



# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

## Council Approved Minutes - Final City Council Work Session

*Mayor Jimmy Gray*

*Vice Mayor Steven L. Brown*

*Councilmember Randy C. Bowman, Sr.*

*Councilmember Carolyn S. Campbell*

*Councilmember Michelle Taylor Ferebee*

*Councilmember Hope L. Harper*

*Councilmember Martha M. Mugler*

*STAFF: Mary Bunting, City Manager*

*Courtney R. Sydnor, City Attorney*

*Katherine K. Glass, MMC, Clerk of Council*

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Wednesday, April 23, 2025

1:00 PM

Council Chambers

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### CALL TO ORDER

Mayor Gray called the meeting to order at 1 p.m. All members of the City Council were present except for Councilwoman Ferebee and Councilwoman Mugler.

**Present** 5 - Councilmember Randy C. Bowman Sr., Vice Mayor Steven L. Brown, Councilmember Carolyn S. Campbell, Councilmember Hope L. Harper, and Mayor Jimmy Gray

**Excused** 2 - Councilmember Michelle T. Ferebee, and Councilmember Martha Mugler

### JIMMY GRAY PRESIDED

### AGENDA

1. [25-0035](#) Briefing on Hampton City Schools Budget

Attachments: [Presentation](#)

City Manager Mary introduced the first agenda item and acknowledged the school board members present.

The school board's priorities for the 2026 budget include enhancing student learning, recruiting and retaining exceptional staff, and ensuring safe environments. Community engagement identified competitive compensation, school security, and tutoring as top concerns. Dr. Mason acknowledges Hampton City Council's strong collaboration, emphasizing the school's success, including full accreditation, a 97.63% on-time graduation rate, and a 0.5% dropout rate, one of the lowest in Virginia. Dr. Mason introduced Dr. Raymond Haynes to present spending and

expenditure items.

Dr. Haynes began by recognizing Deputy City Manager Brian DeProfio for his contributions to the budget process, expressing appreciation for his assistance. Additionally, he acknowledged School Board Chair Dr. Richard Mason, Vice Chair Stephanie Fonda, and the entire School Board for their leadership and involvement throughout the budget process, emphasizing that their priorities and community feedback were central to decision-making.

The discussion shifted to the Fiscal Year 2026 budget, which is still awaiting final approval. Key highlights of the board-approved budget were presented; including the ongoing focus on recruitment and retention efforts to attract and retain top-tier staff with competitive benefits. Another major priority is school security, with plans to add more security officers in elementary and pre-K buildings to ensure a safe and nurturing environment. Dr. Haynes commended City Manager Bunting and the City Council for their collaborative efforts and strong partnership. A major point of discussion was the Capital Improvement Projects planned for the coming years. By the 2025-26 school year, all media centers will be renovated, middle school science classrooms will be upgraded, running tracks across the division will be improved, and school marquees will feature new monuments and digital displays. Bassett Elementary School is set for a full renovation. The presentation reflected the importance of transparency and accountability in using taxpayer dollars effectively, reinforcing that the school division is committed to strengthening Hampton's schools and broader community through thoughtful investment and collaboration.

Dr. Haynes introduced Brittany Branch, Chief Financial Officer of Hampton City Schools. Ms. Branch offered a detailed breakdown of Hampton City Schools' Fiscal Year 2026 budget, highlighting financial allocations, strategic priorities, and funding sources.

Hampton City Schools follows a five-phase budget process, ensuring a systematic approach to financial planning. The process begins with a budget development calendar and department requests in the fall. It then incorporates student enrollment projections and the governor's budget to determine revenues. A budget committee, consisting of division leadership and financial officers, prioritizes requests based on the strategic plan and school board priorities. The review and approval phase is expected to conclude by May, with final implementation set for June. The school board's priorities for next school year focus on key areas such as student achievement, class sizes, competitive compensation, recruitment and retention, coaching stipends, school safety, and mental wellness. The board ensures that all budget decisions align with the division's long-term strategy for academic excellence.

The budget includes a 4% salary increase for all teachers and staff, with no increase to health care premiums. Additional compensation adjustments for teachers and support staff have been factored in, along with new instructional positions and school security officers.

The total projected budget for FY 2026 is \$358 million, with the School Operating Fund being the largest allocation at \$307 million. Additional funds include Food & Nutrition Services (\$17.4M), Reimbursement Projects (\$29.9M), Rental Income (\$151K), Student Activity Fund (\$1M), Athletics Fund (\$1.4M), and Enterprise Fund (\$684K). Funding sources primarily include state revenue (\$200.3M), which is determined by the Local Composite Index (LCI) of 25.79%, indicating Hampton's ability to contribute to public education funding. The estimated local support from the city is \$99M, based on 61.83% of residential tax revenue, pending final City Council approval.

The federal revenue is projected at \$1.1 million, largely coming from Federal Impact Aid, which offsets lost tax revenue from tax-exempt properties, and funding from military branches, which reimburses salaries for Junior Reserve Officer Training Corps (JROTC) instructors. Additionally, miscellaneous revenue sources, totaling \$6.7 million, include \$2.5 million from the school division's pharmacy operations, \$1.2 million from indirect costs recovered through federal grants and food services, and \$1 million in Medicaid reimbursements.

The School Operating Fund (\$307 million) is legally required to categorize expenses into areas such as instruction, administration, transportation, operations, technology, and debt service. The largest portion is allocated to instruction, and a smaller portion of the budget is dedicated to salaries and fringe benefits, which include teacher salaries, retirement costs, and health care. Recognizing the importance of attracting and retaining top-tier educators, the school board approved a 4% salary increase for all teachers and staff, effective July 1, 2025, at a cost of \$8.4 million. An additional \$2 million investment in teacher salaries will raise starting pay for new teachers to \$56,750 and improve five-year salary rankings, making Hampton more competitive on the peninsula.

Further compensation adjustments include \$2-per-hour raises for trades positions, \$242,000 in increased coaching stipends, and new stipends for middle school athletic directors and e-sports coaches. There will be no increase in employee health care premiums. The School Board approved 56.7 new positions, including 19 school security officers for elementary and pre-K buildings, 15 special education staff, six Academy of Hampton coaches, one dual-language teacher, and five non-instructional support roles. To balance new investments, \$14.7 million in budget

reductions were repurposed, eliminating one-time costs and redirecting payroll savings.

Additional funding priorities include \$4.1 million for the pharmacy and wellness center, \$1.6 million for Academies of Hampton programming, and \$4.6 million for the Virginia Preschool Initiative, supporting up to 619 four-year-olds. The budget also includes athletic program enhancements, debt service payments, and planned school signal replacements in collaboration with the city.

The school division continues to monitor state budget amendments, ensuring any additional revenue is reviewed by the City Council and School Board. Ms. Branch concluded the presentation with appreciation for city-school collaboration, reinforcing Hampton's commitment to fiscal responsibility and educational excellence.

Mayor Jimmy Gray thanked Ms. Branch for her presentation and opened for discussion.

During the budget discussion, Vice Mayor Brown expressed appreciation for the School Board's work and asked two key questions. First, he inquired how Hampton City Schools can provide a 4% raise for staff while keeping employee health care premiums unchanged. Ms. Branch explained that a new provider was selected a few years ago, resulting in significant savings, and that favorable contract negotiations continue to maintain these financial benefits.

Next Vice Mayor Brown asked about student enrollment trends and their impact on funding. Ms. Branch acknowledged declining enrollment, which affects basic aid from the state. However, additional state funding programs, such as at-risk funding, help offset reductions by directing resources toward student needs based on demographics and educational priorities.

Vice Mayor Brown emphasized the importance of fiscal responsibility, praising the school board for proactively managing financial challenges while maintaining stable health costs and strategic budget adjustments despite enrollment changes. Remarks highlighted the board's commitment to strong financial stewardship and community transparency.

The discussion continued with a question about federal and miscellaneous revenue, specifically the \$1.2 million in indirect costs from funds 51 and 60. Ms. Branch clarified that these funds are tied to select federal grants and food and nutrition services, which allow the school division to recoup operational costs that support these programs. For example, payroll processing for employees involved in these

federally funded programs is not charged directly to the grants, but a Virginia Department of Education-established rate enables the division to recover some administrative expenses associated with managing them.

Presented by Dr. Richard Mason, School Board Chair; Dr. Raymond Haynes, Superintendent of Hampton City Schools; and Brittany Branch, Chief Financial Officer. Also in attendance were School Board members: Stephanie Jackson Afonja, Vice Chair; Ann Cherry; Dr. Tina Banks-Gray; Jason S. Samuels; Dr. Reginald Woodhouse, and Dr. John Caggiano, Deputy Superintendent and Chief of Staff. Dr. Mason shared that School Board member Joseph C. Kilgore was away on Virginia School Boards Association business.

25-0124 Request for Consideration of Pay Supplements for the Hampton Public Defender

The meeting then transitioned to the city council's work session, focusing on the City Manager's recommended budget, which was previewed two weeks prior. The full budget document has been made publicly available electronically and in libraries.

One agenda item involved Public Defender Matthew Johnson, who has submitted a request to the council for salary supplements for the public defender's office. Ms. Bunting explained that public defenders are state employees, overseen by the Virginia Indigent Defense Commission. Not all communities in Virginia have full-time public defender offices; in smaller areas, courts often appoint private attorneys to represent indigent individuals. However, Hampton has a fully staffed public defender's office, which Johnson leads.

Mr. Johnson greeted council and began his presentation by clarifying misconceptions about public defenders, emphasizing that under the *Gideon v. Wainwright* Supreme Court decision, every person charged with a crime that could result in incarceration is guaranteed legal representation. Public defenders differ from court-appointed counsel, which is often misunderstood. Mr. Johnson recounted receiving complaints about attorneys who are not part of their staff, underscoring their commitment to addressing legitimate concerns and ensuring high-quality legal defense. They take pride in their office's strong representation, particularly for society's most vulnerable, the poor and marginalized, who often face disproportionate involvement in the criminal justice system.

In Hampton, approximately 75% of criminal defendants rely on the Public Defender's office, reflecting the economic reality of crime disproportionately affecting certain populations. The team, including attorneys, investigators, paralegals, and support

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staff is committed to ensuring that defendants receive fair representation, regardless of their socioeconomic status.

Mr. Johnson emphasized the critical role of public defenders, clarifying that their work goes far beyond jury trials and case dismissals. Their primary mission is to prevent wrongful convictions and ensure a fair, adversarial criminal justice system, where both prosecutors and defense attorneys have equal resources to advocate effectively for defendants' rights.

An important financial concern was raised regarding public defender subsidies. Hampton stands out as the only city in Hampton Roads that does not supplement its public defender's office, unlike other large cities in Virginia. Newport News recently approved a supplemental funding plan, highlighting the gap in Hampton's approach. Mr. Johnson requested \$300,000 in funding to help recruit and retain dedicated, long-term attorneys, ensuring quality defense rather than attracting lawyers seeking only short-term experience. This funding request is viewed as competitive compared to other cities, taking into account Hampton's caseloads and staff workloads. The investment would strengthen the Public Defender's office, improving legal defense quality and community support.

Mr. Johnson elaborated on the challenges faced by public defenders, distinguishing between caseloads which is the number of clients each attorney represents and workloads which is the total effort required to serve clients effectively. Due to issues with the local jail, many defendants are housed in facilities outside Hampton, requiring significant travel, sometimes consuming an entire workday for just one client meeting. This logistical burden complicates the defense process, further highlighting the need for additional financial support.

Mr. Johnson proposed that the salary supplement would enable higher starting salaries, improve recruitment and retention of attorneys committed to public defense. Many young lawyers, facing high student debt, initially enter public defense but leave after a few years due to financial constraints, often seeking higher-paying jobs elsewhere. By offering competitive salaries, Hampton could better retain experienced lawyers and avoid frequent turnover. He emphasized that while the request is not meant to match the prosecutor's office, it does seek equitable compensation for support staff, as their roles and responsibilities mirror those of prosecution teams. Raising salaries across the office would help ensure seasoned attorneys stay and continue defending Hampton's most vulnerable citizens.

Recruitment difficulties are another major issue. Most public defenders in Hampton Roads are drawn from regional law schools (William & Mary, University of Richmond, etc.), but many opt for offices offering \$10,000-\$15,000 more in base

salary. Additionally, the high turnover rate among inexperienced attorneys weakens the office's ability to build a strong legal team. The Virginia Bar exam, one of the hardest in the U.S., delays hiring decisions by several months, forcing the office to hire candidates without knowing if they will pass. Salary disparities grow exponentially with experience as starting salaries for Hampton's public defenders and prosecutors are similar, but as attorneys gain experience, the gap widens significantly, making retention even harder.

Finally, Mr. Johnson highlighted the need for diversity in hiring, noting that low numbers of black law graduates significantly impact recruitment. Diversity is critical for clients who face terrifying circumstances, as representation matters in legal defense. Public defenders need to reflect the communities they serve to provide empathetic, effective advocacy. The request for funding is framed as both financially necessary and morally imperative, ensuring Hampton's Public Defenders can continue providing high-quality, accessible legal defense.

Beyond personnel concerns, Mr. Johnson outlined the societal costs of incarceration, emphasizing that while keeping individuals in custody may seem like a safety measure, placing them in residential treatment for addiction or mental health struggles ultimately reduces burdens on taxpayers and crime rates. The Public Defender's office actively works to prevent wrongful convictions, ensuring that minor infractions or impulsive decisions do not permanently strip individuals of fundamental rights, such as voting or employment opportunities.

Mr. Johnson highlighted that legislation exists to enable cities to fund public defenders while ensuring state oversight, allowing contributions to be processed through the Virginia Indigent Defense Commission rather than the city directly employing defenders. Reflecting on five years of service in Hampton, Mr. Johnson expressed a deep appreciation for the city and its commitment to community well-being.

Mayor Gray thanked Mr. Johnson for his presentation and opened discussion.

General discussion regarding staffing, diversity and funding topics took place. Mr. Johnson explained that the office isn't fully staffed, they're down four attorneys, and even though some are lined up for positions, they won't be able to practice until they pass the Virginia Bar, which could take months. Hiring new graduates is tough, and getting them up to speed takes a lot of time and effort. On the topic of diversity, there aren't any minority attorneys in the office at the moment. Mr. Johnson pointed out that the percentage of minority law graduates is really low, about 5% and that competing with other legal offices to hire them is a challenge.

Council inquired about the federal discrimination lawsuit pending against the office. Mr. Johnson made it clear that the termination in question was strictly due to poor performance, not discrimination.

When it comes to handling cases, the Commonwealth's Attorney's Office has some discretion over what misdemeanors they prosecute, while public defenders recently got permission to pause case appointments due to overwhelming workloads.

A concern was raised regarding funding. If the city allocates money to the office, there wouldn't be direct city oversight. Mr. Johnson clarified that there is oversight at the state level and that there are agreements in place that allow the city to review and even revoke its relationship with the office if necessary.

Vice Mayor Brown requested clarification regarding pay scales and raises.

Mr. Johnson elaborated that the pay scale for public defenders was updated three years ago through a compression raise. While starting salaries were increased to \$75,000, it's still slightly below the \$77,000 starting salary for prosecutors. When it comes to bonuses, public defenders generally don't receive them. The only exception was during the COVID pandemic when some attorneys received extra compensation due to staffing shortages. Outside of that, bonuses haven't been part of their compensation.

There was discussion about salary parity versus disparity. While Public Defender salaries have increased, there's still a gap compared to the Commonwealth's Attorney's Office, especially since local funding boosts Commonwealth attorneys' pay beyond the base state-mandated salary. Mr. Johnson stated that the issue of salary disparity isn't just a state matter but also a local one since cities decide whether to supplement public defenders' salaries. Regarding state representatives, Mr. Johnson mentioned they have spoken with Senator Locke about various issues but not specifically about this funding concern. They noted that legislators have already supported measures allowing cities to provide additional funding for public defense.

The conversation then shifted to drug court where Mr. Johnson expressed strong support for the concept but explained that the way Hampton's drug court operated made it difficult for their clients to participate. The issue wasn't with the judges but rather with the strict requirements set by the Commonwealth's Attorney's Office. In order to be admitted to drug court. The prosecution has to approve the request, but for Public Defender clients, that approval often came with harsh consequences if a client failed the program. The offender could end up serving a year in jail, which was much harsher than the alternative of regular sentencing. Because of this, the office

eventually stopped referring clients to drug court and shifted focus to Hampton's behavioral health docket, which they felt was more effective.

Questions came up about total compensation and whether state employees, like public defenders, receive benefits comparable to city employees. Mr. Johnson explained that they receive standard state benefits, but they weren't sure how the total compensation compares directly. In terms of specifics, public defenders get the same retirement benefits as the Commonwealth's Attorney's Office, since both fall under the Virginia Retirement System (VRS). However, health care and life insurance differ from the Commonwealth attorneys' benefits which are funded by the city, while public defenders' benefits are covered by the state.

Ms. Bunting said they'd need to double-check details like health insurance costs and leave policies to understand any differences more fully. The conversation concluded with an acknowledgment that salary alone doesn't tell the full story. Benefits can significantly impact total compensation, and employees don't always realize how much value is packed into their benefits.

There were concerns about the office's recruitment process, particularly regarding the low number of minority hires. The suggestion was made to change the approach to attract better-qualified candidates.

Mr. Johnson acknowledged the challenge, explaining that many candidates hired in the past struggled to pass the Virginia Bar. Regarding the recruitment process, Mr. Johnson clarified that while applicants must go through a state advertisement system, that's not the only method used to find candidates. Since recruitment is regional, applicants who apply through the Virginia Indigent Defense Commission (VIDC) website are simultaneously considered by multiple offices across Hampton Roads. That means a candidate who receives an offer from Hampton might also get one from another city that supplements salaries often making their starting pay at least \$10,000 higher.

The question was raised about turnover rates, not just in Hampton but in other localities as well. Mr. Johnson acknowledged that turnover is a widespread issue, affecting both public defenders and Commonwealth attorneys. A big part of the problem is fewer people going into law school which is likely due to economic uncertainty and the lingering effects of the COVID era when many prospective students were hesitant to commit to law school.

Councilwoman Harper stated that if turnover is being used as a reason to justify additional funding, it would be helpful to see comparative data from other cities. If public defender offices across the region have similar turnover rates, then simply

increasing salaries may not be the full solution, it might be that attorneys are using public defender roles as temporary positions before moving on. Mr. Johnson agreed to gather information, noting that their counterparts in other areas especially in Hampton Roads could provide useful insights.

The entry-level salary for public defenders is \$75,000 was set by the Compensation Board, and it's not negotiable. That means the public defender doesn't have flexibility to offer a higher salary to attract a candidate as it's a fixed amount. The discussion then shifted to comparing this salary to entry-level Commonwealth's attorneys. The posted starting salary for an assistant Commonwealth attorney is \$74,000, which is slightly lower than the public defender starting salary. However, in the city system, department heads (and constitutional officers like the Commonwealth's Attorney) have the ability to offer up to 10% more if the candidate has experience beyond the minimum requirements.

The conversation then touched on salary supplements. Unlike extra pay added on top of a salary, supplements are built into the city's pay scale itself. This raised the point that making adjustments to public defender salaries could prompt adjustments for Commonwealth attorneys as well.

The key takeaway was that direct salary comparisons don't always tell the full story, since experience levels and structured pay flexibility can influence final compensation amounts.

Ms. Bunting discussed whether localities should supplement funding for public defenders, given their role in the criminal justice system. One perspective emphasized that Commonwealth attorneys perform specific local functions beyond courtroom prosecution, such as conflict-of-interest opinions for local officials and addressing voting law matters, justifying supplementary funding. There was concern that funding public defenders could set a precedent for supplementing other state employees, leading to financial complications for the locality.

Mr. Johnson noted that Virginia law uniquely designates public defenders for supplementation and that a 2023 amendment further solidified this stance. State legislators who pushed for this amendment expect localities to act accordingly. The discussion ultimately weighs the importance of public defense against financial responsibilities and potential unintended consequences of setting a precedent for supplementing other state-funded positions.

Presented by Matthew Johnson, Public Defender for the City of Hampton.

Councilwoman Ferebee arrived at 1:58 p.m., during Mr. Johnson's presentation.

**Present** 6 - Councilmember Randy C. Bowman Sr., Vice Mayor Steven L. Brown, Councilmember Carolyn S. Campbell, Councilmember Michelle T. Ferebee, Councilmember Hope L. Harper, and Mayor Jimmy Gray

**Excused** 1 - Councilmember Martha Mugler

Councilwoman Mugler arrived at 2:06 p.m., also during Mr. Johnson's presentation.

**Present** 7 - Councilmember Randy C. Bowman Sr., Vice Mayor Steven L. Brown, Councilmember Carolyn S. Campbell, Councilmember Michelle T. Ferebee, Councilmember Hope L. Harper, Councilmember Martha Mugler, and Mayor Jimmy Gray

At 3 p.m., members of the administrative staff from the City Manager's Office and the City Council Office came into City Council Chambers and were recognized by the members of the Hampton City Council and congratulated on Administrative Professionals Day.

2. [25-0113](#) Budget Discussion: City Manager's Recommended Fiscal Year 2026 Budget

There were no questions from Council for the City Manager.

## **REGIONAL ISSUES**

There were no regional issues to report on.

## **NEW BUSINESS**

There were no items of new business.

## **CLOSED SESSION**

3. [25-0091](#) Closed session pursuant to Virginia Code 2.2-3711(A)(7) for

consultation with legal counsel to review status and analysis of currently pending litigation, where discussion in open meeting would adversely affect the city's litigation posture and potential settlement negotiations.

At 3:07 p.m., a motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Steven Brown, that this Closed Session - Motion be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

**CERTIFICATION****4. 25-0111 Resolution Certifying Closed Session**

At 4:04 p.m., a motion was made by Councilmember Hope Harper and seconded by Councilmember Carolyn Campbell, that this Closed Session - Certification be approved. The motion carried by the following vote:

**Aye:** 7 - Councilmember Bowman Sr., Vice Mayor Brown, Councilmember Campbell, Councilmember Ferebee, Councilmember Harper, Councilmember Mugler and Mayor Gray

**ADJOURNMENT**

The meeting adjourned at 4:07 p.m.

**Contact Info:**  
**Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)**

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Jimmy Gray  
Mayor

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Katherine K. Glass, MMC  
Clerk of Council

Date approved by Council \_\_\_\_\_