

**City Council – Action Request Form**

**Date:** December 3, 2018

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**To:** The City Manager

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**From:** Angela I. Carmon, City Attorney

**Council Action Requested:**

City of Winston-Salem 2019 Legislative Priorities

**Strategic Focus Area:** Economic Vitality and Diversity

**Strategic Objective:** No

**Strategic Plan Action Item:** No

**Key Work Item:** No



**Summary of Information:** The North Carolina General Assembly will formally convene on January 23, 2019. The attached bills and resolutions are recommended for inclusion in the City’s 2019 Legislative Priorities package. The bills are as follows:

1. A Bill to Be Entitled An Act Allowing the City of Winston-Salem to sell Real Property for the Purpose of Increasing the Supply of Affordable Housing for Low and Moderate income persons upon such terms and conditions it deems wise. This bill, if enacted, will provide City Council with greater flexibility in disposing of city owned property for affordable housing purposes.
  
2. A Bill to Be Entitled An Act to Ban Electronic Machines or Devices for Sweepstakes. This bill, if enacted, eliminates the argument that skill and dexterity based machines and devices are allowed by state law. Of course, my office disagrees with said argument.
  
3. A Bill to Be Entitled An Act to Limit Electronic Machines or Devices Not Prohibited by Article 37 to No More than Four Machines Per Location. This bill, if enacted, will limit the number of machines and devices, deemed to be lawful, to no more than 4 devices or machines per location.

**Committee Action:**

<b>Committee</b>	_____	<b>Action</b>	_____
<b>For</b>	_____	<b>Against</b>	_____

**Remarks:**

4. A Bill to Be Entitled An Act to Clarify How Business Bodies in Winston-Salem May Conduct Business During Meetings Involving Simultaneous Communications. This bill, if enacted, will allow City Council to conduct meetings remotely using today's technology.
5. A Bill to Be Entitled An Act to Modify the Process for Filling Vacancies on the City Council of the City of Winston-Salem (Primary and General Election). This bill, if enacted, will allow the City Council to fill a vacancy of 12 months or longer with a special election that provides for a primary and general election.
6. A Bill to Be Entitled An Act to Establish a Petition Process for Vacancies Filled by the City Council in 2018 or 2019. This bill, if enacted, allows citizens to petition for a special election for any vacancy filled by City Council in 2018 or 2019 using the appointment process.
7. A Bill to Be Entitled an Act Amending the Winston-Salem City Charter Regarding Time of Election. This bill, if enacted, will extend the term of the Mayor and members of the City Council by one year to place the election cycle for the aforementioned seats back on an odd year cycle.
8. A Bill to Be Entitled An Act to Amend § 132-1.4A Law Enforcement Agency Recordings and §143-318.11(A) Closed Sessions. This bill, if enacted, will provide access to law enforcement recordings to the City Manager and City Council as well as a citizen police review board in closed session.
9. A Bill to Be Entitled An Act to Authorize the Municipalities to Levy An Additional One-Quarter Percent Sales and Use Tax. This bill, if enacted, will allow for a referendum for a local one-quarter percent (1/4%) sales and use tax option. If the bill is enacted and the sales tax referendum passes, it should generate several million dollars for the City.

The package also continues two resolutions. They are as follows:

1. A Resolution of the Winston-Salem City Council Requesting a Legislative Study Committee to Examine the Need for Back-up Generators for Medical Offices. During the recent hurricanes, some citizens were unable to access their doctors' offices because they were closed due to a lack of power caused by the weather related events. There are a number of medical facilities, such as hospitals, that are required to have back-up generators. This resolution encourages the North Carolina General Assembly to create a legislative study committee to determine if medical offices should be required to have back-up generators as well and to explore the possibility of providing incentives to encourage offices of this nature to install back-up generators.
2. A Resolution of the Winston-Salem City Council Requesting Additional Revenue Options. This resolution is included in the package to encourage the exploration of additional revenue options for cities. The City's recovery from the \$1 million loss in hold harmless payments, the \$1.6 million loss in custom software tax, and the \$3 million loss in privilege license taxes has been marginal. Like many other cities, the City of Winston-Salem has not realized replacement revenues for the losses sustained. Cities need local revenue options beyond ad valorem property taxes.