemption from taxation of (i) new structures located in a redevelopment or conservation area or rehabilitation district or (ii) other improvements to real estate located in a redevelopment or conservation area or rehabilitation district. The governing body of a county, city, or town may (a) establish criteria for determining whether real estate qualifies for the partial exemption authorized by this section, (b) establish requirements for the square footage of new structures that would qualify for the partial exemption, and (c) place such other restrictions and conditions on such new structures or improvements as may be prescribed by ordinance. **NOTE: See proposed policy statement above**~~

Extend State Real Estate Tax Sale Law—Change state law as it relates to property rights of heirs. (Robertson). **The 2020 General Assembly passed Sen. McClellan’s bill that went into effect on July 1, 2020 that Incorporates major provisions of the Uniform Partition of Heirs Property Act.**

SOCIAL/HUMAN SERVICES

Wrap Around Child Care– The City supports efforts to provide seamless, affordable access to quality wraparound early childhood services for at-risk families – including home visiting, subsidized childcare, and preschool through increased funding and improved state and local service delivery systems. (Newbille)

Mental Health – The City supports additional funding in FY 22-23 for Mental Health and Substance Abuse Services to include: community based, recovery-focused mental health, substance abuse and emergency/crisis stabilization services; drug treatment facilities for individuals that have addiction problems but who are currently housed in jails or prisons; and mental health training, communication training for prison and jail staff. (Newbille)

Virginia Grocery Investment Fund - Food Deserts– The City supports “full” funding of \$5 million for the Virginia Grocery Investment Fund to include financial and technical support for businesses to expand and ensure greater access to healthy food for residents of the Commonwealth. In the 2020 session, \$3.5 million was requested and half was received. (Newbille)

TAXATION

Cannabis and Cannabinoid Tax– The City supports authorizing localities to implement a point of sale tax on cannabis and cannabinoid products packaged and sold as a nutritional supplement. The point of sales tax rate should not exceed any existing sales tax rate imposed on tobacco products by the locality.

TRANSPORTATION

Street Maintenance Funding and Formula – The City supports increased funding for the State’s urban street maintenance program and revisions to the program funding formula to cover maintenance of on-street parking lanes and turning lanes. (Newbille and Addison)

ENVIRONMENTAL

Richmond Combined Sewer Overflow – The 2020 General Assembly passed a “Title 1” bill that requires the Richmond CSO to submit to DEQ, by July 1, 2021, an interim plan detailing all actions they can initiate by July 1, 2022, to address the requirements of any consent special order issued

by the State Water Control Board (the Board) regarding the CSO system; and, by July 1, 2024, a final plan detailing all actions they will take to satisfy such requirements. The bill also requires that Richmond CSO initiate and complete activities pursuant to both plans in specific timeframes. It also requires that CSO provide detailed progress reports to DEQ annually, including the funding history of the CSO system and future funding needs, along with funding requests. DEQ is to transmit such information, along with appropriate supplementary information, to the Chairmen of the Senate Committee on Finance and Appropriations, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Appropriations, and the House Committee on Agriculture, Chesapeake and Natural Resources; the Virginia delegation to the Chesapeake Bay Commission; the Secretary of Natural Resources; and the Governor by January 1 of each year. The Governor is to take into account these reports during the preparation of the biennial budget bill and any subsequent amendments. The General Assembly may take such reports into account in enacting the general appropriation act and may evaluate and modify project deadlines on a biennial basis beginning in 2022. The bill also provides that the Board may consider granting a requested extension of planned deadlines if the General Assembly has not provided such extension, and if the owner or operator has exhausted all reasonable options and failed to secure funding to meet project deadlines. **The City of Richmond DPU will comply with all requested data points and urges the General Assembly to follow through with funding to complete the projects.**

Stormwater Local Assistance Funding - The City supports increased state funding for stormwater infrastructure improvements. More funding from the state is needed to help Richmond maintain its existing current infrastructure and build new infrastructure. The Stormwater Local Assistance Fund (SLAF) should receive more funding beyond \$50 million and cost matching between the state and localities should be reexamined as this model is not equitable for smaller, independent cities with lower tax bases. (Jones).

NOTE: This is related to, but separate from, the CSO funding issue.

Green Building Codes – The City supports authorizing local governments to adopt building code amendments applicable to new construction or renovations of existing buildings which increase energy conservation, water conservation, or environmental protections. (Larson)

Participation in Federal Pace Program - The City supports enabling legislation that would allow the Commonwealth to participate in the Residential - Property Assessed Clean Energy program (PACE program). Residential PACE is a federal Department of Energy program that allows homeowners to finance energy efficiency, renewable energy and other eligible improvements on their homes using private sources of capital. PACE programs are typically enabled through state legislation and authorized at the local government level. Municipalities may directly administer residential PACE programs, or through public-private partnerships with one or more PACE providers. (Larson)

Brownfields Fund – The City supports authorizing funds provided through the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund (§ 10.1-1237) to be used for assessment and remediation of public housing due to the effects of environmental injustice in public housing communities such as constructing public housing over former solid waste landfills. (Newbille, Robertson)

Requests for Legislation

HOUSING

Blighted/Derelict Property Taxation – The City requests authorization to adjust the qualifying criteria that authorizes a locality to tax blighted properties and derelict structures differently by classifying them as a separate class of property for local real property taxation. As currently structured, the criteria for qualification in the statute only includes Petersburg and Emporia. We are asking that the criteria be adjusted to capture the City of Richmond.

TRANSPORTATION/MOBILITY/VISION ZERO

Use of Radar Enabled Cameras – The City supports expanding the authorized use of radar-enabled speeding and red-light cameras to include business and residential districts. Legislation was enacted in the 2020 General Assembly session permitting their use in posted school crossing zones and work zones. (Addison)

Bicycle Traffic Requirements – Authorize cities and towns to permit bicyclists to treat a stop sign as a yield sign and a red-light traffic signal as a stop sign on highways maintained by the locality.

CHARTER

Exclusion of Mayor’s Designees from City Council Closed Sessions– The City requests that the Charter be amended to authorize the City Council to limit attendance at any closed session of the City Council to only its members and designated staff. (Larson) **NOTE:** The Richmond General Assembly delegation has stated that they prefer consensus between the Council and Mayor prior to moving forward with Charter changes.

TAXATION

Gray Machines - *Contingent upon Gray machines continuing in Virginia post July 1, 2021*, the City request legislation requiring a 15% ‘add-on’ to the 19% that localities receive through the COVID-19 Gray Machines Special Fund. Localities must meet the criteria below in order to qualify for the add-on. These criteria conform to the language in § 58.1-4107. (Lynch)

- 1. Any city (i) in which at least 40 percent of the assessed value of all real estate in such city is exempt from local property taxation, according to the Virginia Department of Taxation Annual Report for Fiscal Year 2018, and (ii) that experienced a population decrease of at least seven percent from 1990 to 2016, according to data provided by the U.S. Census Bureau;*
- 2. Any city that had (i) an annual unemployment rate of at least five percent in 2018, according to data provided by the U.S. Bureau of Labor Statistics; (ii) an annual poverty rate of at least 20 percent in 2017, according to data provided by the U.S. Census Bureau; and (iii) a population decrease of at least 20 percent from 1990 to 2016, according to data provided by the U.S. Census Bureau;*
- 3. Any city that (i) had an annual unemployment rate of at least 3.6 percent in 2018, according to data provided by the U.S. Bureau of Labor Statistics; (ii) had an annual poverty rate of at least 20 percent in 2017, according to data provided by the U.S. Census Bureau; (iii) experienced a population decrease of at least four percent from 1990 to 2016, according to data provided by the U.S. Census Bureau; and (iv) is located adjacent to a state that has adopted a Border Region Retail Tourism Development District Act;*
- 4. Any city (i) with a population greater than 200,000 according to the 2018 population estimates from the Weldon Cooper Center for Public Service of the University of Virginia; (ii) in which at least 24 percent of the assessed value of all real estate in such city is exempt from local property taxation, according to the Virginia Department of Taxation Annual Report for Fiscal Year 2018;*

and (iii) that experienced a population decrease of at least five percent from 1990 to 2016, according to data provided by the U.S. Census Bureau; and

5. Any city (i) with a population greater than 200,000 according to the 2018 population estimates from the Weldon Cooper Center for Public Service of the University of Virginia; (ii) in which at least 24 percent of the assessed value of all real estate in such city is exempt from local property taxation, according to the Virginia Department of Taxation Annual Report for Fiscal Year 2018; and (iii) that had a poverty rate of at least 24 percent in 2017, according to data provided by the U.S. Census Bureau.

NOTE: The legislation authorizing gray machines is set to expire on June 30, 2021 and the Governor has committed to veto any legislation that proposes to extend it beyond that date. The Council may want to consider either delaying action on this item until January or including it on a contingent basis

Items that Were Contingent on Pending Special Session or Other Actions

Eviction Relief for those Experiencing Hardship Due to COVID-19 – 1) Provide additional state funding for those unable to pay rent due to reduced work hours or job loss, 2) provide extended grace periods for renters (two weeks rather than 5 days to allow people to receive their next pay check), and 3) impose a moratorium on eviction filing. (Jones) **EVICTON MORATORIUM EXTENDED WITH CARES ACT FUNDING**

Medicaid Expansion – Expand Medicaid to include oral health and dental services for adults. Additionally, eliminate the work requirement as a requirement and consideration to receive Medicaid coverage. (Newbille) **THIS IS IN THE STATE BUDGET THAT WAS APPROVED IN THE SPECIAL SESSION.**

Ban on Militaristic Weapons and .Military-Grade Vehicles in Local Departments - Ban local police from receiving funding for, dedicating funding to, and purchasing militaristic weapons and vehicles. “Militaristic weapons” includes, but does not need to be limited to, tear gas, rubber bullets, wooden bullets, and flash bangs. (Jones) **Senator Mamie Locke’s comprehensive criminal justice reform bill includes provisions that “No agency of the Commonwealth or director or chief executive of any agency or department employing law-enforcement officers as defined in § 9.1-101 shall acquire or purchase (i) weaponized unmanned aerial vehicles; (ii) aircraft configured for combat or are combat-coded and have no established commercial flight application; (iii) grenades or similar explosives or grenade launchers from a surplus program operated by the federal government; (iv) armored multi-wheeled vehicles that are mine-resistant, ambush-protected, and configured for combat, also known as MRAPs, from a surplus program operated by the federal government; (v) bayonets; (vi) firearms of .50 caliber or higher; (vii) ammunition of .50 caliber or higher; or (viii) weaponized tracked armored vehicles. Nothing in this subsection shall restrict the acquisition or purchase of an armored high mobility multi-purpose wheeled vehicle, also known as HMMWVs, or preclude the seizure of any prohibited item in connection with a criminal investigation or proceeding or subject to a civil forfeiture. Any property obtained by seizure shall be disposed of at the conclusion of any investigation or as otherwise provided by law. The bill also establishes training standards and model policies for law-enforcement personnel in the handling and use of tear gas or other gases and kinetic impact munitions that embody current best practices for using such items as a crowd control measure or during an arrest or detention of another person;**

End Discriminatory Profiling – Protect Virginians against discriminatory profiling. (Robertson) **Senator Mamie Locke’s comprehensive bill dealing with police reform includes revision to the basic training and recertification requirement for training to include:** Sensitivity to and awareness of racism, cultural diversity, and the potential for racially biased policing, which shall include recognizing implicit biases in interacting with persons who have a mental illness, substance use disorder, or developmental or cognitive disability;

Virginia Oversight Law – Include the Virginia State Police in the citizen review board legislation being considered during the special session. (Robertson) **NOTE: The Virginia State Police were excluded from the provisions of the citizen review board bill that passed and awaits the Governor’s signature.**

Protect Virginians against unlawful searches (Robertson) – **NOTE** Senator Mamie Locke’s comprehensive bill dealing with police reform includes the provision that No law-enforcement officer shall seek, execute, or participate in the execution of a no-knock search warrant. A search warrant authorized under this section shall require that a law-enforcement officer be recognizable and identifiable as a uniformed law-enforcement officer and provide audible notice of his authority and purpose reasonably expected to be heard by occupants of such place to be searched prior to the execution of such search warrant. After entering and securing the place to be searched and prior to undertaking any search or seizure pursuant to the search warrant, the executing law-enforcement officer shall read and give a copy of the search warrant to the person to be searched or the owner of the place to be searched or, if the owner is not present, to any occupant of the place to be searched. If the place to be searched is unoccupied, the executing law-enforcement officer shall leave a copy of the search warrant suitably affixed to the place to be searched. Search warrants authorized under this section shall be executed only in the daytime unless (i) a judge or magistrate, if a judge is not available, authorizes the execution of such search warrant at another time for good cause shown or (ii) the search warrant is for the withdrawal of blood. A search warrant for the withdrawal of blood may be executed at any time of day.

Require law enforcement officers to identify and explain themselves to the public (Robertson)
NOTE Senator Mamie Locke’s comprehensive bill dealing with police reform includes the provision that No law-enforcement officer shall seek, execute, or participate in the execution of a no-knock search warrant

Items Already Addressed in State law or by Other Actions

Inclusionary Zoning/Affordable Housing – Provide authority for the City of Richmond to adopt an affordable housing dwelling unit/inclusionary zoning program that is responsive to the demands of the Richmond market. (Newbille, Robertson, Larson) **This was adopted in the 2020 General Assembly by inclusionary housing legislation introduced by Sen. McClellan and Del. Carr.**

Mandatory Affordable Dwelling Unit Program - The City requests that §15.2-2304 of the Code of Virginia, which allows certain localities to adopt a mandatory affordable dwelling unit program, be amended to include/apply to the City of Richmond. (Newbille)

NOTE: The passage in the 2020 General Assembly of Sen. McClellan’s SB 834 and Del. Carr’s HB 1101 was deemed to be an option for those localities that are not expressly named in § 15.2-2304. The General Assembly made clear its intent that local governments must choose to be covered under one process or the other, but they will not be permitted to use both. The City of Richmond needs to decide whether they would prefer the affordable dwelling unit strictures of § 15.2-2304 or of § 15.2-2305.1 FYI --- The City of Charlottesville opted in to § 15.2-2304 during the 2020 General Assembly Session.

RECOMMENDATION: Council may wish to receive a detailed briefing from the City Administration on the relative benefits of each program authorized by the General Assembly and decide which one it would like to proceed under.

Statewide Disparity Study with a Focus on Minority Business Contractors (similar to the study being done for the city). (Jones).

Study on Virginia’s procurement process related to minority business enterprises and spending (percentage and dollar amount) on minority business enterprises as compared to non-MBEs. (Jones)

Mandatory statewide equity and equality plan with certain procurement terms and conditions (Robertson)

NOTE: Last year the Governor issued Executive Order Number 35 “Advancing Equity for Small-, Women, Minority-, and Service Disabled Veteran-Owned Businesses in State contracting. That order included numerous directives including the following:

- The Commonwealth conducted procurement disparity studies in 2002 and 2009. Conduct an updated disparity study on women- and minority-owned business participation in the Commonwealth’s procurement transactions This study shall: (i) determine if disparity exists and (ii) if so, determine why the disparity exists and what solutions or remedies could be implemented, specifically evaluating narrowly-tailored race and gender conscious programs.
- Executive Branch Agencies with procurement responsibilities shall review practices, procedures, and proposal evaluation criteria to identify and remove barriers or limitations to SWaM participation. A section on “barriers or limitations” shall be included in annual Executive Branch Agency SWaM plans. SWaM plans shall be developed and submitted to DSBSD by September 1. DSBSD shall submit the annual SWaM Plan Compliance Report to the Secretary of Commerce and Trade on October 1 of each fiscal year.

In addition, the Governor has tasked the Office of Diversity, Equity, and Inclusion for the Commonwealth of Virginia to create a strategic plan to advance visible diversity, equity, and inclusion for state government agencies. The forums that were scheduled to receive public input have been cancelled because of CV-19 concerns. But they are looking for ways that other sectors can participate, including non-profit organizations, local municipalities, businesses, and K-12 school districts. Suggestions and feedback will help inform the development of an actionable and measurable framework that will foster collective and tangible change and guide Virginia’s effort to address statewide inequities.

Amend Mandatory Labor Agreement Laws terms and conditions - Consider legislation for procurement to require a community partnership agreement when there is any public investment. (Robertson) **NOTE:** Need more specific information on the change being sought and a definition for “a community partnership agreement” before a legislative request or position statement can be drafted. The 2020 General Assembly did pass legislation authorizing any public body, including any state or local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects.

Items that could potentially be implemented under existing authority

Zoning Laws to Eliminate Discrimination for Transitional Housing - Require zoning laws to allow housing choices by right for shelters and transitional housing which would eliminate housing discrimination for homeless shelters and transitional housing. (Robertson)

NOTE: The City Attorney confirmed that this may be done through the city’s zoning ordinance and does not require a change in state law.

Reduction of Speed Limit to 15 miles per hour in certain residential neighborhoods – Allow localities to reduce speed limits in their residential neighborhoods to 15 miles per hour. Localities are limited to reducing speeds in interior streets as defined by the city’s traffic engineer. This measure would require localities to follow the existing established process for changing speed limits. (Lynch)

NOTE: § 46.2-875 Code of Virginia states “The maximum speed limit shall be 35 miles per hour on highways in any city or town, except on interstate or other limited access highways with divided roadways and in business or residence districts. However, municipalities that maintain their own roads may increase or decrease speed limits on highways over which they have jurisdiction following appropriate traffic engineering investigation.” **The City Attorney confirmed that the City traffic engineer can be directed to conduct the appropriate traffic engineering investigation and implementation of a lower speed**

limit. Lowering the speed limit can be done without state legislation. Can the Council direct the City traffic engineer to conduct the appropriate traffic engineering investigation and implement a lower speed limit?

Plastic Bag Tax Allocation- With regard to plastic bag tax implementation, require the allocations of money for plastic bag revenue generated from (HB534) to be spread with 40% going to the purchase and distribution of reusable totes for SNAP and WIC recipients until supplies achieve a point level according to the needs of recipients; 30% to environmental cleanup and remediation; 30% for education. (Hilbert)

NOTE: This is not a state tax but is a **local option tax**. § 58.1-1745 Code of Virginia states: “All revenue accruing to the county or city from a tax imposed under the provisions of this article shall be appropriated for the purposes of environmental cleanup, providing education programs designed to reduce environmental waste, mitigating pollution and litter, or providing reusable bags to recipients of Supplemental Nutrition Assistance Program (SNAP) or Women, Infants, and Children Program (WIC) benefits. Therefore, **it is up to City Council to enact ordinance imposing the tax and determine proportional use of the revenues. Any ordinance cannot go into effect until January 1, 2021.**