

AGENDA

FRANKLIN CITY COUNCIL

MONDAY, DECEMBER 9, 2013 – CITY HALL COUNCIL CHAMBERS – 207 W. SECOND AVENUE

7:00 P.M.

REGULAR MEETING

CALL TO ORDER. . . . MAYOR RAYSTINE D. JOHNSON-ASHBURN

PLEASE TURN OFF CELL PHONES . . . MAYOR RAYSTINE D. JOHNSON-ASHBURN

INVOCATION WARD 5

PLEDGE OF ALLEGIANCE

CITIZENS' TIME: Franklin Garden Club Presentation

AMENDMENTS TO AGENDA

1. CONSENT AGENDA

- A. Minutes: October 30, 2013 Called Joint Meeting & November 4, 2013 Work Session (Separate File)
- B. GFOA Award Presentation – Charles Ramsay, VGFOA Past President
- C. Special Recognition: S. P. Morton Elementary LEGO Team – Resolution

2. FINANCE

- A. School Fund Budget Amendment #2014-13
- B. Madison Street CDBG Planning Grant Budget Amendment #2014-14

3. OLD/NEW BUSINESS

- A. Hayden School Property Closing Update – William Wade, Senior Services
- B. City Manager’s Report
 - Legislative Agenda

4. COUNCIL/STAFF REPORTS ON BOARDS AND COMMISSIONS

5. CLOSED SESSION – I move that the Franklin City Council meet in closed session to consider appointments to boards and commissions and consultation with the City Attorney regarding legal matters requiring the provision of legal advice as permitted by Virginia Code Section 2.2-3711 (A) (1) & (7).

Motion Upon Returning to Open Session: I move that the only matters discussed during the session were those lawfully exempted from open meeting requirements and identified in the motion by which the closed session was convened.

6. ADJOURN

UPCOMING ITEMS TO BE SCHEDULED...

The items below are intended to be reflective, and not inclusive of all subjects staff is working on to bring forward to City Council in the next two months. Both the time lines and subject matter are subject to change and should not be considered final.

SUBJECT**TENTATIVE TIME LINE****Police Department Report (Work Session)****December 16, 2013****Personnel Policies Review Including PTO,
Health & Disability Insurance****TBA****2014 Council Retreat****TBA**

CONSENT AGENDA

- A. Minutes: October 30, 2013 Called Joint Meeting & November Called Meeting (Separate File)**
- B. GFOA Award Presentation – Charles Ramsay, VGFOA Past President**
- C. Special Recognition: S. P. Morton Elementary LEGO Robotics Team - Resolution**

OCTOBER 30, 2013, CITY COUNCIL MINUTES FROM JOINT MEETING BETWEEN CITY COUNCIL AND SCHOOL BOARD

The Franklin City Council held a Joint Meeting with the Franklin City School Board on Wednesday, October 30, 2013 at 6:30 p.m. in the Theater Room at the Paul D. Camp Community College Workforce Center.

Council Members in Attendance: Raystine D. Johnson- Ashburn, Mayor; Barry Cheatham, Vice-Mayor; Greg McLemore, Benny Burgess, Mary Hilliard, and Mona Murphy (Councilman Blythe absent).

Staff in Attendance: Randy Martin, City Manager

Other Staff in Attendance: Leesa Livesay, Acting Secretary, Recording Minutes.

School Board Members in Attendance: Edna King, Chairwoman, At Large; Johnetta Nichols, Vice-Chairwoman, Ward 3; William E. Council, Ward 1; Sherita Ricks-Parker, Ward 4; Jeanette Austin, Ward 5; Nancy Godwin, Ward 2 & Dawna Walton, Ward 6

Other School Board Staff in Attendance: Dr. Michelle Belle, Franklin City Public Schools Superintendent Gail Wade, Human Resources Director and Director of Administration; Rachel Yates, Supervisor of Finance; Anita Harris, Instruction Technical Specialist; Dr. Shannon Smith, Director of Instruction and Pam Kindred, School Board Secretary, Recording Minutes.

CALL TO ORDER

Mayor Johnson-Ashburn called the Joint Meeting with the Franklin School Board to order at 6:30 p.m.

OPENING REMARKS

Mayor Johnson-Ashburn welcomed everyone in attendance and stated that everyone is in attendance tonight because of shared concerns about the status of the Franklin City Schools and the challenges the City schools are facing.

Edna King, Chairwoman of the Franklin City School Board welcomed everyone for attending and asked for a moment of silence for Tonashea Sledge, a seventh grade student of J P King Middle School who was recently tragically killed in a vehicle accident.

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SCHOOL SYSTEM UPDATE ON ACCREDITATION STATUS & STATE REVEIW

Mrs. King introduced Dr. Belle to give a Power Point presentation outlining the school's Plans to get the schools fully accredited. The report is intended to update the City Council and School Board regarding changes in the school accreditation status and the state review processes for the division.

Dr. Belle stated the Virginia Department of Education came in November of 2012 and conducted an academic review of all schools. Dr. Belle reviewed the outcomes of the academic review:

- Franklin High School was warned in math
- J P King was warned in math
- S P Morton was warned in reading.

Dr. Belle reviewed in detail the local report "Transforming the Vision into Practices": A Systemic Approach to Full Accreditation 2013-14. The report included statements on the status of each school and the plan of action to improve accreditation status.

In reference to the 2012 review, Dr. Belle noted that the listed areas were the only areas that were evaluated. Dr. Belle stated there seems to be a misconception that everything was reviewed instead of only these particular areas. However, the Franklin school division has fallen further into warning status based upon the most recent 2013 state academic review:

- S P Morton is now warned in math and reading
- J P King is now warned in reading, math and history
- Franklin High School remained maintained the same warning in math

This is a very serious situation. Some steps taken this year aimed at improving these areas are:

- Additional reading and math labs added to S P Morton and at J P King
- Additional reading specialists at S P Morton and J P King
- Data meetings are held weekly
- School improvements plans

Councilman McLemore expressed his concern and questioned how Franklin City Schools found themselves in this situation?

Mayor Johnson-Ashburn requested that questions of this nature preferably be dealt with at the end of the meeting to allow the full presentation to continue.

Dr. Belle answered, she did not think this was because of one particular reason but rather multiple reasons and gave some reasons as to why she believed Franklin City School's accreditation declined:

- Franklin City Schools are compared to units with a smaller number of disadvantaged students
- The City has a larger population of disadvantage students proportionally
- Income is lower in the City than many other districts
- Changing of personnel too often in key positions particularly principals

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She also added she has seen a report from 1999 where the school's accreditation was declining. This is a systemic issue.

Councilman McLemore asked if it was true that Franklin City Schools ranked 130 out of 132 as had been reported.

Dr. Belle replied, she has not seen any rankings for this year but, last year the district was ranked low.

Mrs. King stated demographics has played a big part in this problem.

Councilman McLemore stated he does not hold the School Board or Dr. Belle accountable for the poor accreditation but, he holds Council responsible because Council is the one that appointed the School Board.

Mayor Johnson-Ashburn reminded everyone in attendance that several members are newly appointed to the School Board.

Councilman McLemore asked were there teachers and principals hired that were not properly certified?

Mayor Johnson-Ashburn stated the School Board had prepared a Presentation specifically on licensure and asked that question be deferred until that presentation is made.

Councilman Burgess asked what is being done as far as monitoring the policies that have been put into place to make sure they are being followed correctly.

Mrs. King answered the School Board is entrusting their principals to make sure policies and procedures are being followed through correctly. She also added the division has access to Monthly Dashboard and the Benchmark report.

Councilwoman Murphy asked when the Virginia Department of Education would begin the division level review.

Dr. Belle answered she did not have a schedule yet.

Vice-Mayor Cheatham stated the issues of discipline and truancy were discussed at the end of last year. There were supposed to be meetings held in order to discuss these two problems. Vice-Mayor Cheatham asked how many meetings had been held and what plans have been made to address these two issues?

Mrs. King replied these topics were discussed prior to the school year starting.

Dr. Belle stated some of these meetings were held but, she did not have the information at this time.

Mrs. King stated the problem with our school system is systemic. The academic and licensure and division-level review are a good thing for Franklin City Schools because this will do for the school system what it could not do for itself. She also added the School System has a correction plan in place which school officials feel will work.

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Mr. William E. Council, member of the School Board stated he disagreed that the review and accreditation were a good thing. He is embarrassed to have the Virginia Department of Education come in and tell locals what is needed to fix the problems with the Franklin School System; the local School Board and Community have a lot of work to do.

Vice-Mayor Cheatham asked how the Virginia Department of Education Compliance Report signed and submitted by Franklin School Officials read that Franklin City Schools were in compliance when in actuality Franklin City was not in compliance.

Mrs. King stated when the report was signed it was believed it was limited to compliance, not accreditation. She added compliance and accreditation are two different things.

Councilman McLemore asked Mrs. King how long she had been serving on the School Board?

Mrs. King replied she has been on the Franklin School Board since 2009.

Councilman McLemore asked Mrs. King if you have been on the School Board since 2009, why has it taken so long to be in compliance?

Mrs. King stated she believes after the review and the action plan are implemented, Franklin City Schools will be considered compliant.

Licensure Report and Plan of Action

Dr. Belle informed Council all licensure issues with principals, administrators, and professional staff identified in the academic review have been reviewed and addressed. Procedures have been put in place to prevent future licensure issues:

- Current procedures remain in place to determine possession of or eligibility for a Virginia license prior to offering employment
- Actions have been put in place to ensure the applying for, and receiving of, Virginia licenses takes place in a timely manner
- A procedure has been established that principals will not reassign teachers and staff without collaborating with the HR director to ensure that teachers are not assigned in areas out of their endorsement area.
- No one employed will be employed as a teacher or administrator who has not met requirements for holding a license/license renewal

Mayor Johnson-Ashburn asked for clarification on whether everything had been finalized as far as teacher licensure is concerned.

Dr. Belle replied everything has been addressed except there are two areas that are still being worked on.

Councilman McLemore asked for clarification if there were teachers and principals operating without proper credentials.

Dr. Belle replied this was not true.

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Councilman McLemore stated if this was not true, then why is this a concern identified in the review?

Dr. Belle answered this issue was just a matter of getting the license from the State of Virginia when an employee comes from another state.

Mayor Johnson-Ashburn stated everyone is here to focus on getting full accreditation and requested everyone please keep the meeting positive and focused.

Councilman Burgess stated the Compliance Report read there were twelve or thirteen people cited as not having proper credentials.

Mrs. Johnetta Nichols Vice-Chairwoman of the School Board replied that she believed that was the incorrect figure, she stated she believed the figure was only five or six.

Vice-Mayor Cheatham stated last year Council was told there was one person not working in their field of endorsement. In actuality there were thirteen issues identified in the report.

Mrs. King and Mrs. Nichols advised they had met with the School Administration and gave them the opportunity to correct this problem and this problem was supposed to be corrected.

Ms. Dawna Walton, member of the School Board stated the correct number of different individual personnel was ten not thirteen.

Councilman Burgess asked whatever the number how does this happen?

Dr. Belle answered when an individual is hired, the information is sent to the proper officials and the results are not immediate.

Mrs. Nancy Godwin stated as a new member of the School Board, she agrees there has been a problem in the past with licensure. Currently the school system is preparing and the board is receiving a report at the beginning of each month with information that lists every teacher that is licensed and where they are in the state of Virginia.

Division-Level Academic Review

Dr. Belle gave a review of the Division-Level Academic Review that would soon be occurring in Franklin and its purposes:

- Gather data and other information to determine whether the local school board is meeting its responsibilities under the SOQ
- Provide the local school board with essential actions upon which they will base goals and strategies for correcting any areas of noncompliance with the SOQ and for improving educational performance as part of the required corrective action plan
- Monitor, enforce and report on the local school board's development and implementation of the required corrective action plan

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Division-Level Academic Review Process

Dr. Belle also gave a brief review of the processes of the Division-Level Academic Review

- Teams of educators trained and experienced in the academic review process conduct initial visits, onsite reviews, and follow-up visits.
- During these visits, teams hold introductory meetings with local school boards, conduct interviews, review documents and self-studies, and observe operational practices.
- Teams collect and analyze data, and the data is used to prepare a series of reports

Mayor Johnson-Ashburn then asked that School Officials give a report on the second topic stated on the agenda for this joint meeting concerning school capital projects and budget update.

VPSA Update and Draft FCPS 2014-2015 Budget Calendar

Dr. Belle introduced Rachel Yates to give an update on the other topic for discussion at this joint meeting.

Rachel Yates, Supervisor of Finance reviewed the VPSA Update and Draft FCPS 2014-2015 Budget Calendar. As of May 2013 the schools through the City's approval were approved to participate in the Virginia Public School Authority (VPSA) loan program; the schools received a little over \$1.9 million for capital improvements. These improvements include:

- Roof restorations and replacement at Franklin High School, J P King Middle School and the Charles City Street Gym
- Bleacher replacement at S. P. Morton Elementary School
- Breezeway enclosures at the Franklin High School
- Resurfacing of the track at Franklin High School
- Purchasing a replacement school bus
- HVAC replacement throughout the schools
- Replacing some of the kitchen ovens

Mrs. Yates reported as of October 30, 2013 the schools have spent \$195,226.49 of this allotted VPSA loan money, by mandate \$288,000 has to be spent by November 9, 2013. The schools are working to meet this threshold.

Councilman Burgess asked when the funds have to be completely spent.

Mrs. Yates answered the funds need to be totally spent by November 9, 2014.

To close this discussion the schools also shared their tentative budget calendar for FY 2014-15.

Mayor Johnson-Ashburn asked if any School Board members wished to make any comment on the meeting before closing statements by Council Members were offered.

Mrs. Dawna Walton of the School Board stated a lot of work needed to be done on accreditation to get this situation repaired.

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Mr. William E. Council of the School Board agreed there was a lot of work to be done and stated he wished he could tell Council why the School System was in the situation they were in, he could not. He assured Council that the School Board will work hard to get the school system where it deserves to be.

Mrs. King, Chairwoman of the School Board thanked everyone for attending and invited everyone to attend the future School Board Meetings.

No other members of the School Board made any additional statements.

Closing Statements by City Officials

Councilman McLemore stated he was embarrassed about the Franklin City School's accreditation status. He stated we have a Championship Football Team but we have low scores in academics. This situation did not just happen overnight; this has been going on for quite some time. He also added unless action is taken to make some changes in leadership, the schools and City are destined to go down the same path we have traveled.

Councilman Burgess thanked the School Board for agreeing to meet with Council and answering questions. The school system is in crisis mode and everyone needs to be focused in order to achieve the goal of improving the accreditation status of all schools in the division.

Councilwoman Hilliard thanked Mayor Johnson-Ashburn and Mrs. King for arranging this opportunity to meet and added this situation will take everyone's participation in order to improve it.

Councilwoman Murphy thanked Mayor Johnson-Ashburn, Mrs. King and the School Board for this opportunity to meet and is in support of whatever has to be done for improvement.

Vice-Mayor Cheatham is not sure the school system has the right leadership and is very disappointed in the level of parent participation in the school system.

Mayor Johnson-Ashburn asked the City Manager if he had any comments before she closed the meeting.

Manager Martin thanked everyone for their participation and stated an engaged public is the key to success in anything. He added he is very optimistic that through supreme effort and collaboration, the City can get through this.

Mayor Johnson-Ashburn stated she agreed with comments that the school system is in a crisis situation, and the City has to get our children educated and armed for their future for our entire City to succeed.

Adjournment

The Mayor then declared the Joint Meeting adjourned.

Meeting adjourned at 8:25 p.m.



FRANKLIN CITY COUNCIL RESOLUTION
HONORING THE S. P. MORTON ELEMENTARY SCHOOL 2013 LEGO
TEAM “QUAKE CREW”

WHEREAS, Mr. Dean Kamen, desired to help young people discover the excitement and rewards of Science and Technology when in 1989, he founded FIRST (For Inspiration and Resolution of Science and Technology) “to inspire young people’s interest and participation in Science and Technology”; and,

WHEREAS, FIRST , is a not-for-profit public charity, whose mission “is to inspire young people to be Science and Technology leaders, by engaging them in exciting mentor-based programs that build Science, Engineering and Technology skill, that inspire innovation, and that foster well-rounded life capabilities including self-confidence, communication and leadership;” and,

WHEREAS, FIRST created an international network of competition among high school aged children in Robotics; and

WHEREAS, in 1998, FIRST founder Mr. Dean Kamen joined forces with Mr. Kjield Krisiansen to create FIRST LEGO League which also established an international network of competition among younger children ages 9-14; and

WHEREAS, thoughtful local visionaries led by local educator and team coach Liz Burgess, in 2005 founded Franklin High School’s FIRST Robotics Team; and

WHEREAS, the Vision locally was expanded to include creation of Franklin City School’s First Lego League (FLL) team based at S. P. Morton Elementary School; and

WHEREAS, S. P. Morton Elementary School’s 2013 FLL LEGO Team “Quake Crew”, like their Franklin High School Robotics Team 1610 counterparts earlier this year, has qualified for the Virginia State Tournament by winning the recent FLL LEGO Regional Competition held in Chesterfield, Virginia;

NOW, THEREFORE, BE IT RESOLVED BY THE FRANKLIN CITY COUNCIL, that the Council and Citizens of Franklin will be forever proud of the long hours of effort, hard work and achievements of all the members of 2013 FFL LEGO Team “Quake Crew”,

FURTHER , BE IT RESOLVED, that the Council and the Citizens of the City of Franklin offer heartfelt Congratulations for the accomplishments thus far; and, best wishes to Franklin’s LEGO Team “Quake Crew” in the state competition in Harrisonburg, Virginia and beyond if the team is successful in further advancing in the competition; with the ultimate goal being participation and success in the World Festival to be held in St. Louis, Missouri.

Resolved this 9th day of December, 2013, by the Franklin City Council.

Raystine Johnson-Ashburn, Mayor

FINANCE

A. School Fund Budget Amendment #2014-13

B. Madison Street CDBG Planning Grant Budget Amendment #2014-14



December 3, 2013

TO: Randy Martin
City Manager

FROM: Melissa D. Rollins *Melissa D. Rollins*
Director of Finance

RE: **Budget Amendments – FY 2013-2014**

Budget Amendment #2014-13

Attached is a request from the Franklin Public School System to amend the FY 2013-2014 Budget to reflect the award of grant funds in the amount of \$7,971.49 from the Franklin City Educational Foundation.

Required Council Action:

Amend the FY2013-2014 City Budget (School Fund) to reflect the award of the local grant in the amount of \$7,971.49 and appropriate the funds for expenditure in the current fiscal year.

Budget Amendment #2014-14

The City was awarded a \$30,000 Madison Street Neighborhood Planning grant from the Virginia Department Housing and Community Development. An in-kind contribution of \$5,000 is required as a condition of the grant.

Required Council Action:

Authorize the amendment and appropriation of state planning grant funds in the amount of \$30,000.

BUDGET AMENDMENT 2014-13

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2013-2014 School Fund Budget is hereby amended to recognize additional grant award:

EDUCATION FUND

	2013-2014 Budget	Amended Budget	Increase (Decrease)
18990-1800 Donations	\$ 50,000	\$ 57,971	\$ 7,971
TOTAL REVENUE			\$ 7,971

EDUCATION FUND

60000-0001 Instruction	\$ 10,643,717	\$ 10,651,688	\$ 7,971
TOTAL EXPENSES			\$ 7,971

To reflect the local grant award as per attached award letter.

*Certified copy of resolution adopted by
Franklin City Council*

Clerk to the City Council



FRANKLIN CITY PUBLIC SCHOOLS

207 West Second Avenue
Franklin, Virginia 23851-1713
(757) 569-8111 • Fax (757) 569-8078

TO: Mr. Randy Martin, City Manager
FROM: Dr. Michelle Belle, Superintendent
RE: FY 2014 Authorization to Request Appropriation
DATE: November 20, 2013

At the Franklin City Public Schools Board meeting on November 12, 2013, the following authorization requests for appropriations were approved:

- Franklin City Educational Foundation, Inc - \$7,971.49

In order to correctly account for these funds, the FY2013-2014 school budget must be increased by \$7,971.49. The amendments should be to the following revenue and expenditures:

Revenues

- Fund 250-18990-1800 \$ 7,971.49

Expenditures

- Fund 250-60000-0001 \$ 7,971.49

Please add the appropriation increase request to the next City Council meeting agenda. As always, my staff and I are available to you if you have any questions.

Cc: **Melissa Rollins, Finance Director**
Rachel Yates, Coordinator of Finance - FCPS

Franklin City Educational Foundation, Inc.

**P. O. Box 96
Franklin, VA 23851**

James D. Jervy, Jr., President
Brenton D. Burgess, Treasurer
Jennifer C. Stephenson, Secretary

Dr. Marice Minor
Coordinator of Testing
207 West Second Avenue
Franklin, Va. 23851

October 22, 2013

Dear Dr. Minor:

At a meeting of the Franklin City Educational Foundation held Monday, October 21, 2013, the Board of Directors approved grants for the Franklin City Public Schools. We were pleased to be able to fund all of the grant requests that were submitted to the Foundation. The grant total for all of the grants combined amounted to \$7,971.49. The Board was impressed with the quantity and quality of the grants.

Specifically we awarded the following:

Summit Bradshaw, FHS, Purchase of a Kiln	\$2,364.00
Suzanne G. Blythe, FHS, Purchase of 2 High Speed Cameras	\$1,590.98
Elizabeth R. Burgess, FHS, Robotics Registration	\$2,000.00
Tammie Wilson, JPK, Purchase of Sports Books for the Library	\$ 800.32
Diane L. Dovell, JPK, Purchase 7 th Grade Reading Books	\$ 541.19
Edith Scott, SPM, Purchase 7 "Six Traits of Writing" Kits "The Trait Crate"	\$ 675.00

I will prepare a letter for each of the grantees, detailing the award and letting them know the money has been forwarded to the Central Office. The Foundation Board is requesting to be added to the agenda for the next School Board meeting to make formal presentations to the teachers. If you would, please ask the Superintendent to add us to the next School Board meeting's agenda. Also please ask each teacher to attend the School Board meeting for a formal presentation of the grant award. If you will let me know the date and time of the meeting, I will make sure that we have a representative in attendance to make the award.

I appreciate your help in getting these grant requests to us and I look forward to having additional ones come to us over time. We do not have a tremendous amount of money but we are willing to continue to find resources to help our schools. Please continue to forward to us any additional grants that come to your attention.

Sincerely,

Brenton D. Burgess
Treasurer

BUDGET AMENDMENT 2014-14

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2013-2014 General Fund Budget is hereby amended to recognize additional grant award:

<u>GENERAL FUND</u>		2013-2014	Amended	Increase
		Budget	Budget	(Decrease)
100-24040-0020	CDBG Dept. of Comm. Development Grant	\$ -	\$ 30,000	\$ 30,000
	TOTAL REVENUE			\$ 30,000
<u>GENERAL FUND</u>				
100-81100-3193	Contractual Services - Planning Grant	\$ -	\$ 30,000	\$ 30,000
	TOTAL EXPENSES			\$ 30,000

To reflect receipt of state Planning Grant #13-PG-21 – Madison Street Neighborhood Planning Grant

*Certified copy of resolution adopted by
Franklin City Council*

Clerk to the City Council

CONTRACT #: 13-PG-21
GRANTEE: City of Franklin

PLANNING GRANT AGREEMENT

This AGREEMENT, entered into as of this 4th day of October, 2013, by and between the Virginia Department of Housing and Community Development hereinafter referred to as "DHCD" and the City of Franklin, Virginia hereinafter referred to as "GRANTEE."

WITNESSETH

WHEREAS, the Commonwealth of Virginia has been authorized to distribute and administer Community Development Block Grant (CDBG) funds pursuant to the Housing and Community Development Act of 1974, as amended, and

WHEREAS, DHCD has been authorized by the Governor of Virginia to distribute and administer CDBG funds in the form of Planning Grants according to the CDBG Program Design, and

WHEREAS, the PROJECT as described in the Planning Grant Proposal as submitted by the GRANTEE has achieved a sufficiently high ranking through a competitive proposal selection system to qualify for Planning Grant funding on the basis of the CDBG Program Design,

Now THEREFORE, the above-mentioned parties hereto do mutually agree as follows:

1. DHCD agrees to award the GRANTEE a Planning Grant in an amount of the total allowable eligible costs in carrying out the activities included in the scope of work herein described. The initial award is up to \$5,000; additional funding up to a combined maximum total of \$30,000 is available on a performance basis (see SPECIAL CONDITIONS).
2. DHCD agrees to provide the GRANTEE with technical assistance in setting up and carrying out the administration of its Planning Grant.
3. The GRANTEE will commence, carry out and complete the following scope of work (more thoroughly described in the GRANTEE'S Proposal).

PROJECT TITLE: Madison Street Neighborhood Planning Grant

OUTCOME: The project will conduct planning activities to determine specific housing rehabilitation and infrastructure needs for the Madison Street Neighborhood project area and to develop a plan for addressing identified needs.

PRODUCTS:

PRODUCTS	TOTAL BUDGET	CDBG BUDGET	Non-CDBG BUDGET
1 Phase I - Initial Activities			
Completion of Initial Prospectus & Planning Grant Application	\$3,000.00	\$3,000.00	
Sub-Total	\$3,000.00	\$3,000.00	
2 Phase 2 – Facilitated Planning Session			
Conduct Facilitated Planning Session	\$850.00	\$850.00	
Complete Management Plan & Budget	\$650.00	\$650.00	
Complete & Submit Planning Grant Application via CAMS	\$850.00	\$850.00	
Sub-Total	\$2,350.00	\$2,350.00	\$0.00
3 Phase 3 - Completion of PG Work Tasks			
Complete 100% Neighborhood Surveys & Tabulation Sheet	\$2,200.00	\$2,200.00	
Set Up Base Mapping & Thematic Maps	\$1,175.00	\$1,175.00	
Conduct Neighborhood Meeting	\$850.00	\$850.00	
Conduct Management Team Meeting	\$850.00	\$850.00	
Sub-Total	\$5,075.00	\$5,075.00	\$0.00
4 Phase 4 - Neighborhood Improvement Planning			
Identify Interested & Eligible Households	\$900.00	\$900.00	
Conduct Four (4) Housing Inspections with Work Write-ups	\$4,800.00	\$4,800.00	
Develop Housing Rehabilitation Cost Estimates	\$1,000.00	\$1,000.00	
Complete PER with Cost Estimates	\$4,000.00	\$4,000.00	
Conduct Neighborhood Meeting	\$850.00	\$850.00	
Conduct Management Team Meeting	\$850.00	\$850.00	
Sub-Total	\$12,400.00	\$12,400.00	\$0.00
5 Phase 5 – Initiate Section 106 Procedures			
Submit Project Review Form to DHR	\$600.00	\$600.00	
Send Agency Letters & Notify Potentially Interested Parties	\$575.00	\$575.00	
Sub-Total	\$1,175.00	\$1,175.00	\$0.00
6 Phase 5 – Complete & Submit CIG Application			
Finalize Maps	\$600.00	\$600.00	

Finalize Budget including Leverage Funds	\$700.00	\$700.00	
Complete Public Hearing #1	\$850.00	\$850.00	
Complete Public Hearing #2	\$850.00	\$850.00	
Complete & Submit Complete CIG Application via CAMS	\$5,000.00		\$5,000.00
Sub-Total	\$8,000.00	\$3,000.00	\$5,000.00
Phase 6 - Retainage / Pre-Contract Activities	\$3,000.00	\$3,000.00	\$0.00
Total	\$35,000.00	\$30,000.00	\$5,000.00

All thresholds are considered sequential and progression from one to the next depends upon the satisfactory results of each respective threshold. Satisfactory completion of each threshold is contingent upon DHCD concurrence.

4. The aforementioned PROJECT shall be carried out, and grant payments made in strict conformance with the CONTRACT DOCUMENTS.
5. The GRANTEE will initiate work on the PRODUCT(S) required by the CONTRACT DOCUMENTS beginning **October 4, 2013** unless grant special condition(s) require additional action on specified PRODUCT(S) before proceeding with that activity(s). In such instances the GRANTEE will initiate action to remove the special condition(s) beginning with the execution of this agreement.
6. The GRANTEE shall complete the work as described in the CONTRACT DOCUMENTS by the dates identified in the SPECIAL CONDITIONS. If PRODUCTS are not completed by that date, all Planning Grant funding and this Agreement may be terminated and the GRANTEE shall return all unexpended funds, unless an amendment to the CONTRACT DOCUMENT provides otherwise.
7. The term CONTRACT DOCUMENTS means the following documents which are part of this Agreement, and are incorporated by reference herein as if set out in full:
 - A. GRANTEE'S PLANNING GRANT PROPOSAL (including revisions);
 - B. AGREEMENT;
 - C. PLANNING GRANT MANAGEMENT MANUAL;
 - D. GENERAL CONDITIONS;
 - E. SPECIAL CONDITIONS;
 - F. AMENDMENTS;
 - G. ASSURANCES;
 - H. FACILITATED PLANNING STRATEGY; and
 - I. PROGRAM DESIGN.

OLD/NEW BUSINESS

- A. Hayden School Property Closing Update – William Wade, Senior Services**
- B. City Manager’s Report**
 - **Legislative Agenda Report**



*Office Of The City Attorney
H. Taylor Williams, IV*

December 4, 2013

From: H. Taylor Williams, IV, City Attorney

To: Members of City Council

Re: Hayden School property closing update

I have been contacted by William Wade, LTC Capacity Planner for Senior Services. He advises me that Senior Services proposes to close on the transaction conveying the Hayden School property from the City of Franklin to Senior Services, et als, before the end of December, 2013. Mr. Wade will be at the December 9 meeting to provide an update to City Council.

H. Taylor Williams, IV
City Attorney



December 4, 2013

To: Mayor & City Council Members
Subject: Legislative Agenda

Enclosed are 5 items received of late concerning the upcoming 2014 legislative session. Several agencies and most municipalities will be preparing for the session by discussing their respective legislative agenda. I offer the following remarks on each item:

1. The Western Tidewater Regional Jail (WTRJ) Authority will be seeking additional financial relief from the legislature as detailed in the enclosed letter dated October 30, 2013. I recommend the Council join the WTRJ Authority in authorizing submission of a letter of support for the effort.
2. The Governor's Task Force for Local Government Mandate Review has sent the attached recommendation that local governments adopt the sample resolution regarding technical requirements for bills with local fiscal impacts. I recommend the Council approve the resolution provided.
3. The City is a member of the HRPDC which has approved the attached legislative agenda. A copy is provided for Council information. No action is required.
4. The City is not a member of the HRTPO, but due to HB2313 Transportation Funding, the City has a voice in the use of the funds and a vote on matters affecting the City and the use of the new transportation funding source. Enclosed is a copy of the HRTPO legislative Agenda for information. No action is required.
5. The last item includes feedback on potential legislative issues of importance that the VMEA legislative liaison suggests the City consider in the upcoming session. The City is a member of this organization of Municipal Electric Utility providers. I concur with the recommendations and suggest the Council endorse the recommendations and staff will submit a position statement on each of the three items listed i.e., protecting local taxing and authorities, municipal electric authorities and state education funding formulas.

Respectfully Submitted,

R. Randy Martin
Franklin City Manager



WESTERN TIDEWATER REGIONAL JAIL

2402 Godwin Blvd., Suffolk, VA 23434 • (757) 539-3119 • Fax (757) 539-6409

#1

Serving:
County of Isle of Wight
City of Franklin
City of Suffolk

Superintendent

October 30, 2013

Mr. Robert R. Martin
City Manager
City of Franklin
207 West Second Street
Franklin, VA 23851

Dear Mr. Martin:

Thank you and the City of Franklin for all your assistance last year in helping the Western Tidewater Regional Jail achieve its partial exemption to the State's Federal Overhead Recovery language in the Budget Bill.

Although The Western Tidewater Regional Jail Authority is extremely happy with the partial exemption, we will be attempting to pursue a full exemption to this language this year.

If possible, we would like for your legislative representative to place this on your City's legislative agenda for the upcoming year.

As you know, the Western Tidewater Regional Jail member jurisdictions added a housing unit onto the facility in 1999 to house additional Federal inmates. The construction of this 180 bed addition was funded by the member jurisdictions and the Cooperative Agreement Program (CAP) Funds from the United States Marshals Service. The staffing of the 180 bed addition is also funded by the member jurisdictions. However, in 2005 language was added to the Budget Bill which allows the State to recover a large portion of the revenues received for holding these Federal inmates. The State's rationale for this is that they are recovering State funded cost associated with the housing of Federal inmates. Since the State did not provide any funds for the construction of the addition and funds no staffing for this housing unit, it is the Western Tidewater Regional Jail Authority's belief that we should receive a full exemption to this Federal revenue take back. The partial exemption last year prevents the State from taking any revenue for the first 76 Federal inmates. As stated earlier, this is why the Western Tidewater Regional Jail Authority believes it is entitled to a full exemption.

Mr. Robert R. Martin

October 30, 2013

- 2 -

A full exemption would assist in keeping the cost to the member jurisdictions as reasonable as possible in these trying economic times.

I will be happy to provide you and your City more detailed information so you can assist us in this endeavor. I can be reached at 757-539-3119, extension 227.

Sincerely,

A handwritten signature in black ink, appearing to read "William C. Smith", with a long horizontal flourish extending to the right.

William C. Smith
Superintendent

#2

Robert Randy Martin

From: McDaniel, Kyle <Robert.McDaniel@fairfaxcounty.gov>
Sent: Wednesday, November 27, 2013 11:43 AM
To: McDaniel, Kyle
Subject: First Day Introduction Requirement
Attachments: SAMPLE RESOLUTION.docx

Message Sent on Behalf of Supervisor Pat Herrity, Chair, Governor's Task Force for Local Government Review:

Dear Local Government Official,

Over the last two years, the Governor's Task Force for Local Government Mandate Review has examined in great detail mandates on local governments and the means through which they are enacted. What has emerged from this work is a clear understanding and recognition that the local government fiscal impact review process needs to be improved. As we have seen over the last two years, the focus on the fiscal impact of mandates has had a positive result in recent General Assembly sessions, and the number of bills referred for fiscal review has increased.

Prior to 2010, a first day introduction requirement was in place to ensure that any bill enacting a local mandate would be sufficiently analyzed by the Commission on Local Government prior to its being considered by the General Assembly. Unfortunately, in 2010 this provision was removed and now only bills pertaining to the Virginia Retirement System must meet this requirement.

Under the current system of review, there are not enough resources for bills to be properly reviewed for fiscal impact within the given time constraints imposed by the current filing deadlines. The Task Force believes that the magnitude of the problems caused by a lack of adequate review of local mandate bills prior to their passage necessitates the reinstatement of the first day filing requirement. We believe proper fiscal impact analysis will result in fewer bills with local fiscal mandates making it through the General Assembly.

The Task Force has made the reinstatement of the first day introduction requirement for all bills with a local fiscal impact its primary recommendation this year. Going into the 2014 General Assembly Session, the Task Force is asking local governments to include their support for this change in their legislative agendas as well as the passage of resolutions by Boards of Supervisors, and City and Town Councils in favor of the change.

For your consideration, a sample resolution is attached. The Task Force thanks you for your attention and consideration of this critical matter. Together, Governor McDonnell, the Task Force and local governments have made historic progress in the repeal of dozens of local mandates, creating a new awareness of the impact of local mandates, and eliminated numerous additional "mandates" via discussion with state agencies and executive action. Your support of the reinstatement of the first day introduction requirement will go a long way to reducing the burden of mandates placed on the Commonwealth's 324 local governments.

We are continuing our review of local mandates and encourage you to continue to identify and refer mandates you believe should be reviewed by sending suggestions to MandateRelief@dhcd.Virginia.gov On behalf of the Task Force I thank you for your support of our efforts.

Sincerely yours,



Patrick S. Herrity
Chair, Governor's Task Force for Local Government Mandate Review
Springfield District Supervisor, Fairfax County Board of Supervisors

R. Kyle McDaniel, M.P.A.
Policy Director
Office of Supervisor Pat Herrity
Fairfax County Board of Supervisors
O: 703-451-8873
C: 571-425-7584
Keep in Touch with Supervisor Herrity:
[Website](#) / [Newsletter](#) / [Facebook](#) / [LinkedIn](#)

SAMPLE RESOLUTION

FIRST DAY INTRODUCTION REQUIREMENT FOR BILLS WITH LOCAL FISCAL IMPACTS

WHEREAS, many local governing bodies in Virginia have an ever-growing concern about the impact on localities of state mandates and cost shifting; and

WHEREAS, Section 30-19.03 of the Code of Virginia states that the Commission on Local Government shall prepare and publish a statement of fiscal impact for "any bill requiring a net additional expenditure by any county, city, or town, or...any bill requiring a net reduction of revenues by any county, city, or town, is filed during any session of the General Assembly"; and

WHEREAS, numerous bills fitting this criteria have been submitted and gone through the legislative process without review for local fiscal impacts due to limited time and resources to review these bills during the General Assembly session; and

WHEREAS, it is also recognized that a need exists for additional time and resources to provide such information during the tight procedural confines of the current legislative process; and

WHEREAS, we believe it is critical that lawmakers have better and timelier information on the fiscal impact to localities when they consider bills and budget items; and

NOW, THEREFORE, BE IT RESOLVED THAT THE (locality) HEREBY:

Requests that the General Assembly support measures that require its members to file bills with local fiscal impacts as early as possible and no later than the first day of session.



#3

KENNETH I. WRIGHT, CHAIRMAN • CLYDE HAULMAN, VICE-CHAIR • JAMES G. MOREYNOLDS - TREASURER
DWIGHT L. FARMER, EXECUTIVE DIRECTOR/SECRETARY

November 26, 2013

Memorandum #2013-181

**TO: Members of the Hampton Roads City Councils
Members of the Hampton Roads Board of Supervisors**

BY: Dwight L. Farmer, HRPDC Executive Director/Secretary

DLF

RE: 2014 Legislative Agenda

Attached please find the 2014 HRPDC Legislative Agenda, approved by the Commission at its November 21, 2013 meeting. The agenda contains 23 legislative priorities for review and consideration by the General Assembly during its 2014 Session.

DLF/jc

Attachment

Copy: HRPDC Commissioners ✓

HAMPTON ROADS PLANNING DISTRICT COMMISSION 2014 LEGISLATIVE AGENDA

In preparation for the 2014 Session of the Virginia General Assembly, the staff of the Hampton Roads Planning District Commission has developed this 2014 Legislative Agenda. It outlines, based on ongoing HRPDC projects, prior HRPDC legislative positions and work of the region's localities, a series of issues that warrant regional attention during the upcoming legislative session. It also provides a recommendation or recommendations addressing each of the issues for consideration by the HRPDC.

Uranium Mining

In September 2012, the HRPDC adopted Resolution 2012-02 reaffirming its opposition to uranium mining and to the lifting of the moratorium on uranium mining. Based on review of the several scientific studies that have been completed and the ongoing work of the state's Uranium Mining Work Group, the HRPDC does not believe that an adequate regulatory framework to address mining operations and waste disposal is either in place or likely to be developed and funded. The Hampton Roads region is dependent upon water from Lake Gaston as an integral component of the region's water supply. A catastrophic incident associated with uranium mining upstream from Lake Gaston, while of small probability, would result in enormous and unacceptable adverse consequences to this region.

The General Assembly of Virginia is requested to maintain the existing moratorium on uranium mining in Virginia.

Virginia Housing Trust Fund

Housing trust funds are distinct funds established by city, county, or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing opportunities for families and individuals to access decent affordable housing. Virginia received a total of \$66 million from the National Mortgage Settlement funds. The General Assembly created the Virginia Housing Trust Fund last year utilizing \$7 million of this settlement to provide funding in the second year of the 2012-14 biennium. The HRPDC supports legislation that would appropriate a dedicated funding stream to the VHTF for future housing programs and projects.

Emergency Management Funding

The frequent occurrence of natural disasters affecting the Hampton Roads area has stretched the budgets and capacity of local emergency managers. The HRPDC supports the Virginia Emergency Management Association's intention to propose the establishment of a dedicated funding stream for emergency management to provide adequate funding.

Emergency Planning

The HRPDC supports legislation, proposed previously by the Virginia Emergency Management Association, requiring back-up power, development and certification of emergency plans for nursing homes, assisted living facilities, adult day care centers, and child day centers. The HRPDC supports efforts to minimize or eliminate costs for the required emergency planning for these facilities.

State Support for Readily Deployable Assets

The HRPDC supports efforts to provide liability coverage, hold harmless, and workers compensation to emergency responders. Additionally, the HRPDC supports the use of State resources for sustaining and replacing used/damaged equipment and supplies for the Hampton Roads Medical Metropolitan System Strike Team (HRMMST), Hampton Roads Incident Management Team (HRIMT), and other regional readily deployable assets, without activating the State Mutual Aid agreement and/or obtaining a federal emergency declaration.

Stormwater Management Program

In 2012, the General Assembly passed HB1065/SB407 that integrated the Erosion and Sediment Control Act, Chesapeake Bay Preservation Act, Virginia Stormwater Management Act and expanded the requirement to administer a qualified local program to all localities within the Commonwealth. While the HRPDC supported the intent of these Bills, their implementation has created confusion at the local level and identified inconsistencies in language. The HRPDC supports continued revision of the integrated stormwater management laws to provide clarity and consistency.

The HRPDC also supports amending the Stormwater Management Act to provide localities required to adopt VSMP for land-disturbing activities with the authorities necessary to implement and enforce the provisions of 10.1-603.3 and associated regulations, including the Virginia Stormwater Management Program (VSMP) General Permit for Discharges of Stormwater from Construction Activities. Localities may need explicit authority to conduct post construction inspection of stormwater BMPs on properties outside of MS4 permit boundaries.

Expansion of the Nutrient Credit Exchange Program

In 2012, the General Assembly directed the Soil and Water Conservation Board to adopt regulations to establish statewide procedures for the certification of nutrient credits other than those generated by waste water point sources or certified by the State Water Control Board. The HRPDC supported this action as it will allow the certification of credits generated by urban stormwater improvements and has actively participated in the development of these regulations. Due to the development of these regulations, the HRPDC does not anticipate that any nutrient trading legislation will be proposed during the 2014 session. However, we continue to advocate for a nutrient trading program that protects

local water quality and allows localities the authority to review any trading proposed within their jurisdiction.

Water Quality Funding

The HRPDC urges the General Assembly to maintain its commitment to water quality through dedicated and adequate state appropriations to the Water Quality Improvement Fund and to make full and timely payments under point source upgrade contracts with local governments.

Concurrently, the General Assembly should address costs associated with the permit requirements of Municipal Separate Storm Sewer Systems (MS4) Permits, associated new EPA regulations and the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan. In 2013, the Stormwater Local Assistance Fund was established with a \$35M budget in order to reduce non-point source pollution from stormwater runoff. The HRPDC encourages the General Assembly to approve a second appropriation for the Stormwater Local Assistance Fund and increase the funding to \$50M for FY15.

HRPDC encourages the General Assembly to include \$2M in the FY15 budget for land cover analysis throughout Virginia. Land cover GIS data is a key component to establishing the nutrient loads that are used in determining targets for the Chesapeake Bay TMDL and other local TMDLs for impaired waters. A state-wide land cover analysis would provide consistent data to support the state's Watershed Implementation Plan and save localities money by conducting the analysis in one large contract. The land cover data is also useful for other local government programs beyond TMDL implementation plans. *Virginia Geographic Information Network (VGIN)* already has aerial imagery across the state. The General Assembly should provide the additional funding to analyze the imagery and create a land cover data layer consistent with the Chesapeake Bay Program's Land Use Workgroup's recommendations.

VDOT Requirements for Locality-owned Drainage Easements

VDOT has recently determined that drainage easements that convey runoff from the State maintained roadways must be owned by the locality. In counties, the secondary highway system, including streets developed for subdivisions and accepted into the secondary system, are County roads for which VDOT has operational control. If the locality will not accept the drainage easements, then VDOT will not accept maintenance responsibilities for these roads. Localities currently require homeowners associations to own the drainage easements and sign a maintenance agreement with the locality. VDOT is unnecessarily burdening localities with additional maintenance responsibilities.

Advertising of Required Public Notices

Many provisions of the Code of Virginia require the advertising of public notices in a “newspaper published or having general circulation in the locality.” As newspaper circulation continues to decline and citizens look increasingly to the internet for news and information, it appears that alternative means of providing public notice would be appropriate. Increasingly, state agencies are using their websites and other electronic media to handle public notice requirements. The HRPDC supports legislation that would allow local governments, planning district commissions and other regional agencies to publish legal advertisements and public notices on their website and to use other media outlets, such as local public access channels, in order to meet legislative requirements for public notices.

Federal Facilities

The Hampton Roads region relies significantly on the defense sector. Proposals are moving forward from Hampton Roads localities to maintain state support for the industry and for protection of existing facilities. To assist its member localities to ensure the continued viability of the defense presence in Hampton Roads, the HRPDC supports proposals to:

- Maintain state funding for the land acquisition program supporting mitigation of encroachment around NAS Oceana in Virginia Beach and NALF Fentress in Chesapeake.
- Maintain state funding for the land acquisition program supporting mitigation of encroachment around Joint Base Langley-Fort Eustis in Hampton.
- Amend legislation governing the Federal Action Contingency Trust (FACT) Fund to clarify that such funds are to be used to encourage business growth and protect existing military resources and use of these funds is not contingent upon a new Base Realignment and Closure (BRAC) round or BRAC-like action.
- Ensure that DoD encroachment concerns are given full consideration when making onshore and offshore land use decisions affecting military bases in Hampton Roads. Specifically, carefully monitor all onshore and offshore energy proposals; support the development of any needed JLUS and all anti-encroachment activities.

Higher Education

The HRPDC recognizes the important role that public institutions of higher education play in contributing to the economic vitality of the Commonwealth and the well-being of its citizens. Hampton Roads is home to several public institutions with clear commitments to providing access to a top-quality and affordable higher education experience. The HRPDC supports proposals to ensure adequate funding to hire enough full-time faculty to bring the

faculty student ratios in line with the average of 17-1. In addition, the HRPDC supports elevating the Base Adequacy Funding percentage of all institutions in the region.

K-12 Education

The lack of adequate state funding support for K-12 public education has placed an inordinate burden on localities. A strong public school system is essential to economic development and prosperity. The HRPDC opposes legislative efforts to further shift K-12 per pupil funding responsibility away from the Commonwealth and onto local governments.

Recycling Requirements

Each locality in the Commonwealth, individually or through a regional collaboration, is required to achieve a 25% recycling rate. A key constraint to local ability to achieve or exceed this recycling rate has been the lack of markets for the materials as well as access to industries that recycle or reuse the material. Recycling is an economic development tool as well as an environmental tool. Despite increased public awareness of the benefits of recycling, beverage container recycling has been declining in recent years, while the amount of beverage containers that are being sold and consumed has increased over time.

The HRPDC supports legislation that would:

- Grant localities the authority to require certain businesses to recycle glass.
- Prioritize incentives to businesses that recycle materials, such as glass, paper and electronics, while concurrently providing new employment opportunities.

Plastic Bags

Plastic bags that are not properly disposed of contribute to unsightly littering of Virginia's landscape, contaminate various agricultural crops, contribute to mortality of aquatic species and birds and contribute to urban stormwater problems. While voluntary recycling programs and substitution of reusable shopping bags has had some success in reducing the volume of plastic bags that must be disposed of, improper disposal of plastic bags appears to be increasing. In reaction to the problems associated with improper disposal of plastic bags, restrictions on the use of plastic bags by localities throughout the country is becoming more widespread. The HRPDC supports legislation that would provide localities the option of restrictions on the use of plastic bags through increased voluntary programs, incentives, taxes or outright bans.

Septic Tanks

The Chesapeake Bay TMDL establishes limits on the amount of nitrogen, phosphorus, and sediment that can enter the Bay. As part of the effort to meet the nitrogen limits set forth in the TMDL, reductions in the nitrogen load from the onsite sewage system sector must be

achieved. Monitoring of septic tank pump out (once per 5 years), as required by the Chesapeake Bay Preservation Act, should be conducted by the Virginia Department of Health not by localities. The HRPDC supports the following recommendations:

- Seek legislative changes necessary to establish state tax credits for upgrade/replacement of existing conventional systems with nitrogen reducing systems, or connection to existing sewer.
- Look into steps for gaining General Assembly approval to grant all counties the authority to require hook-ups to existing sewer lines when appropriate.
- Develop, in cooperation with state agencies, a legislative proposal to establish a cost share program, similar to what is done with the Agricultural BMP Cost Share Program, to assist with the cost of required upgrades or replacements and incentivize non-failing septic system owners to upgrade to a denitrifying system.
- Amend the Chesapeake Bay Preservation Act to require that regulation and enforcement of septic tank pump out requirements be conducted by the Virginia Department of Health. Localities would continue to maintain an inventory and tracking system for septic tank locations.

Sea Level Rise and Coastal Flooding

The HRPDC has identified the issue of sea level rise as a critical issue facing Hampton Roads. HRPDC staff studies to date have focused on the magnitude of the problem and its potential implications for the region. Ongoing work is addressing options for adaptation. The Virginia Institute of Marine Science, in cooperation with coastal localities and planning district commissions, recently finished a one-year study examining the severity of recurrent flooding in Tidewater Virginia. The Secure Commonwealth Panel has established a sub-panel to consider how to implement the recommendations from the VIMS report.

The HRPDC requests that the appropriate natural resource and emergency management agencies of the Commonwealth work in partnership with Virginia's coastal planning districts to investigate and implement the VIMS study's recommendations. The HRPDC supports this proposed initiative as the next step, along with the Secure Commonwealth Panel's work, in addressing the critical issue of coastal flooding in Hampton Roads and the rest of Tidewater Virginia.

Agriculture Programs

The HRPDC supports a well-financed and fully staffed state program to address the problem of non-point source runoff from agricultural operations. The program continue to include cost-share assistance to agriculture and should effectively encourage and incentivize implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming, development of forested riparian buffers, livestock stream exclusion and other practices essential to meeting agriculture's share of the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

Expand Authority for Tree Canopy Requirements

The HRPDC supports the amendment of Virginia Code Section 15.2-961.1 that would enable all Virginia localities to adopt an ordinance containing a set of tree canopy preservation requirements based on development density. Section 15.2-961.1 was adopted during the 2008 General Assembly session and is currently applicable only to the localities within Planning District Eight. Increasing the urban tree canopy is an inexpensive method to reduce nutrient loading through runoff reduction and will allow localities to reduce the cost of achieving nutrient reductions for urban stormwater.

Increase Funding to PDCs

In FY 2001, HRPDC received \$366,628 or \$0.24 per capita in basic funding from the Commonwealth's budget through the Department of Housing and Community Development. The legislative agenda of the Virginia Association of Planning District Commissions supports overall funding of Virginia's Planning District Commissions at a level of \$0.35 per capita or a minimum of \$100,000 per commission, whichever is greater.

The Department of Conservation and Recreation (DCR) is relying on PDCs to facilitate the development of locality specific nutrient reductions in Phase II of the State's Watershed Implementation Plan.

The HRPDC supports an increase in funding to Virginia's Planning District Commissions by \$500,000.

Collaborative Government Initiative

The Collaborative Government Initiative seeks to improve the efficiency and effectiveness of Virginia government by improving the capacity of Planning District Commissions (PDCs) to explore opportunities for additional collaboration and thereby reduce the overall cost and scope of governing. This proposal is not about regional government. This proposal seeks to incent local governments to think regionally in approaching common problems and services they already provide. In some instances, the initiative can help state and local government more effectively approach new services where they are needed or mandated.

To take advantage of the potential of costs savings and more efficient and effective regional collaboration, JLARC recommended that the General Assembly may wish to consider "providing financial incentives to encourage local governments, including local school divisions, to voluntarily pursue collaboration opportunities.

The CGI seeks to implement that recommendation in two ways. First to increase the base funding of PDCs by \$500,000 per year and second to implement, as suggested by JLARC a series of pilot program grants that in JLARC's words "demonstrate the potential to yield state benefits."

State Fees on Local Government Services (water, sewer, solid waste)

The HRPDC strongly opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or any service provided by a local government or authority to finance the nutrient reductions imposed by the Chesapeake Bay TMDL.

Unfunded Mandates

The HRPDC opposes unfunded mandates by the Commonwealth. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the state, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided. Furthermore, HRPDC opposes the shifting of fiscal responsibility from the state to localities for existing programs. Any unfunded mandate or shifting of responsibility, such as maintenance of state transportation facilities or litter control, should be accompanied by a full fiscal and program analysis to determine the relative costs to the state and to the locality and to assure the state is meeting its full funding responsibility before taking effect. *A list of unfunded mandates can be found on the following website for the Task Force for Local Government Mandate Review.*

www.dhcd.virginia.gov/index.php/commission-on-local-government/mandates-on-local-governments/force-for-local-government-mandates-review

November 25, 2013

Memorandum #2013-180

**TO: Members of the Hampton Roads City Councils
Members of the Hampton Roads Board of Supervisors**

BY: Dwight L. Farmer, Executive Director/Secretary

RE: HRTPO 2014 Legislative Agenda

The Board of the Hampton Roads Transportation Planning Organization (HRTPO), at its meeting held on November 21, 2013, approved the attached Resolution 2013-07 endorsing the HRTPO Legislative Agenda for 2014. The Resolution includes nine legislative priorities for the review and consideration by the General Assembly during its 2014 Session.

Should you have any questions, please contact me at (757) 420-8300.

DLF/kg

Attachment

Copy: HRTPO Board Members
HRTPO Legislative Ad-hoc Committee Members



**HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION
BOARD RESOLUTION 2013-07**

A RESOLUTION OF THE HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION ENDORSING THE HRTPO 2014 LEGISLATIVE AGENDA.

WHEREAS, the Hampton Roads Transportation Planning Organization (HRTPO), designated by the Governor of the Commonwealth of Virginia in accordance with Section 134, Title 23, United States Code (23 USC 134) and applicable federal and state regulations, is the policy body responsible for the urban transportation planning and programming process of the Hampton Roads Metropolitan Planning Area;

WHEREAS, the Hampton Roads Metropolitan Planning Area includes the Cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the Counties of Isle of Wight, James City, and York; and a portion of Gloucester County;

WHEREAS, the HRTPO Board is comprised primarily of local elected officials and General Assembly members, representatives from the regional transit authorities as well as from state agencies such as the Virginia Department of Transportation, Department of Rail and Public Transportation, Virginia Port Authority, and Virginia Department of Aviation, and federal agencies such as the Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration;

WHEREAS, the HRTPO Legislative Ad-hoc Committee developed a list of legislative priorities to aid in the preparation of the HRTPO Legislative Agenda for the 2014 General Assembly session;

WHEREAS, the HRTPO has compiled the following legislative priorities to form the HRTPO 2014 Legislative Agenda for the purpose of conveying the information to the General Assembly for its review and consideration for the 2014 General Assembly session;

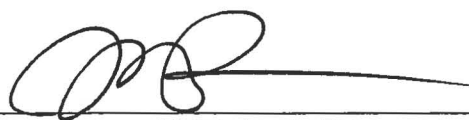
WHEREAS, upon approval, this resolution will be transmitted to local governments and the Hampton Roads Delegation of the General Assembly.

NOW, THEREFORE, BE IT RESOLVED that the Hampton Roads Transportation Planning Organization hereby endorses the following HRTPO 2014 Legislative Agenda:

- The HRTPO urges the Commonwealth of Virginia pursue federal funding for preparation of a Tier II Environmental Impact Statement for the continuation and expansion of intercity and high-speed passenger rail service from Richmond to Hampton Roads.
- The HRTPO supports reconstitution of the representation on the Commonwealth Transportation Board based on congressional districts so that representation on the CTB would be aligned with the population of the Commonwealth. Specifically, to have one CTB member appointed for each Congressional district, while retaining the current number of At-Large members.

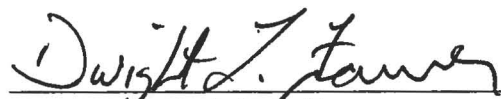
- The HRTPO supports modifying PPTA regulations and guidelines within the Virginia Code to improve transparency by:
 - Placing more decision-making authority into the hands of policymakers instead of agency management staff; and
 - Mandating a robust and comprehensive public comment period on PPTA proposals and provide contract terms and the concessions contemplated into the Comprehensive Agreement prior to final selection.
- The HRTPO supports requiring the Commonwealth Transportation Board (CTB) and the Virginia Department of Transportation (VDOT) to distribute Highway Maintenance and Operations Funds to public and private operators of toll roads on an equitable basis, in order to reduce the reliance upon toll dollars for the funding of maintenance of toll roads. In addition, the HRTPO supports encouraging the CTB and VDOT to re-examine state maintenance commitments on existing contracts for private toll road operators.
- The HRTPO supports the identification of a dedicated source of funds to support public transportation for the Hampton Roads region.
- The HRTPO supports a Joint Legislative Audit and Review Commission (JLARC) Review of the Equity of Transportation Funding, similar to the 1984 JLARC Study #64, to provide an updated examination of the adequacy of funding for transportation.
- The HRTPO supports the full implementation of the recommendations of the 2010 HB42/SB201 Transportation Programs Performance Audit.
 - Background: JLARC was directed by the Virginia General Assembly, in its 2010 session (HB 42 and SB 201), to assess Virginia's approach to transportation planning and programming. This assessment was an attempt to *"address the alignment of Virginia's processes with federal requirements, collaboration between the State and Metropolitan Planning Organizations, and staffing issues."*
- The HRTPO supports continued funding of the Virginia Intercity Passenger Rail Operating and Capital Fund (IPROC) at the level set forth in the Virginia Transportation Act of 2013.
- The HRTPO supports a regional bonding authority for the Hampton Roads region.

APPROVED and ADOPTED by the Hampton Roads Transportation Planning Organization Board at its meeting on the 21st day of November 2013.



McKinley L. Price
Chair

Hampton Roads Transportation
Planning Organization



Dwight L. Farmer
Executive Director/Secretary
Hampton Roads Transportation
Planning Organization

#5

Robert Randy Martin

From: Mark Bly
Sent: Wednesday, December 04, 2013 9:32 AM
To: Robert Randy Martin
Subject: FW: Legislative Issues

Since Tom is our legislative liaison for VMEA I asked him to list a few issues that are proposed to come up this year that he is aware of right now.

Thanks

Mark Bly
Director Power & Light
City of Franklin
1050 Pretlow St.
PO Box 179
Franklin, VA 23851
Phone 757-562-8566
Cell 757-319-1177
Fax 757-562-7883
mbly@franklinva.com

From: Thomas Dick [mailto:tad_govern@msn.com]
Sent: Wednesday, December 04, 2013 9:29 AM
To: Mark Bly
Subject: Legislative Issues

Mark-

Here are a few legislative issues:

Local Taxes

Many legislators do not like the local machinery and tools tax and there have been proposals in recent years to eliminate or greatly reduce the tax. The Virginia Manufacturing Association and the legislative Manufacturing Commission have advocated for the elimination of the tax. Governor-elect McAuliffe has proposed eliminating the tax and keeping localities whole.

The business, professional and occupational license fee, known as BPOL, is also a target. In past General Assembly sessions, several legislators have introduced proposals to limit or eliminate entirely the BPOL tax. The Joint Legislative Audit and Review Commission (JLARC) has studied this tax and noted the importance of this revenue stream to localities.

The elimination of these two taxes would greatly impact most local governments and should be opposed.

Municipal Electric Utilities

Local rate regulation by city councils has kept municipal electric rates low for municipal consumers. There have been recent legislative efforts to limit the use of advanced electric meters. Local governments that own their own electric utility oppose any limits on the use of these meters.

No area of local government operations should involve any type of regulation of municipally-owned electric utilities by the Virginia State Corporation Commission.

Efforts will be made to mandate a renewable portfolio standard for electric utilities. Such proposals should be opposed. Additionally, any mandates relating to net electric metering should be opposed.

Education Funding

The General Assembly has changed certain formulas for education funding that serve to limit state funding for education. Limits on state funding for support staff is one example. The legislature should fully fund the state's educational Standards of Quality (SOQ).

I'll let you know if I think of more.

Tom

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