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MEMORANDUM

To: Mayor and City Council
From: Warren Hutmacher, City Manager
Date: December 10, 2012
Subject: **2013 Legislative Priorities**

BACKGROUND

As discussed at the November Council Meeting, by establishing Dunwoody's legislative priorities for 2013 prior to the start of the 2013 Legislative Session, we will be better prepared to work with our representatives during the 2013 Legislative Session.

DISCUSSION

Based on Council discussions throughout 2012, staff has compiled the following list of legislative priorities for 2013.

1. "Pill Mill" Legislation

In 2011, Florida took an aggressive step to stem prescription drug abuse by adopting a state law creating a prescription drug database system, tighter regulations on doctors and drug distributors, and stricter penalties on those who overprescribe. Without such restrictions, our state and local community have seen a rise in prescription drug abuse and prescription drug trafficking. In the past year, four "pain clinics" have opened in Dunwoody (three of which have since been closed due to illegal practices); however, Dunwoody remains vulnerable to the prescription drug trafficking without strong state legislation.

2. Low-Impact Utility Marking Paint Legislation

In late 2011, Councilman Shortal raised the issue of utility markings remaining on streets and curbs long after construction and utility work in said areas is complete. The City cannot directly control the practices of utilities, but the state legislature could consider encouraging utility companies to use flags, stakes, or temporary, nonpermanent paint, or other industry-accepted low-impact marking practices to limit the presence of outdated utility markings.

3. E-911 Fees Legislation

Dunwoody collects a \$1.50 E911 fee on each wireline, wireless, and voice over internet protocol (VoIP) customer account in Dunwoody each month. These fees are used to help pay for the E911 call-taking and dispatching, however, they do not cover the full costs of providing these services. In 2012, Dunwoody incurred a projected \$130,548 General Fund transfer to cover the true cost of providing emergency call-taking and dispatching. Across the state, over 90% of Georgia's communities supplement the operations of their 911 Centers through General Fund dollars or other transfers. With an overwhelming majority of communities dipping into their General Fund to support this necessary public safety issue, the City recommends the General Assembly considers raising the E911 fee to cover the full cost of providing this service.



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4. Enhance and Improve K-12 Educational Opportunities

At the November Council Meeting, Councilman Nall suggested the City work with our legislators to explore potential legislative solutions to enhance and improve K-12 educational opportunities in Dunwoody. As the Council discussed, one such solution may be working towards a constitutional amendment that would allow for the creation of a separate school district.

Monitoring Items:

1. Equitable HOST disbursement

Upon incorporation, the state agreed that Dunwoody should receive the portion of HOST funds paid by Dunwoody residents and businesses for investment in capital projects. Later court decisions concluded this disbursement should apply to all cities within DeKalb. Projections show that in disbursing HOST funds back to the cities from which they are collected will limit the amount of funding the County has for capital projects. Although no specific legislation was proposed in 2012, monitoring the situation during the 2013 session may be appropriate to ensure that future disbursements of HOST funds remain equitable.

2. Multi-Family Code Compliance Program

Dunwoody's Multi-Family Code Compliance Program sends a team of our building inspectors into a multi-family housing complex each month to fully document life safety and building code issues. Our inspectors then share any deficiencies with complex owners and work with the owners to establish corrective action plans and re-inspect each violation after a designated time period. During the first nine months of the year, our inspectors completed nine apartment sweeps and documented over 7,541 code violations. At the close of the 2012 Legislative Session, the Governmental Affairs Committee received information from multi-family housing complex owners regarding the costs of making improvements required by inspection programs such as Dunwoody's. Our program addresses life safety and building code issues. Continuing to monitor this issue and ensure full information is available to our legislators may be necessary during the 2013 session.

RECOMMENDATION

Staff recommends the Council officially adopt 2013 legislative priorities by Resolution and then formally present and discuss the adopted priorities to the entire DeKalb County legislative delegation.

STATE OF GEORGIA
CITY OF DUNWOODY

RESOLUTION 2012-12-XX

**A RESOLUTION ESTABLISHING THE CITY COUNCIL’S REQUESTS FOR
CONSIDERATION BY THE GEORGIA STATE LEGISLATURE DURING THE
2013 REGULAR SESSION**

WHEREAS, the 2013 Georgia General Assembly Legislative Session begins on January 14, 2013 to consider important legislative matters of the State; and

WHEREAS, the City of Dunwoody is concerned with legislative matters at the State level which have an impact on the governmental operations of the City of Dunwoody; and

WHEREAS, the City of Dunwoody has identified a number of important legislative items that may be considered by the State legislature in the upcoming year including (1) “Pill Mill” Legislation, (2) E911 User Fee Legislation, (3) Low-Impact Utility Marking Paint Legislation and (4) Legislation to Enhance and Improve K-12 Educational Opportunities; and

WHEREAS, it is appropriate for the City of Dunwoody to adopt legislative priorities to present to its representatives in the General Assembly; and

WHEREAS, adoption of legislative priorities will empower City officials, staff, and representatives to discuss the policy issues with State legislators.

NOW, THEREFORE BE IT RESOLVED AND EFFECTIVE by the Mayor and Council of the City of Dunwoody while in regular session on December 10 at 7:00 p.m., that Dunwoody’s legislative priorities for the 2013 Georgia General Assembly are hereby adopted.

SO RESOLVED AND EFFECTIVE, this 10th day of December, 2012.

Approved:

Michael G. Davis, Mayor

Attest:

Sharon Lowery, City Clerk

(SEAL)