



CITY OF DURHAM | NORTH CAROLINA

Date: April 16, 2012

To: Thomas J. Bonfield, City Manager
From: Karmisha R. Wallace, Assistant to the City Manager
Subject: 2012 Short Session Legislative Agenda

Executive Summary

In an effort to ensure that key issues impacting the City of Durham remain at the forefront of the N.C. General Assembly; the City Administration, in collaboration with the Durham City Council, develops an Annual Legislative Agenda. The Legislative Agenda generally includes resolutions as well as proposed statewide and local legislation. The City Council Legislative Committee met today to review the Proposed Legislative Agenda for the 2012 Short Session of the N.C. General Assembly, and the Proposed Agenda is being presented to the full Council for consideration.

Recommendation

Staff recommends that the City Council approve the Proposed Legislative Agenda for the 2012 Short Session.

Background

Each year, the City Administration reviews various legislative issues that could impact the citizens and/or businesses of Durham. These issues are vetted amongst relevant City departments and stakeholders and are presented to the City Manager for further review and consideration; after which, proposals are presented to the City Council Legislative Committee. Staff met with the Committee on Monday, April 16, 2012 and discussed the following legislative proposals:

City Administration Local Bill

- An Act to Incorporate Statutory Bases for Making Assessments into City of Durham Charter Section 77 – “*Flexibility with Assessments*” (Public Works)

City Council Local Bill

- An Act to Establish a Minimum Presumptive Pretrial Bond for Firearms Offenses (Mayor Bell)

City Administration Statewide Bill

- An Act to Amend GS 115C-437 – “*Collection of Civil Penalties*” (Finance)

City Administration Statewide Resolution

- Resolution Supporting Change to State Legislation So That Local Road Projects are Treated Substantially the Same as State Road projects in the Falls Basin

Other

- Maintain Municipality's Flexibility with Debt Issuance

The following item was added to the Proposed Agenda during the Legislative Committee meeting:

Other

- Oppose Legislation That Attempts to Diminish or Remove the City's Authority to Impose a Privilege License Fee

The complete Legislative Agenda is attached for review.

The Short Session of the N.C. General Assembly will convene on Wednesday, May 16, 2012. The Durham City Council is scheduled to meet with the Durham Delegation on Friday, May 11, 2012 at 8:30 a.m. to formally present the City's 2012 Short Session Legislative Agenda.

Issues/Analysis

There are no net changes in costs to the City or to property owners for any of the proposals included in the Proposed 2012 Short Session Legislative Agenda. If the "*Collection of Civil Penalties*" legislation is passed, the City and Durham Public Schools Board of Education would negotiate and agree that the City could retain an amount higher than 10% and more closely tied to the City's actual, reasonable collections costs. This would allow the City to "break even" on collection costs and not lose money associated with hiring a third party firm to collect civil penalties and fees. This would also provide additional funds to Durham Public Schools while strongly encouraging property owners to pay their civil penalties.

The costs of municipal road projects would be reduced due to the need for fewer stormwater control measures and acquisition of land needed to construct them if the General Statute is amended relative to the Falls Water Supply Nutrient Strategy. If the change is not implemented, road projects will require additional expenditures for design, construction, right-of-way and long term maintenance.

Alternatives

City Council can disapprove the Proposed 2012 Short Session Legislative Agenda or modify it to include additional items of concern.

Financial Impact

There are no ongoing costs associated with the approval of the Legislative Agenda.

SDBE Summary

There are no SDBE requirements for the Legislative Agenda.