



City of Hampton

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

Council Approved Minutes - Final City Council Special Session

Mayor Donnie R. Tuck
Councilmember Chris L. Bowman
Councilmember Steven L. Brown
Councilmember Jimmy Gray
Councilmember Hope L. Harper
Councilmember Billy Hobbs
Councilmember Martha Mugler

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

Wednesday, January 4, 2023

12:00 PM

**Hampton Yacht Club,
4707 Victoria Boulevard,
Hampton, VA**

CALL TO ORDER

Mayor Tuck called the meeting to order at 12 noon and asked the Clerk to read the call for the special meeting and then the roll call.

Present 3 - Councilmember Chris L. Bowman, Councilmember Billy Hobbs, and Mayor Donnie R. Tuck

Excused 3 - Councilmember Steven L. Brown, Councilmember Hope L. Harper, and Councilmember Martha Mugler

Out 1 - Councilmember Jimmy Gray

READING OF THE CALL FOR THE SPECIAL MEETING

This meeting has been called by agreement of all members of the City Council for the specific purpose of discussing the upcoming General Assembly session with the members of Hampton's General Assembly delegation, Hampton's legislative agenda, and anything they would like to forecast about the session.

AGENDA

Mayor Tuck shared that Councilman Brown was not present due to a funeral and Councilwoman Harper and Councilwoman Mugler were not present due to their attendance at the Virginia Municipal League's Virginia Local Elected Officials Conference.

Councilman Gray arrived at 12:02 p.m.

Present 4 - Councilmember Chris L. Bowman, Councilmember Jimmy Gray, Councilmember Billy Hobbs, and Mayor Donnie R. Tuck

Excused 3 - Councilmember Steven L. Brown, Councilmember Hope L. Harper, and Councilmember Martha Mugler

Mayor Tuck introduced Delegate A. C. Cordoza and his accompanying staff members, and Senator Mamie Locke. He acknowledged that Delegate Jeion Ward had to be in Richmond but had a staff member present. He introduced the members of the City Council and the staff who were present: Mary Bunting, Cheran Ivery, Katherine Glass, Steve Bond, Jennifer Green, Robin McCormick, Rebecca Spurrier, and Andy Foley with two other staff members of Channel 47. Mayor Tuck also acknowledged the Daily Press reporter, Josh Janney.

He shared that the meeting was being audio recorded for the purpose of minutes, but the would be paused while lunch was consumed and invited those present to visit the buffet line.

At 12:27 p.m., the meeting resumed.

1. [22-0362](#) Discussion of Upcoming General Assembly Session

Mayor Tuck introduced Ed Reed, Vice President of Two Capitols Consulting, to make the presentation. Mr. Reed shared updates on several of the legislative priorities requests that will be made during this session. The first is an amendment to the Code section that would allow for the registration of buildings that have been vacant for 12 months or more that may endanger the public safety or welfare of others. The Code currently requires that the building meet the definition of derelict to be registered. The City of Norfolk and Virginia First Cities are supporting this initiative. The bill has been filed and introduced in both the House and Senate.

The second initiative is a budget amendment that would fund an increase for the Hampton Health District. Senator Locke is assisting with this request to the Virginia Department of Health for an increase in the rental rate for the Hampton Health District to help ensure that, as the costs for janitorial, capital maintenance, and upkeep increase, the market rate for rent can also be increased.

The third legislative request would create authority for the cities of Hampton and Norfolk, which are impacted by the Hampton Roads Bridge-Tunnel (HRBT) expansion project, to use photo monitoring systems to enforce traffic light signals while the project is underway. Mr. Reed stated that this would give specific authority to the City Council, by ordinance to utilize photo monitoring systems at intersections they deem necessary, and would have to be done by resolution. This would potentially help alleviate congestion and traffic in downtown Hampton and Phoebus by allowing for the enforcement of infractions such as illegal right turns, blocking the box, or blocking the intersection.

The fourth legislative request would provide State assistance to decrease law enforcement demands with Temporary Detention Orders (TDOs), or ECOs (Emergency Custody Orders). Hampton has taken the lead on this as a regional priority and public safety initiative that would benefit all localities. The Hampton police division accounted for over 11,000 hours providing transport and custody for those that are going through some type of mental health crisis through an ECO or TDO. This may allow the ability to contract with outside entities or certified DCJS (Department of Criminal Justice Services) officers to provide transport and transfer custody at the hospital upon arrival, reducing demands on local law enforcement time. The Governor's introduced amendments in mid-December contained language that potentially provided for a pilot program and the expansion of the State's ability to help localities contract with outside entities to assist law enforcement. In addition, there was \$1 million to fund off-duty officer programs that would help alleviate the burden as well. Mr. Reed stated that they are working to assess how that budget language may benefit Hampton.

Mr. Reed shared that all requests have either been filed or introduced by a member of our delegation and will be worked on during the 46-day General Assembly session to allow for the successful passage of those bills.

Resiliency efforts continue to be a priority since Hampton receives a lot of funding from the Virginia Community Flood Preparedness Fund, with attention to maintaining some type of dedicated revenue stream for those funds.

Hampton has been a leader over the last several years with the creation of the African American Cemeteries Fund. Other cities and localities across the Commonwealth have joined those efforts in requesting continued funding for those efforts through the Department of Historic Resources.

Mr. Reed shared that there has been chatter about potential legislation to upend some of the ways localities can provide for land use and zoning decisions, including the regulation of short-term rentals. Hampton City Council was recognized across

the Commonwealth for its efforts at the end of the year in creating a short-term rental process. He believes the process works well for all and is asking that authority be maintained at the local level.

Mr. Reed shared that there is a desire to see the State continue to honor its commitment to local governments through the continued funding of the 599 Program which provides State assistance for localities with police departments. There was an increase in the 599 Program in the last budget cycle, but that funding has not kept up with inflation.

The State eliminated its portion of the grocery tax in the last budget cycle and there are a couple of bills seeking to eliminate the local portion as well. Some have a provision in the Code to backfill a portion of that funding, but we want to be mindful of the impact that loss of funding could potentially have on Hampton and other localities.

Mr. Reed expressed willingness for his team and the team at the City to be a resource to the delegation for any questions or concerns during the upcoming session.

Mayor Tuck introduced Senator Locke, who shared an update on her priority legislation. She is carrying the vacant building registry legislation, which, last time made it to the floor of the House. It failed because it was considered to be special legislation, meaning it needed a super majority on the floor or 67 votes. She indicated she plans to have conversations with the appropriate people to get the votes because it sailed through the Senate and House committees.

Senator Locke is working on the budget amendments for the Health District rental increase and will monitor those as she is hoping to serve as a budget negotiator.

In addition, Senator Locke has again entered a Constitutional Amendment for the restoration of rights for felons. It is a lengthy process requiring it to be passed two years in a row. This is the first year for the first reference so it will have to pass this year and next year in the same exact language.

She currently has three pieces of legislation going through for Newport News, and one for York County but her primary focus is budget amendments including ones for the libraries for the Commonwealth, the City of Hampton, mental health crisis centers, and Fort Monroe, which is being done by both herself and Delegate Cordoza.

Mayor Tuck introduced Delegate Cordoza who shared that as a member of the

House Public Safety Committee, he believes he will be able to help with TDOs. He is currently carrying the Fort Monroe bill and budget amendments on the House side and fixes to the tax code (which addresses oversight in disabilities when people turn 65). He is also handling retries of some bills from last year, two bills for the Governor, and one for the Lieutenant Governor.

Mr. Reed stated that there seem to be a lot of budget amendments entered for this year. He asked Senator Locke and Delegate Cordoza if they see a lot of work being done with the budget considering this is a non-budget year and a budget deal was reached late in the process last year. Senator Locke stated that she chairs the Higher Education Committee and they have determined that on the higher education part, they are not going to address amendments determined to be frivolous, outlandish, or non-serious. She said they will seriously look at issues dealing with behavioral and mental health, SOQs (Standards of Quality) with public education, teacher pay, early childhood, and any amendments dealing with support for public safety, law enforcement, and support for pay and equity of pay. She stated she is unaware of what the House side will do. Delegate Cordoza responded that mental health is a big issue this year and there are a lot of things going through with that. In terms of budget, he has a few amendments for Hampton and Fort Monroe that are not very big. He does not see them as points of contention and does not expect to see major changes to the budget.

Councilman Gray shared that he represents local government on the State Workforce Board and Hampton on the Regional Workforce Council. Through his work with the Access and Equity Committee on the Workforce Board, they along with other committees were tasked by the government to make recommendations on how to improve workforce development in the Commonwealth. There are still a lot of apprenticeships in the Workforce Innovation and Opportunity Act funding coming in for the region to train workers, but the process is not always efficient. One of the recommendations from their committee is to streamline the process by creating a Department of Workforce Development. Councilman Gray stated that he believes the Governor will bring that forward but is unsure if it will be in the form of a budget amendment or something else, however, it would need to be approved by the General Assembly. The recommendation is supported by our local Workforce Council and the potential for a Department of Workforce Development would allow for more accountability and efficiency in the process of developing policies and programs that will improve workforce development throughout the Commonwealth. He asked that Senator Locke and Delegate Cordoza consider supporting that change to help improve the workforce system and allow for assisting disadvantaged families and to direct the available training to reach those that need it the most. Lack of communication concerning people's needs and what is available sometimes prevents that from happening. The committee sees a lot of opportunities to improve the

system with this change.

Senator Locke shared that a presentation was made by the secretary at the Senate Finance retreat in November about the major realignment of workforce development entities under a new entity. She heard more yesterday at the Higher Education Committee meeting she attended. The only concern addressed had to do with one of the education pieces, particularly K-12 money that comes from the lottery. Shifting Workforce Development from one entity to another would require shifting lottery funds and since lottery funds cannot be used in certain places, moving Workforce Development under a particular entity would require that to be addressed.

Councilman Gray shared that the way the system is now set up, there are multiple departments involved including the Virginia Department of Aging and Rehabilitative Services, the Virginia Employment Commission (VEC), the Department of Labor, and the Department of Education. They found, for example, during the pandemic, providing updated training, and training new employees and career switchers, the VEC was focused on getting benefits out which had its own set of problems.

Senator Locke stated that there are good pieces in terms of moving things so there are not as many scattered pieces and it will go through the General Assembly in terms of consolidation.

Councilman Hobbs stated that he was fortunate to get into an apprenticeship and went through the General Motors program. He shared that, working in the automotive industry, he has employees in his shop that are making six figures a year working no more than 36-45 hours a week, but is unable to get individuals interested in workforce training programs.

Ms. Bunting offered comments both as the City Manager and as a regional representative selected to chair the Regional City Manager's group. Mayor Tuck has been in a very strong leadership position with the region, the Planning District Commission, TPO (Transportation Planning Organization), and HRTAC (Hampton Roads Transportation Accountability Commission), so we sit on the legislative committee for the region. She reiterated as Mr. Reed stated earlier, and was mentioned by both Senator Locke and Delegate Cordoza, mental health and public safety are concerns shared by all localities regardless of size and type. The Mayors, City Managers, Chairs of the Counties, and County Administrators have focused over the last year on what can be done regarding gun violence and homicides. There were several positions taken in terms of asking for support, with the biggest one relating to mental health. There is a common theme of unresolved trauma among people who are engaged in these acts. They have also discussed things that were not touched on in today's package because they came after our package was

developed. One of those is trying to prevent some of the violence by focusing on conflict resolution skills in the schools. A lot of the homicides are shootings resulting from two people who know each other pretty well and get along well most of the time, but in an argument, pull a gun. It is important to learn how to diffuse conflict and not immediately react with anger, or by pulling a gun. One of the positions of the region is to see if there is a way to incorporate conflict resolution into the public education curriculum. Since Senator Locke mentioned looking at the standards of learning and what we expect schools to do, we are sensitive to the fact that we ask schools to do a lot, but think the school environment and community will be healthier if we can make sure the Health and P.E. (Physical Education) curriculums focus on conflict resolution along with the traditional things required.

Ms. Bunting mentioned that the General Assembly and the VRS (Virginia Retirement System) board have, in the past, made the allowance for teachers to retire and return to teach part-time, and in some cases full-time, without having to sacrifice their VRS pay. She suggested using a similar model for police officers. Every agency has vacancies and while localities are doing their part to raise rates of pay, fewer people are entering the profession. Many would be willing to return to work part-time but are concerned about losing their VRS and LEOs (Law Enforcement Officers) benefits.

ADJOURNMENT

At 1 p.m., Mayor Tuck thanked everyone for attending, and expressed the City's support of their efforts in the General Assembly, and adjourned the meeting.