
City of Hampton, Virginia

General Assembly Priorities 2018

— Presented by: —
Two Capitols Consulting

About Two Capitols Consulting

- Full-service government affairs firm
 - *Lobbying * Grassroots *Crisis Communications
- Over 25 years of experience working in Richmond and across the Commonwealth
- Deep connections on both sides of the aisle
- David Hallock, Jr., President
- CJ Stolle, Vice President



David Hallock



- 22 years of experience working in the Virginia Governor's office and General Assembly, the United States Senate, and the private sector
- Former Chief of Staff to U.S. Senator Mark Warner, advisor to multiple Governors
- Transition Director for Lt. Gov. Northam, Attorney General Herring
- Graduate of University of Virginia and the University of Virginia School of Law as well as the Sorensen Institute of Political Leadership

CJ Stolle



- Experienced in working with local, state, federal, and regulatory bodies
- Previously worked in the General Assembly for 3 different Republican members of the Virginia House of Delegates
- Holds both BA and MA from Old Dominion University and is a graduate of the Sorensen Institute's Political Leaders Program

Hampton's Legislative Requests

- Provide \$6.5 Million in Funding to Renovate the Virginia Tech Seafood Agricultural Research and Extension Center
- Expand the Ability of Localities to Abate Nuisances to Include Repeated Acts of Unlawful Discharge of Firearms
- Create a Budget Line Item to Support Military Installation Encroachment Funding
- Clarify Language Regarding the Display, Parking, Selling, Advertising Sale of Certain Used Motor Vehicles to Limit Per Property
- Authorize Magistrates to Order Testing in Certain Instances of HIV, Hepatitis B, or Hepatitis C Exposure
- Support the Fort Monroe Authority's Request for Increased Funding
- Allow Local Government Option to Limit Use of Plastic Bags
- Include the City of Hampton in the Cities Allowed to Utilize Volunteer Property Maintenance and Zoning Inspectors
- Expand Local Ability to Maintain Vacant Developed Properties (Overgrown Shrubs and Trees)

Hampton's Priority Policy Positions

- Support and Fund Education Initiatives
- Support Legislative Efforts to Address the Opioid Epidemic (Fentanyl)
- Continue Supporting Transportation Initiatives
- Continue to Fund Resiliency Efforts
- Expand Communications Sales and Use Tax
- Refrain from Passing Unfunded Mandates/Constitutional Inequity
- Expand funding for Constitutional Officers' Salaries and Career Development

Hampton's Coalition and Community Partner Legislative Programs

- Support the Virginia Port Authority to Deepen and Widen the Port of Virginia
- Support Hampton University Legislative Requests
- Support Hampton-Newport News Community Services Board Legislative Requests

Hampton's Legislative Requests

\$6.5 Million in Funding to Renovate the Virginia Tech Seafood Agricultural Research and Extension Center

- The City of Hampton with Virginia Tech must secure the existing Virginia Tech Seafood Agricultural Research and Extension Center
- The building needs major renovations for resiliency purposes
- The current building is prone to recurrent flooding which endangers the existing laboratory facilities and on-going research projects
- The City seeks the State's assistance to fund this urgent \$6.5 million project (Total cost of the project could be lowered through in-kind contributions, private partnerships, and capital fundraising.)

\$6.5 Million in Funding to Renovate the Virginia Tech Seafood Agricultural Research and Extension Center

Establishing a multidisciplinary center revolving around Hampton's seafood heritage and working downtown waterfront that includes:

- education
- scientific research
- training
- ancillary economic development.

Creation of a fun and vibrant downtown experience through:

- improved street networks
- additional green space
- new housing and commercial space
- historic and new urban lifestyle characteristics.

Expand the Ability of Localities to Abate Nuisances to Include Repeated Acts of Unlawful Discharge of Firearms

- Hampton Police Division Gang Unit has identified roughly 500 active gang members comprising approximately 8-10 active gangs.
- Gang activity is becoming more violent including: shootings, assaults, robberies, etc.
- City of Hampton has properties where gunshots have routinely been fired, but the Hampton Police Division has been unable to charge anyone because of a lack of cooperating witnesses due to fear of retaliation from these gang members.
- We seek legislation that would provide discretion for a locality to go after a property owner for allowing a general breach of the peace from firearm discharges.

Create a Budget Line Item to Support Military Installation Encroachment Funding

- As part of an effort to combat encroachment that would limit or restrict military training, testing and operations at Joint Base Langley-Eustis, the City of Hampton has successfully acquired almost 130 acres from willing sellers in the Langley Air Force Base (LAFB) flight approach zones (APZ) using federal, state and municipal funding.
- The City of Hampton has an additional 35.8 acres under contract
- The City is committed to acquiring the remaining 62 acres.
- A key component of the state funding that the City of Hampton has used up to this point is now nearing depletion, and thus, the creation of this line item funding would assist the City in its efforts to continue to preserve mission operations at Joint Base Langley-Eustis.

Clarify Language Regarding the Display, Parking, Selling, Advertising Sale of Certain Used Motor Vehicles to Limit Per Property

- Apply the requirement that no more than five vehicles may be displayed or parked for sale within any 12-month period (the Five Vehicle Limit) on **a per property**, as well as per customer, basis by holding owners, lessees, and general agents of the real property where vehicles are displayed responsible for compliance.
- Designate violation of the Five Vehicle Limit to be a misdemeanor, thereby allowing local law enforcement officers to enforce the provisions pursuant to section 46.2-102 of the Code of Virginia.
- Authorize local governments to tow vehicles displayed or parked in violation of the Five Vehicle Limit in a similar manner as they are authorized to do pursuant to sections 15.2-904 and 15.2-905 of the Code of Virginia regarding inoperable vehicles, and to place a lien against the property from which the motor vehicle was removed.

Authorize Magistrates to Order Testing in Certain Instances of HIV, Hepatitis B, or Hepatitis C Exposure

- Currently, when certain workers are exposed to another's bodily fluids, the person whose bodily fluids were involved in the exposure shall be deemed to have consented to testing for infection of HIV, hepatitis B or C viruses and must release the results to the person who was exposed.
- If the person refuses to provide a specimen or be tested, a General District Court judge may order him to provide a specimen or to submit to testing and to disclose the results.
- This may take time, can cause unnecessary medical treatment for the person who was exposed, and can be complicated when such person is not in custody.
- Authorizing local magistrates to order testing is a more effective and less time consuming approach.

Support the Fort Monroe Authority's Request for Increased Funding

- The FMA has requested \$4.25 million in one time capital funding for repairs to six buildings, as well as roof and HVAC repairs.
- The Authority has also requested an additional \$3.2 million in recurring funding to reflect increased acreage as a result of the Army transfer of additional land.
- This would allow the FMA to pay the City an annual fee in lieu of taxes.
- The City has imposed PILOT Fees on the FMA consistently for fiscal periods from July 1, 2013 to June 30, 2014 to the present. The PILOT Fee for the period from July 1, 2017 – June 30, 2018 (“FY 18”) is \$1,199,350.32.

Allow Local Government Option to Ban Plastic Bags

- Plastic bags wreak havoc particularly on the Commonwealth's sensitive coastal ecosystem.
- Errant plastic bags affect wildlife, and cost tax dollars.
- The clogging of wastewater storm drains is seen very often and is exacerbated by plastic bags.
- The Commonwealth of Virginia should allow local governments the ability and discretion to mitigate detrimental and toxic impact plastic bags have on communities and local water quality.

Include the City of Hampton in the Cities Allowed to Utilize Volunteer Property Maintenance and Zoning Inspectors

- The law specifies the cities of Chesapeake, Newport News, Portsmouth, Richmond, and Virginia Beach are allowed to use supervised, trained, and qualified volunteers as property and zoning inspectors
- We would request that the General Assembly add Hampton to the list of authorized jurisdictions
- Additionally, the current code limits volunteers to enforcing only codes related to external maintenance of property and zoning ordinances related to motor vehicles and trailers. We would like to expand the enforcement authorities to include any local ordinance other than those ordinances which are enforced solely by city police officers.
- The use of volunteers along with the expansion of authorities would supplement limited staffing in our City and allow for beneficial cost savings.

Provide for Local Ability to Maintain Vacant Developed Properties (Overgrown Shrubs and Trees)

- The City of Hampton is keenly interested in quality of life issues and seeks additional tools to assist neighborhoods, homeowners, and residents with maintaining the appearance and value of homes in the City.
- According to the Hampton Clean City Commission, vacant developed properties that are unkempt with overgrown grass, weeds, shrubs, trees, litter, and debris have a definite impact on property values, as well as act as a breeding ground for rodents, insects, and snakes.
- City Council finds that the current statute, while helpful in most regards, does not give the City the express authority it needs to deal with shrubs and trees that have overtaken vacant developed properties.
- Therefore, the City would like express authority to include "overgrown shrubs and trees" in the statute as it pertains vacant developed property.

HAMPTON'S PRIORITY POLICY POSITIONS

Support and Fund Education Initiatives

- Strong schools are not only essential for the students who attend them, but they also contribute to the City's economic growth as businesses and families consider school quality in their investment decisions.
- Future BRAC deliberations will consider the relative health of a military installation's surrounding school divisions as a measure of installation retention or growth.
- Throughout the challenging economic times, the City of Hampton has maintained its commitment to Hampton City Schools.
- The local school funding formula calls for the City and the School System to share residential tax base growth or decline.

Support and Fund Education Initiatives

- At-Risk Education Funding
 - Maintaining and boosting support for Virginia's At-Risk Add-On funding, which provides school divisions additional money to help instruct low-income students, would put Virginia in line with other states and would bridge the divide observed between educational opportunities for all children, whether their families are rich or struggling to get by.
 - Economically disadvantaged students face some serious challenges that make success in the classroom and success in life much more difficult. Maintaining the Virginia General Assembly's commitment to the At-Risk Add-On will help support those students and help "even the playing field." At-Risk Add-On program funding should be increased by at least 20 percent to basic aid per concentrated levels of free lunch students in order to fund the wraparound services necessary to meet state SOL, SOA, and graduation requirements.

Support and Fund Education Initiatives

- Transformational High Schools Support - Preparing Our Students for the Workforce of Today
 - The redesign of high school for the 21st century, with a greater emphasis on hands-on learning, early college courses and industry credentials, while still maintaining rigorous standards has been embraced by Hampton City Schools.
 - Through the Academies of Hampton, Hampton City Schools is committed to providing students more of the advanced skills needed to be productive, engaged, and successful citizens in college, career, and life. The Academies enable students to learn through the lens of a career or academic theme in a relevant, hands-on learning environment with real- world application and experiences.
 - Each Academy provides a highly personalized, small learning community, where students learn English, science, math, and social studies within the theme of their Academy. Through their Academy experience, students are exposed to a multitude of careers, opportunities, industry skills, and potential employers by way of classroom speakers, site visits, job shadowing, and internships.
 - State funding to support those non-traditional, yet highly effective programs is necessary and vital.

Support and Fund Education Initiatives

- Support Virginia Pre-School Initiative
 - Hampton City Schools provides a comprehensive early childhood program for children who are four years of age by September 30 who may experience or be exposed to factors that potentially could have a negative impact on their ability to learn.
 - Qualified instructional and support staff, and a certified school nurse are onsite at each location. A family service worker also provides family support by connecting home and school activities. Each classroom has a certified early childhood teacher and an instructional assistant.
 - A maximum of 18 students are in each classroom. A developmentally appropriate curriculum is used and aligned with the Virginia Foundation Blocks of Learning: Comprehensive Standards for Four-Year-Olds.
 - Transportation is provided to any Hampton resident.
 - Additionally, any child 2-5 years of age needing services for speech, language, or developmental delays may be screened through Hampton City Schools Special Education.
 - State funding to support those highly effective programs is necessary and vital.

Support Legislative Efforts to Address the Opioid Epidemic (Fentanyl)

- Virginia is facing an opioid epidemic with more deaths from drug overdose than shootings or car crashes.
- One such opioid, fentanyl, was the deadliest drug in the state last year, beating out both heroin and prescription painkillers.
- We are concerned with its impact specifically on the youth of our community.
- Last year over 1,100 people died due to opioid overdoses last year, of which fentanyl accounted for over 600 deaths.
- Additionally, Hampton's emergency service personnel face new and challenging problems when responding to calls, including being exposed to airborne synthetic drugs.
- The City of Hampton supports legislative efforts that address the ongoing, multifaceted opioid epidemic.

Continue Supporting Transportation Initiatives

- Dedicated Funding for Public Transportation
 - The City of Hampton requests the General Assembly take action that will allow public transportation to maintain and expand service levels by including transit in the permitted uses of House Bill 2313 funds.
 - A robust regional transit system will support regional economic competitiveness and mobility.
 - The existing funding structure for public transportation in Hampton Roads is such that the region's transit system, planning, and delivery and its ability to continue to provide service at current levels is severely jeopardized.
 - The passage of HB2313 in 2013 allowed Northern Virginia to use 70 percent of its regional revenues for regional road and transit projects.
 - This same legislation does not allow Hampton Roads to use regional money for public transportation purposes. This inequity puts our region at a distinct disadvantage.

Continue Supporting Transportation Initiatives

- Support a Price Floor for Regional Gas Tax
 - The City of Hampton supports an amendment to Virginia Code § 58.1-2295 to establish a protective floor price for the 2.1 percent regional gas tax, as was done for the statewide fuels tax in §58.1-2217. Such a floor concept is essential to provide a more stable, dedicated revenue source needed for long-term financial stability and financing of regional projects.
 - The General Assembly did not establish floor prices for the regional gas taxes in Northern Virginia and Hampton Roads. Recent drops in fuel prices have decreased local gas tax revenues below the state floor, resulting in fewer dollars available for regional transportation projects. A local floor for regional gas taxes is essential to provide a more stable, dedicated revenue source needed for long-term financing of regional projects.

Continue to Fund Resiliency Efforts

- Support the Funding of the Virginia Shoreline Resiliency Fund
 - Many of our citizens that most need flood insurance are the least able to afford it.
 - The Virginia Shoreline Resiliency Fund is a state fund that local governments can use to establish low-interest loan programs for residents and businesses to mitigate flooding.
 - The VSRF was created during the 2016 session, but received no appropriations.
 - We request that the General Assembly appropriate funds to the VSRF.

Continue to Fund Resiliency Efforts

- Fund Stormwater Local Assistance
 - The City of Hampton requests the General Assembly provide funding of \$50 million in each year of the biennium for the Stormwater Local Assistance Fund (“SLAF”).
 - Stormwater management is one of local government’s most pressing infrastructure challenges.
 - The requested funding is needed to assist localities in developing effective stormwater controls on urban lands to reduce the flow of excess nutrients and sediments to local streams, rivers and the Chesapeake Bay.
 - Hampton has been the recipient of SLAF monies for the last several years. The history of Hampton’s SLAF experience is:
 - 2013: Hampton was awarded \$601,444 in SLAF for the Coliseum Lake Retrofit Project.
 - 2014: Hampton was awarded \$216,231 for the retrofit of the Paul Burbank Elementary School Stormwater Management Facilities.
 - 2015: Hampton requested \$389,400 for the Lynnhaven Lake retrofit to Level 2 Wet Pond.
 - 2016: Hampton requested 222,522.50 for the Winchester Drive Stream Restoration Project which would restore about 750 linear feet of perennial stream.

Expand Communications Sales and Use Tax

- The CSUT was implemented in 2007 and replaced most of the previous state and local taxes and fees on communications services.
- The 5% tax is generally collected from consumers by their service providers and remitted each month to the Virginia Department of Taxation who then distributes it to localities.
- The City of Hampton receives approximately \$8 million annually from the CSUT. Since its implementation, revenue each year has generally remained stagnant, where it should have increased with increased use of technology.
- The City of Hampton supports amending the Communications Sales and Use Tax (CSUT) to allow taxation of streaming and post-paid calling services as well as increasing the CSUT to the prevailing State tax rate of 5.3 percent.

Refrain from Passing Unfunded Mandates/ Constitutional Inequity

- The City of Hampton requests the Governor and the General Assembly refrain from using local governments as a fiscal balance wheel in order to surmount revenue challenges.
- Transferring costs to local governments is neither responsible to the Commonwealth's citizenry, nor to the fiscal health of the Commonwealth.
- We urge the Commonwealth to look for other ways to share the strain local governments must endure as cuts and program costs are passed down.
- The Governor and the General Assembly should make the difficult decisions to cut state services or raise taxes just as localities have had to do for years.
- Local government mandates should not be imposed unless supported by state funding. If state funding is not available any such mandate should not be imposed or should be imposed only as a local option.

Refrain from Passing Unfunded Mandates/ Constitutional Inequity

- Additionally, the City recommends that state constitutional amendments with local government fiscal impacts require the cost burden to be allocated among all citizens of the Commonwealth so that the citizens of one or only a few localities are not unduly and inequitably burdened.
- Further, the City urges that in the future that there be means testing for income purposes whenever tax relief programs are considered.
- For instance, the City of Hampton has the highest per capita population of veterans in the Commonwealth of Virginia, and in the United States. The City is proud to host our veterans and know that they have found a well-run, responsive local government and a caring community with an abundance of natural resources, health care facilities.
- However, state mandated tax relief programs for veterans also create a unique challenge for the City, as such programs have a more dramatic impact on the City of Hampton's budget than any other locality. Leading to a financial strain. The City experiences a disproportionate impact due to the number of veterans residing in our City.

Expand Funding for Constitutional Officers' Salaries and Career Development

- Often Constitutional officers are inadvertently excluded when salary adjustments are granted.
- We would ask for equal footing when adjusting salaries.
- Additionally, we would request that the General Assembly maintain all career development funds level.
- All Constitutional Officers have similar programs to allow for career development which gives a salary supplement for employees once they obtain their respective certifications or designations.

Coalition and Community Partners' Legislative Programs

Support the Virginia Port Authority to Deepen and Widen the Port of Virginia

- The City of Hampton supports the Commonwealth's investment of resources to deepen and widen the Port of Virginia.
- Virginia is among a small number of U.S. East Coast ports that can currently handle ultra-large container vessels
- The deepening and widening of Virginia's channel to 55 feet is critical to the Commonwealth's ability to continue to attract the largest ships ahead of other East Coast ports ensuring speed to market for importers and exporters.
- In addition to fostering more business and increasing safety, accommodating larger vessels also offers the ability to move cargo more inexpensively and with fewer emissions, reducing the impact on the environment.
- These services will play a critical role in business development, job creation, and generation of tax revenue throughout the Commonwealth of Virginia and thus makes us more competitive in the world marketplace.

Support Hampton University Legislative Requests

- The City of Hampton has a long-standing commitment to support and encourage our partnership with Hampton University. Accordingly, the City supports of Hampton University's legislative requests for the 2018 General Assembly as outlined below.
 - We request an appropriation of \$50.0 million that can be achieved by using funds that the General Assembly accumulated in FY2017 via the higher education bond financing fund.
 - We request that the General Assembly keep the Certificate of Public Need (COPN) laws intact especially as it relates health care providers who have previously made huge investments in medical infrastructures, workforce development and high technology in order for Virginia to deliver the best care for all its citizens.
 - We request an amendment for House Bill 1656 (2017) that forbids insurers from holding the therapy to a higher standard of clinical evidence than other cancer treatments when coverage decisions are made.

Support Hampton-Newport News Community Services Board Legislative Requests

- Request: The Hampton-Newport News Community Services Board joins with the Virginia Association of Community Services Boards (VACSB) and its members in requesting funding in this biennium for the 10 services in the STEP – VA model. The 2017 General Assembly mandated that Same Day Access (SDA) and Primary Care Screening (PCS) be implemented by 2019 and the remaining eight services are slated for implementation by 2021. At a minimum, funding will be required for the Community Services Boards still waiting to implement Same Day Access and for all of the Community Services Boards to implement Primary Care Screening.

Support Hampton-Newport News Community Services Board Legislative Requests

- Request: The Hampton-Newport News Community Services Board supports an increase in the Medicaid Early Intervention case management reimbursement rate to its data-determined adequacy. This increase is necessary because the current monthly rate does not cover the expense of providing this critical service, which ensures eligible children and families receive service coordination that is appropriate to the needs of infants, toddlers and their families.

Support Hampton-Newport News Community Services Board Legislative Requests

- Request: The Hampton-Newport News Community Services Board (H-NNCSB) joins with the Virginia Association of Community Services Boards (VACSB) and its members to request the funding of 800 additional Family and Individual Supports (FIS) Waivers and 250 Community Living (CL) Waivers.

Questions/Comments?