



Legislation Text

File #: 16-5880, Version: 1

City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 27, 2017

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Consideration of a Final Update on the 2017 General Assembly Session.

ISSUE: Update on the 2017 General Assembly Session.

RECOMMENDATION: That City Council receive this report.

DISCUSSION: The 2017 General Assembly Session was adjourned on February 25. The Governor now has 30 days to review all the legislation that was passed, and recommend amendments or vetoes to bills as he deems appropriate. The Reconvened, or Veto, Session, where the General Assembly accepts or rejects his amendments and vetoes, will be held April 5.

Combined Sewer Overflow Legislation. On the next to last day of Session, the General Assembly passed CSO legislation that sets unreasonable dates for the City to correct its CSO problems. The bill seeks to require Alexandria to initiate construction on corrections to its four outfalls by July 1, 2023, and to complete all construction by July 1, 2025. Staff advised legislators, to no avail, that our engineering consultant had advised us that it would be impossible to complete this work by 2025. Staff (as well as members of our delegation) have been in touch with the Governor's office and advised the Governor's staff that the City would be asking the Governor to send amendments to the bill to be considered at the veto session on April 5.

City Package. The following is an update on actions taken regarding issues in the City's 2017 Legislative Package. Attachment 1 is a more detailed status report on City Package bills.

- As I noted in earlier reports, several bills attempted to loosen the laws allowing the issuance of driver's licenses for non-citizens; the only one still alive at the time of my past report (HB 2020) was defeated by the Senate.

- The House defeated all House and Senate bills that would have put a floor on local gas taxes in Northern Virginia and Hampton Roads; ask about prior criminal convictions on employment applications; amend the Virginia Constitution to automatically restore rights to some felons; and establish a non-partisan redistricting commission.

Airbnb. SB 1578, which would allow localities to require the registration of short-term rental properties and impose penalties on persons who fail to do so, has passed both the Senate and House. The bill allows a locality to charge a fee to pay for the cost of the registry, and it lets the locality regulate short-term rental properties through general land use and zoning authority.

Towing. HB 1960 has passed the House and the Senate. It does not increase the towing fee (as introduced, it would have raised the fee from \$135 to \$150 per tow). HB 1960 will require that the chairmanship of a locality's towing advisory board be rotated annually among law enforcement representatives, towing operators, and the general public.

Wireless Internet Infrastructure. The General Assembly enacted SB 1282, regulating certain aspects of wireless infrastructure. The bill now deals primarily with the location and placement of small wireless cell apparatus. Major provisions include the following:

- Provides a uniform procedure for the way in which small cell facilities on existing structures are approved by localities and approved and installed in public rights-of-way.
- The measure includes provisions that establish requirements applicable to the location of micro-wireless facilities. The measure also addresses restrictions by localities and the Department of Transportation regarding the use of public rights-of-way or easements.

Municipal Broadband Networks. As reported in the last Update, Delegate Byron's Municipal Broadband bill (HB 2108) was been significantly altered since its introduction. The original bill would have essentially prevented a locality from creating its own broadband network, unless the locality is in an area not served by a private broadband provider. The bill now only says that a government-created broadband authority's records demonstrating how it sets its rates and fees be available under the Freedom of Information Act (FOIA). A "notwithstanding any exemption in that Act or in this chapter" phrase that was in the bill was removed before the bill's final passage. The bill now says that an authority must comply with FOIA-something it would be required to do without this bill.

State Budget. On February 22, the House Appropriations and Senate Finance Committees released their joint conference report on the State budget. The conference report was approved by the full House and Senate two days later, on February 24. There is not a lot in the approved budget that directly affects the City, positively or negatively. There are several items of interest to the City:

1. No cuts were included for HB 599 (local law enforcement) funding. The House had proposed reductions to 599; the Senate did not. The Senate prevailed.
2. There is a 2% salary increase for teachers, effective February 15, 2018. Staff cannot estimate the revenues coming to Alexandria City Public Schools as a result for FY 2018, but it will not be a large

increase.

3. Project Discovery will see \$50,000 in additional statewide funding for FY 2018.

Both the House and Senate had already agreed to increase funding for the salaries of state-supported local employees by 2 percent, and to partially restore the cuts proposed by the Governor for GO Virginia (\$7.5 million will be restored over the biennium).

ATTACHMENTS:

Attachment 1. Current Status of City Package Bills, February 25, 2017

Attachment 2. Current Status of Bills on Which the City Has Taken a Position, February 25, 2017

STAFF: Bernard Caton, Legislative Director