

January 15, 2015

**TO: Mayor and Members of Council**

**FROM: Tom Carruthers, City Attorney**

**SUBJECT: 2015 Legislative Agenda**

Listed is the proposed 2015 Legislative Agenda for the City of Greensboro. Also listed is Legislative Agenda of the Greensboro Partnership, and selected legislative goals adopted by the NC League of Municipalities.

**City of Greensboro Legislative Agenda 2015**

1. *Preserve Historic Tax Credits*  
Under the North Carolina tax credit program, commercial developers would receive a 20 percent credit and residential developers receive a 30 percent credit on all expenditures. This tax credit expired January 1, 2015.
2. *Expand Autism coverage*  
Support legislation for Autism Spectrum Disorder coverage by requiring insurance policies in the state to cover diagnosis and treatment of this disorder.
3. *Redistribution of Sales Taxes*  
Greensboro supports maintaining the current equitable level of sales tax distribution and opposes efforts to reduce urban sales tax receipts.
4. *Police Review Board*  
Amend local legislation that currently enables a “subcommittee” of the Human Relations Commission to view confidential police records to provide the proposed independent Police Review Board this power.
5. *Presumptive Disability for Firemen*  
Seek recognition that a disability can arise from a series of harmful exposures, not just a single event or accident. Presumptive Disability allows for a disability claim to be made because of cumulative effects of exposure to toxins or pollutants.
6. *Privilege License Revenue*  
Support legislation that restores lost privilege license revenue to municipalities.

7. *Expand Medicaid*

Support legislation that expands Medicaid in North Carolina.

8. *Block DMV Registration for Unpaid Parking Tickets*

Require payment of 12 month past-due parking tickets before motorist is allowed to renew vehicle registration.

9. *Regulate After Hours Clubs*

Prohibit the service or consumption of alcoholic beverages between the hours of 2 a.m. and 8 a.m., at commercial establishments and private clubs which do not have an ABC license. This request is intended to curtail the operation of “2-6 clubs” in Greensboro, where certain locations operate as nightclubs after 2 a.m. Nightclubs such as these evade ABC regulations because they do not have an ABC permit and they are not subject to inspection. Many 2-6 club locations have been the sites of repeated violent crimes or other illegal conduct.

10. *Reconfiguration of City Council*

City Council opposes efforts in the General Assembly to reduce the number of City Council members from 9 to 7. City Council supports plans to increase terms to 4 years. Council will also consider a separate resolution on this item for immediate release to the members of the General Assembly.

11. *Suspend or revoke an alcoholic beverage permit for two or more instances of exceeding the occupancy capacity of a premises by at least 25% of its posted occupancy capacity*

This legislative request seeks to deter businesses which sell alcoholic beverages from endangering their patrons by repeated overcrowded conditions, when the overcrowding is so excessive that the dangerous condition is clearly apparent.

12. *Exempt individual mobile telephone numbers of law enforcement, fire department, and emergency personnel from public disclosure*

This legislation seeks to prevent members of the public from interfering with a communications system routinely used for emergency and priority communications for public safety purposes. Official desk telephone numbers would remain a public record and provide a means of public communication with individual public safety employees.

13. *Police Body Worn Cameras*

Clarify the definitions of criminal investigation records and personnel records and establish an appropriate method to allow victims and defendants to view footage while balancing the privacy needs of the public and the personnel rights of the police. Please see the discussion below.

## **Body Worn Camera Legislation**

The City Attorney's Office recommends that Council seek the following legislative changes to G.S. § 160A-168, "Privacy of employee personnel records":

1. Provide the City Manager or his designee with the authority to disclose audio/video footage to a person who is involved in an interaction with a police officer and files a request to that person or the person's legal guardian or attorney;
2. Clarify the authority of the City Manager and Council to include the disclosure or release of information when no personnel action is taken;
3. Define "disclosure" to mean allowing a person to view and/or hear information, records or audio/video footage, and "release" to mean providing to a person a copy of information, records or audio/video footage; and
4. Prior to disclosing or releasing video to a third party except as evidence in court, allow redacting or obscuring BWC video that shows facial features of persons not involved in a police interaction, when the video shows a location or circumstance where the persons have a reasonable expectation of privacy.
5. If the video is to be disclosed or released to a third party, maintain a redaction log which is also publicly releasable if portions of a video are edited or deleted to redact video.

The City Attorney's Office also recommends that the City petition the N.C. Department of Cultural Resources, Division of Archives and Records to place BWC footage within the same retention category as dash-cam video under "Standard 9: Law Enforcement Records, Item #81 Mobile Unit Video Tapes". This retention standard provides for a Statewide 30-day retention schedule of this video. Adding BWC audio/video footage to this standard will be consistent with current State policy and will meet the need to retain BWC footage for personnel and criminal complaints. It will also reduce the cost of retaining BWC footage which is not required for any investigative purpose.

## **Greensboro Partnership Legislative Agenda 2015**

### **Priority Items**

#### *1. Mega Site Development Funding*

Pass legislation that will support an economic development investment package for Mega Site Development Funding to attract a major automotive manufacturing plant to North Carolina. North Carolina has a business friendly environment but it is one of the only states in the Southeast region without an automotive assembly plant. A certified mega site and competitive investment package will attract an automotive manufacturer that would create thousands of jobs for Guilford and neighboring counties. Research shows that for every job created in an auto assembly plant, three to four additional jobs would be created.

#### *2. Airport Development Funding*

The Piedmont Triad Airport Authority appreciates the General Assembly's support for much needed airport funding and it continues to seek support for development and infrastructure improvements.

#### *3. Maintain Funding Schedule for Urban Loop*

The General Assembly should consider proposals affecting transportation funding in the 2015-2016 session and the projected 2020 completion timeline designated for the Greensboro Urban Loop. This funding and timeline were supported in 2014 by the Mobility Formula.

#### *4. \$2M Union Square Campus Simulation Equipment Funding*

Greensboro Partnership requests \$2M from the state during 2015-2016 budget for purchase of high-tech medical training equipment for the state-of-the-art health care simulation center.

### **Support Items:**

#### *1. Doctor of Nursing Practice (DNP) at UNCG*

The Greensboro Partnership supports \$1.5M in new funding for the DNP program at UNCG. This program will provide the necessary healthcare professionals that will serve as physician extenders and provide the delivery of much needed primary healthcare.

#### *2. Maintain High Point Market Funding*

Support the High Point Market Authority's request for funding from the state at the 2013-2014 level of \$1,855,472, which is \$1.2M for transportation and \$655,472 for marketing.

#### *3. Support BEST NC (Business Education for Success and Transformation) and Continued Education Funding*

Establish measurable means to improve teacher evaluation and improve the quality of K-12 education. Support teacher pay equity statewide and regionally. This is a competitive advantage and will strengthen our ability to attract and retain quality teachers.

#### *4. NC Center for Aerospace Excellence*

This project will serve as a catalyst to grow the aerospace industry in North Carolina. This is a partnership among public schools, community colleges, universities, and the aerospace and advanced manufacturing industries in North Carolina. The goal is to build a skilled workforce and grow the aerospace industry and brand NC as a global aviation and aerospace enter.

5. *Support Legislation to Expand Medicaid*

The Greensboro Partnership views the expansion of Medicaid as an economic development engine for the state of North Carolina.

**Pertinent NC League of Municipalities Advocacy Goals for 2015**

1. Fair, transparent and nonpartisan methods of drawing legislative and congressional districts.
2. Amendment to the North Carolina Constitution establishing Home Rule authority for municipal governments.
3. Maximize the ability of local governments to provide high-quality services, and oppose legislation that weakens or removes local control over public assets.
4. Correct the constitutional issue within the annexation law requiring municipal construction of/payment for water and sewer lines across private property all the way to the home or structure ("Private Emoluments").
5. Oppose legalization of internet sweepstakes operations; however, if internet sweepstakes operations are legalized, support legislation that would protect the land use decision-making authority and authorize municipalities to levy taxes on said operations.
6. Reestablish authority for city-initiated annexation of "doughnut holes," areas of land that are completely surrounded by municipal territory, and categories of right-of-way that have been accepted for maintenance by either a city or the NCDOT and in which there are no voters.
7. Electronic legal public notices in lieu of publication in a newspaper.
8. Preserve the film incentive program.
9. Preserve the state historic tax credit.
10. Prevent municipalities from being additionally charged for services which are already funded through the payment of county property taxes.