



City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Council Approved Minutes - Final City Council Legislative Session

Mayor Donnie R. Tuck
Vice Mayor Jimmy Gray
Councilmember Eleanor Weston Brown
Councilmember Steven L. Brown
Councilmember Linda D. Curtis
Councilmember W.H. "Billy" Hobbs
Councilmember Chris Snead

STAFF: Mary Bunting, City Manager
Cheran Cordell Ivery, City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, September 25, 2019

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6:30 p.m. All members of the City Council were present except for Councilwoman Curtis who was traveling.

Present: 6 - Councilmember Eleanor Weston Brown, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Billy Hobbs, Councilmember Chris Snead and Mayor Donnie R. Tuck

Excused: 1 - Councilmember Linda D. Curtis

DONNIE R. TUCK PRESIDED

INVOCATION - Councilmember Steven Brown

Councilman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck read a proclamation commemorating the 75th anniversary of Teledyne Hastings Instruments. The proclamation was presented to Scott Paris, the Site Leader, who was accompanied by Sabrina Golden-Williams, Human Resources Generalist, and Douglas Baker, Sales/Marketing Director. Mr. Paris gave remarks and thanked Council and the City of Hampton for the recognition.

CONSENT AGENDA

Clerk of Council Katherine Glass read the protocol for the Consent Agenda and a summary of the consent items.

Approval of the Consent Agenda

Motion made by Councilmember Snead, seconded by Councilman Brown, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

1. [19-0203](#) Resolution Determining Detroit Stoker Company, LLC to be the Only Source Practicably Available From Which to Procure Boiler Stoker Parts and Accessories and Authorizing the Negotiation and Execution of a Purchase Contract with Detroit Stoker Company, LLC as "Sole Source"
Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

2. [19-0232](#) Resolution Determining Robert E. Mason & Associates, Inc. to be the Only Source Practicably Available From Which to Procure Materials and Service for Integrated Boiler Digital Control Systems and Authorizing the Negotiation and Execution of a Purchase Contract with Robert E. Mason & Associates, Inc. as "Sole Source"
Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

3. [19-0233](#) Resolution Determining NALCO Company LLC to be the Only Source Practicably Available From Which to Procure Materials and Service for Boiler Water Treatment Chemicals and Chemical Treatment Equipment and Authorizing the Negotiation and

Execution of a Purchase Contract with NALCO Company LLC as
"Sole Source"

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown,
Vice Mayor Gray, Councilmember Hobbs, Councilmember
Snead and Mayor Tuck

4. [19-0234](#) Resolution Determining Mid Atlantic Boiler, Inc. to be the Only
Source Practicably Available From Which to Procure Boiler
Pressure Vessel Repairs and Maintenance and Authorizing the
Negotiation and Execution of a Purchase Contract with Mid
Atlantic Boiler, Inc as "Sole Source"

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown,
Vice Mayor Gray, Councilmember Hobbs, Councilmember
Snead and Mayor Tuck

5. [19-0235](#) Resolution Determining Motion Industries, Inc. to be the Only
Source Practicably Available From Which to Procure Materials
and Service Residue Ash Conveyors, Recycling Sorting
Screens, and the Associated Specialized Motors and Equipment
and Authorizing the Negotiation and Execution of a Purchase
Contract with Motion Industries, Inc. as "Sole Source"

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown,
Vice Mayor Gray, Councilmember Hobbs, Councilmember
Snead and Mayor Tuck

6. [19-0236](#) Resolution Determining Commonwealth Dynamics, Inc. to be the
Only Source Practicably Available From Which to Procure
Materials and Service for Stack Inspection and Repair and
Authorizing the Negotiation and Execution of a Purchase
Contract with Commonwealth Dynamics, Inc. as "Sole Source"

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

7. [19-0285](#) Resolution Determining The Novak Consulting Group, Inc. to be the Only Source Practicably Available From Which to Procure the Services of Facilitators for a City Council Retreat and Executive Workshop on the Topic of High Performance Governance

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

8. [19-0291](#) Resolution to Amend the Fiscal Year 2020 Council Approved Budget and Accept and Appropriate the Fiscal Year 2019 Port Security Grant (PSGP) Awarded by the Department of Homeland Security to the City of Hampton, VA

Attachments: [Grant Routing Documents](#)
[Award Letter, Special Conditions](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

9. [19-0279](#) Resolution to Amend the Fiscal Year 2020 Council Approved Budget and Accept and Appropriate the Maternal, Infant and Early Childhood Home Visiting Program Grant Awarded by the Commonwealth of Virginia's Department of Health to the City of Hampton, Virginia (Youth, Education, and Family Services Department, also known as Healthy Families) to Continue the Parents As Teachers and Home Visiting Education and Support Program

Attachments: [1 YEF MIECHV Grant Routing Form FY2020.pdf](#)
[2 YEF MIECHV Grant Proposal Overview FY2020.pdf](#)
[3 YEF MIECHV Scope of Services and Budget FY2020A.pdf](#)
[4 YEF MIECHV Contract Renewal FY2020.pdf](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

10. [19-0282](#) Resolution to Amend the Fiscal Year 2020 Council Approved Budget and Accept and Appropriate the Federal Fiscal Year 2020 Department of Motor Vehicle ("DMV") Highway Safety Grant (Selective Enforcement - Speed) Through the Commonwealth of Virginia, Department of Motor Vehicles

Attachments: [Award Letter](#)
[Grant Routing Documents](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

11. [19-0288](#) Resolution Authorizing Appropriation of \$170,000 from the Economic Development Fund Balance to the Economic Development Authority of the City of Hampton, Virginia to Fund Land Development Studies for Hampton Roads Center North
- Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

12. [19-0289](#) Resolution to Request the Virginia Department of Transportation Program Six State of Good Repair Projects into its Six-Year Improvement Plan, to Amend the City Manager's Council Approved FY20 Capital Budget to Incorporate the Projects, to Appropriate \$1,000,000 VDOT State of Good Repair Funds Required for the Projects, and to Authorize the City Manager or

Her Designee to Execute any Necessary Agreements.

Attachments: [Hampton - Appendix A - UPC 115361 SGR 8-12-19](#)
[Hampton - Appendix A - UPC 115363 SGR 8-12-19](#)
[Hampton - Appendix A - UPC 115365 SGR 8-12-19](#)
[Hampton - Appendix A - UPC 115366 SGR 8-12-19](#)
[Hampton - Appendix A - UPC 115419 SGR 8-12-19](#)
[Hampton - Appendix A - UPC 115420 SGR FY20 8-12-19](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

13. [19-0290](#) Resolution to Endorse a Certain Transportation Alternatives Set Aside Program for the Old Buckroe Road Pedestrian Improvements Capital Project and North Mallory Street Bike and Pedestrian Improvements Capital Project

Attachments: [Preliminary Concept Profile](#)

14. [19-0292](#) Resolution of Endorsement, Request for \$2,900,000 from the Virginia Department of Transportation's FY21-22 Revenue Sharing Program and Authorization for the City Manager to Execute Necessary Agreements for the Grant Street Extension Project

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

- [19-0298](#) Review and Approval of the Hampton-Newport News Community Services Board FY 20 Performance Contract with the Department of Behavioral Health and Development Services

Attachments: [FY 19 and FY 20 Cover Memo](#)
[CSB FY 20 Program Agreement 9.24.19](#)
[CSB FY 20 Program Agreement Ex A 9.24.19](#)

Item approved.

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS

The Clerk read the protocol for Public Hearings.

15. [19-0281](#) 2018-2019 CDBG and HOME Consolidated Annual Performance and Evaluation Report

Attachments: [Presentation](#)
[FY19 CAPER](#)

The Clerk read the title for the item.

City Manager Mary Bunting gave opening remarks and noted that Council is not expected to approve the item; instead, they will receive public comments to be incorporated in the submittal.

Chief Neighborhood Development Specialist Arkeshia Whitley greeted those on the dais and provided an overview of the 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER) for the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership Programs.

Ms. Whitley reminded everyone that the City submitted its five-year Consolidated Plan in May of 2016. This plan detailed proposed activities for CDBG and HOME programs for FY16-FY20. She clarified that tonight's objectives cover year four's progress of the five-year plan and the City's 2019 fiscal year from July 1, 2018 - June 30, 2019.

Ms. Whitley provided information about the CDBG Program. Activities funded must be eligible under the CDBG Program regulations. The program's primary objective is to develop viable urban communities by providing decent housing; providing a suitable living environment; and expanding economic opportunity. They must also meet one of the three national objectives of the program which are to benefit low to moderate income persons; aid in the prevention of slums and blight; or meet an urgent need.

Ms. Whitley provided information about the HOME Program. Objectives are similar

to CDBG; however, this program provides funds for assisting with homeownership opportunities and homeowner rehabilitation funds. HOME also provides funds for Community-based Housing Development Organizations (CHDO's). Habitat for Humanity is currently the City's only certified CHDO for the HOME Program. Ms. Whitley added that both programs use HUD's low to moderate income qualifications - during FY19, a family of 4's income fell below \$60,000.

Ms. Whitley provided the following additional information about both programs. The City's total grant allocation for CDBG and HOME was approximately \$1.7 million. CDBG Program income and reimbursement and the HOME Program income allocations for FY19 were estimated to be \$265,000. These funds are revenues generated from the sale of homes from the preferred builder program for CDBG and the HOME Program sales. These funds revert back to the grant to support additional programming. Funding is awarded to the Hampton Redevelopment and Housing Authority (HRHA) to administer program activities for CDBG and HOME. The City funds code enforcement staff and staff to support neighborhood planning and community development. Funds also support staffing for Parks and Recreation at Y. H. Thomas and Little England Cultural Centers. Program funds are used in low to moderate income areas across the City. There has been a focus on qualified projects in Hampton Housing Venture areas.

Ms. Whitley shared 2018-2019 CDBG accomplishments. The City acquired four properties, demolished two properties and disposed of two properties (to the preferred builders program) with CDBG funds. Five hundred and fifty seven properties have been acquired and 548 properties have been demolished across the City. Funds were provided to complete five wheelchair ramps and three weatherization projects for a total of 168 for the program. Four hundred and nineteen rental inspections were closed and completed, and 125 rental permits were issued this fiscal year.

Ms. Whitley showed photos of examples of wheelchair ramps, weatherization rehabilitation projects, and houses constructed for the preferred builder program.

Ms. Whitley shared additional 2018-2019 CDBG Program accomplishments related to housing services, the Y.H. Thomas Community Center, and the Little England Cultural Center. She also shared additional 2018-2019 HOME Program accomplishments related to acquisition and rehabilitation, new construction, CHDO's, and various housing and ownership programs.

In response to Mayor Tuck, Ms. Whitley explained that homeowner rehabilitation, weatherization, and efficiency programs differ from previous homeowner rehabilitation programs in that they typically assist homeowners with HVAC systems,

roof repairs and larger projects costing up to \$25,000. She added that individuals may apply for the homeowner rehabilitation program through HRHA and noted that HRHA reviews the projects, but oftentimes homes require more work and repairs than initially expected.

In response to Councilwoman Snead, Ms. Whitley stated that approximately 200 homeowners were previously on the rehabilitation waiting list; however, she would need to research the current number and provide it to Council at a later date.

Councilwoman Snead expressed concern about how projects are rated. Ms. Whitley stated that in some cases, it takes years for people to move up on the list and receive assistance. She noted that she would obtain information from HRHA about how projects are currently rated.

Ms. Whitley showed photos of examples of rehabilitation projects and the CHDO project that Habitat for Humanity was able to complete this year.

Ms. Whitley reviewed the 2018-2019 CAPER Schedule and said the CAPER is available for public comment. Council is being asked to accept the CAPER for submission to HUD on September 27th to ensure the deadline of September 30th is met. Any edits or comments received this evening in the Public Hearing will be included in the final submission to HUD on September 27th.

Councilman Brown asked what mechanisms are used to communicate with residents who qualify for assistance with rehabilitation and CDBG funds. Ms. Whitley stated that HRHA uses their standard marketing to market to their residents. She added that we will review the marketing plan this year with HRHA.

In response to Councilman Brown, Ms. Whitley confirmed that funds left over from the current fiscal year are carried over to the next fiscal year.

PUBLIC HEARING:

Mayor Tuck opened the public hearing. As there were no speakers, the Mayor closed the Public Hearing. He also reminded everyone that no action is required on this item and then thanked Ms. Whitley for the presentation.

Presented by Arkeshia Whitley, Chief Neighborhood
Development Specialist.

16. [19-0295](#) Resolution Authorizing the Transfer From the City of Hampton To The Hampton Redevelopment and Housing Authority of Portions of LRSN 13001174, 13001179, and 7000129 As Well

As A Portion of Freeman Drive To Be Vacated Containing an
Approximate Total Of 5.22 ± Acres

Attachments: [Exhibit A Parcel FD1](#)

The Clerk read the title for this item.

Ms. Bunting made the following statement regarding the item: This item is being brought forward in conjunction with the next item, which if approved would vacate a portion of Freeman Drive. Upon approval of the vacation, the City plans to vacate and adjust boundary lines between several adjoining parcels. That new parcel will be approximately 5.22 acres. We would like to have all of the 5.22 acres transferred to the Hampton Redevelopment and Housing Authority (HRHA), as they are our agency to implement the City's Community Plan as it relates to residential development and redevelopment with the residential component. Transferring the parcel to HRHA is consistent with this policy and will allow the City to establish several easements for drainage, utilities and public access. The transfer will not occur until all right-of-way vacation and boundary line adjustments and vacation plats have been approved and recorded. This is to facilitate the potential for new residential development along Freeman Drive.

PUBLIC HEARING:

The Clerk announced that there were no speakers for this public hearing.

The Mayor closed the public hearing and called for the motion.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

17. [19-0294](#) Ordinance Vacating A Portion Of A Certain 60' Wide Public Right Of Way Designated As Freeman Drive Containing Approximately 1.141± Acres and 49,701± Square Feet Abutting Unaddressed Parcels Owned by the City of Hampton and Designated as LRSNs 13001179, 7000129, and 13001174

Attachments: [Exhibit A Freeman Drive Vacation Plat](#)

The Clerk read the title for this item and noted that this item is related to the previous item and does not require a public hearing.

Ms. Bunting made the following statement regarding the item: This does relate to the prior item (as the Clerk has mentioned). We are having a portion of Freeman Drive realigned. The area proposed for vacation will no longer be used as a public street. In addition, upon approval of the vacation, the City plans to vacate and adjust boundary lines between several adjoining parcels (as mentioned earlier) so that the new parcel can be developed. Staff recommends approval.

The Mayor called for the motion.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Snead, that this Ordinance-Non-coded be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

Rezoning

Use Permits

Ordinances

Resolutions

PUBLIC COMMENT

The Clerk read the protocol for the public comment period.

Mayor Tuck noted that one person, a young lady who is working on a Girl Scout project, signed up to speak.

Ms. Jazzlyn Childs greeted those on the dais and made the following statement: I am a senior at Tabb High School. I would like to thank you all for allowing me this opportunity to speak with you all. The issue of homelessness is a very broad and complex issue. The U.S. Department of Housing and Urban Development reports that there are nearly 6,000 people experiencing homelessness on a given night in Virginia. Many of them are persons of domestic violence, sexual assault, human trafficking and veterans who proudly served the country. People become homeless for lots of different reasons such as lack of affordable housing, poverty, unemployment or life changing events. Hampton Roads currently has nine shelters that help homeless individuals to achieve and maintain self-sufficiency. The greatest mistake we can make is believing that we cannot make a difference in helping the

homeless. I believe it is the responsibility of not only the government, but (also) the public to help those in need. To do my part, I initiated a project called "Give them Shelter - Restoring the Homeless" where a team and I gathered to refurbish safe houses for the homeless families. Until there is affordable housing low income people can afford, I believe supporting these types of organizations with donations and volunteering is a small, but effective way that we can exemplify community service in helping others. Even though homelessness in our area has gone down 35%, it is still prevalent and we must not forget that people are still being affected by it. All I ask of you, Honorable Mayor and City Councilmembers, is that you keep this issue in your forefront when thinking about the agenda for the upcoming year. Thank you for your time and your consideration.

Mayor Tuck presented Ms. Childs with a commemorative City coin and assured her that Council will keep in mind the concern she raised about homelessness.

GENERAL ITEMS

Ordinances

Resolutions

18. [19-0280](#) Resolution Authorizing the Issuance and Sale to the Virginia Resources Authority of the City of Hampton's Convention Center Refunding Revenue Bond in the Maximum Principal Amount Not to Exceed \$71,600,000 to Refund all or a Portion of the City's Convention Center Refunding Revenue Bonds, Series 2011 and 2012, and Providing for the Form, Details, Documentation and Payment of Such Bond

The Clerk read the title for the item.

Ms. Bunting made the following statement regarding the item: The City has previously participated in the Virginia Resources Authority (VRA), our Virginia Pooled Financing Program. That was done in spring 2011 and spring 2012 issuing a combined principal amount of \$86,210,000 through those two loans. Those loans provided debt service savings to the City of Hampton by refinancing bonds that had been issued in November 2002 that financed construction of the Convention Center. Based upon the current estimated market interest rates, Hampton once again has the opportunity to refinance the Convention Center debt for further debt service savings. Based on the current estimated taxable market interest rates, a refinancing of these prior loans is estimated to generate approximately \$9,480,000 in cash flow savings through reduced interest payments compared to the existing debt over the remaining life of the loans. Annually, the refinancing is estimated to produce

savings of approximately \$846,000 in year 1 and approximately \$575,000 in each year thereafter through the maturity of fiscal 2035. The final maturity of the financing is not being extended through the current final maturity. We are merely doing the financing to take advantage of potential interest savings. VRA is planning to do a closure on their issuance of these refinancing's on November 20, 2019. If the market does move substantially, and we no longer have sufficient net present value savings to justify the reissuance, we will pull this item. We do need your authority to move forward with the anticipated refunding of these bonds.

A motion was made by Councilmember Chris Snead and seconded by Councilmember Steven Brown, that this Resolution be approved. The motion carried by the following vote:

Aye: 6 - Councilmember Weston Brown, Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs, Councilmember Snead and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

City Manager Mary Bunting made the following statement/announcement for the record and the benefit of the public: Our bond rating agencies did confirm our very high fiscal rating of Double A Plus/Double A1. These are the second highest ratings that municipalities can receive. The only other higher rating is the Triple A which is generally reserved for localities that have a lot of remaining land to be developed. We take great pride that our ratings were affirmed. It really speaks to the sound financial management practices of the Council and the staff, the fact that the rating agencies feel like we are on a strong path forward. They have started to ask questions about things like coastal resiliency and noted in their reports the proactive efforts that this Council has taken to address those concerns. I thought it was worth noting that we've gotten that independent credit rating. It's like a homeowner getting a credit score in the 800 range. It is really a fine mark of the work that you all are doing.

Mayor Tuck briefly reported on a recent Hampton Roads Transportation Planning Organization meeting where the expansion of the Hampton Roads Bridge Tunnel was discussed. He plans to ask the Virginia Department of Transportation (VDOT) for a complete report at a future City Council meeting.

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

The meeting adjourned at 7:05 p.m.

Contact Info:
Clerk of Council, 757-727-6315, council@hampton.gov

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____