



Albemarle County

Legislation Text

File #: 19-346, **Version:** 1

AGENDA DATE: 6/19/2019

TITLE:

Proposed 2020 Legislative Priorities

SUBJECT/PROPOSAL/REQUEST: Consider the Proposed 2020 Legislative Priorities

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Kamptner

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Each year the Board considers and approves its legislative priorities. The Board then meets with the County's local delegation from the General Assembly to discuss these priorities and submits them to the Thomas Jefferson Planning District Commission (TJPDC), the Virginia Association of Counties (VACo), and the Virginia Municipal League (VML). Other initiatives are sometimes added prior to the General Assembly session. This is the third of at least three anticipated Board discussions to develop its priorities for the 2020 General Assembly session.

At the second Board discussion on May 15, staff reviewed the 12 legislative initiatives under consideration by the Board. Following are the outcomes on several of those initiatives:

Impact fees: Pursue legislation in conjunction with other localities.

Equal taxing authority for counties: Pursue legislation in conjunction with other localities in the High Growth Coalition, with the legislation limited to enabling authority for a city-level transient occupancy tax with new revenue applied to a specific purpose, such as to support a conference center.

Local control over monuments and memorials for war veterans: Legislation will be pursued, subject to changes in relevant General Assembly committees that might be favorably receptive to the legislation.

Prohibition on carrying specified loaded weapons in public places: Legislation will be pursued, subject to changes in relevant General Assembly committees that might be favorably receptive to the legislation.

In-kind services to volunteer firefighting and emergency service providers: Legislation will be pursued, with further refinement of the purposes for which in-kind services may be provided. In-kind services that have been identified so far include contract management services for capital projects, assisting in preparing proposals, budgeting services, and providing insurance.

Expanding the powers of land bank entities: This initiative will not be further pursued because existing

enabling authority likely allows the County to achieve similar purposes.

Extending the eligibility of antique motor vehicle status from 25 to 30 years: Recognition that the government must work with the auto clubs and that the issue will have to be addressed nationally.

These initiatives, as well as the others being considered, are explained in Attachment A.

STRATEGIC PLAN: Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: Since the May 15 Board discussion, staff and David Blount, the County's legislative liaison, have performed additional research. Following is the status of staff's work on some of the other initiatives:

Civil penalties for open burning violations: Staff of the Air Pollution Control Board (APCB) was contacted. The staff member who handles legislative matters for the APCB has offered to look at the basis for the APCB's regulations that establish a criminal penalty. To the extent that civil penalties would be perceived as a reduction in punishment when compared to criminal penalties, the County's Fire Marshal said that any reduction would be resisted by his colleagues around the State.

Providing tax relief for public safety volunteers: There are bills pending in the United States House of Representatives (HR 1241) and the Senate (S 1210) that would reduce the federal tax liability on tax benefits and qualified payments provided by States and localities to volunteer firefighters and emergency medical providers. David Blount retrieved a 10- to 12-year old Virginia Association of Counties survey of the incentives provided by Virginia localities to public safety volunteers (Attachment B). Staff recommends that further work be done to, among other things, seek feedback from volunteers and their representatives to learn what incentives would be meaningful to them

Increasing the minimum tree canopy preserved during development: David Hannah (Hannah), the County's Natural Resources Manager, was contacted for his input on the current State enabling authority and the County's current tree canopy regulations. Hannah states that he would support the Board seeking enabling authority such as Virginia Code § 15.2-961.1 (applicable to certain Planning District 8 [northern Virginia] localities) to increase the minimum tree canopy required to be preserved. In addition to an abundance of data documenting the benefits of urban forests, Hannah summarizes: "Broad categories of benefits, with some of them having climate change implications, include air quality, water quality, stormwater management & pollution abatement, human health and well-being, energy conservation, outdoor recreation, education, property values, quality of life, wildlife habitat, and biological diversity." An enhanced urban tree canopy also better fulfills the County's stated goal of its Development Areas being "attractive, desirable places to live and work."

BUDGET IMPACT: There are no specific, identifiable budget impacts.

RECOMMENDATION:

Staff seeks direction from the Board on its legislative priorities and other initiatives.

ATTACHMENTS:

Attachment A - Proposed 2020 Legislative Priorities and Carried-Over Initiatives

Attachment B - Incentives Provided to Volunteer Firefighters and Rescue Squad Members: VACO Survey Summary