

City of Hampton, Virginia



Legislative Agenda 2018

HAMPTON CITY COUNCIL

Donnie R. Tuck, Mayor
 Linda Curtis, Vice Mayor
 Jimmy Gray
 W. H. "Billy" Hobbs, Jr.
 Will J. Moffett
 Teresa L. V. Schmidt
 Chris Osby Snead

City Manager – Mary B. Bunting
 City Attorney – Vanessa T. Valdejuli

HAMPTON STATE LEGISLATIVE DELEGATION

<p align="center">T. Montgomery "Monty" Mason 1st Senate District P.O. Box 232 Williamsburg, VA 23187 757.229.9310 District01@senate.virginia.gov Session: 804.698.7501 Pocahontas Building Room No: E515</p>	<p align="center">Gordon Helsel 91st House District 2A Victoria Boulevard Poquoson, VA 23662 757.969.9036 DelGHelsel@house.virginia.gov Session: 804.698.1091 Pocahontas Building Room No: E214</p>
<p align="center">Mamie E. Locke, Ph.D 2nd Senate District P.O. Box 9048 Hampton, VA 23670 757.825.5880 district02@senate.virginia.gov Session: 804.698.7502 Pocahontas Building Room No: E510</p>	<p align="center">Jeion Antonia Ward 92nd House District 2017 Cunningham Drive, Suite 209 Hampton, VA 23666 757.827.5921 DelJWard@house.virginia.gov Session: 804.698.1092 Pocahontas Building Room No: E316</p>
<p align="center">Thomas K. Norment, Jr. 3rd Senate District P.O. Box 6205 Williamsburg, VA 23188 757.259.7810 district03@senate.virginia.gov Session: 804.698.7503 Pocahontas Building Room No: E603</p>	<p align="center">Marcia S. "Cia" Price 95th House District P.O. Box 196 Newport News, Virginia 23607 757.266.5935 DelMPrice@house.virginia.gov Session: 804.698.1095 Pocahontas Building Room No: E317</p>

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- Provide \$6.5 Million in Funding to Redevelop 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
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- Clarify Language Regarding the Display, Parking, Selling, Advertising Sale of Certain Used Motor Vehicles to Limit Per Property
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- Support Hampton-Newport News Community Services Board's Legislative Requests

LEGISLATIVE REQUESTS

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

Justification:

Hampton's Downtown Master Plan is designed to create waterfront connections between the core downtown and the waterfront. Through improved street networks, additional green space, new housing and commercial space, the plan reinforces both the historic and new urban lifestyle characteristics that define a fun and vibrant downtown experience.

As a crown in the Downtown Master Plan, the City of Hampton and its partners envision establishing a multidisciplinary education, scientific research, training, and education center with ancillary economic development that all revolve around Hampton's seafood heritage and working downtown waterfront.

The City of Hampton has been the host to the Virginia Tech Seafood Agricultural Research and Extension Center on the downtown, King Street waterfront since 1975. With a thriving seafood heritage and a working downtown waterfront, Hampton, Virginia is home to some of the oldest seafood distributors in the United States, including: Sam Rust seafood founded in 1938, Graham and Rollins Seafood founded in 1942, and L.D. Amory & Co., Inc. founded in 1917. A cluster-focused business attraction model of national and regional significance that would ultimately link Hampton's working waterfront with national, state, regional and local partners including Virginia Tech, Hampton University, the Virginia Institute of Marine Science, the Virginia Marine Resources Commission, Hampton Roads tourism, Hampton City Schools, the Virginia Air and Space Center, and the Hampton History Museum, among others, would inject a much-needed vibrancy and purpose into the Downtown Hampton experience.

For the project to be successful, the City of Hampton in conjunction with Virginia Tech are seeking to redevelop the existing site to secure the existing Virginia Tech Seafood Agricultural Research and Extension Center in a resilient building and provide a pedestrian and visitor-friendly waterfront destination. 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 with the \$6.5 million project. The total cost of the project could be lowered by the City of Hampton and Virginia Tech through in-kind contributions, private partnerships, and capital fundraising. Both the City of Hampton and Virginia Tech are fully committed to this urgent project, but we need critical state funding to make it a reality.

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

Justification:

The Hampton Police Division Gang Unit has identified roughly 500 gang members active in the City. The Gang Unit is dealing with approximately 8-10 active gangs. The activity that these gangs are involved in is becoming more violent in nature, including shootings, assaults, robberies, etc. The gangs are also recruiting more and more juveniles because the courts tend to be more lenient on juveniles when they commit crimes. The Hampton Police Division says that 85-90% of the gang members that they deal with are juveniles and that they are in homes that are known to the police and those homes experience routine gunshot fire.

It is even more disturbing that the 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. The events also do not clearly fall into the categories of nuisance otherwise available to localities in dealing with certain properties. In some cases, bullets have entered the homes of innocent neighbors.

The legislative proposal would expand the ability of localities to abate nuisances in situations where certain properties have caused a breach of the peace on a repeated basis through the discharge of firearms. The legislation would provide discretion for a locality to hold a property owner responsible for allowing a general breach of the peace from firearm discharges.

Create a Budget Line Item to Support Military Installation Encroachment Funding

Through a combination of federal state and municipal funding, the City of Hampton has been able to successfully acquire almost 152 acres with an additional 35.8 acres under contract, 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 has been able to purchase property from willing sellers in the Langley Air Force Base (LAFB) flight approach zones, and is committed to acquiring additional parcels to prevent incompatible encroachment. 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 as set forth in the 2010 Joint Land Use Study.

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

The City of Hampton has been exploring ways to strengthen code enforcement as one tool to support healthy and attractive neighborhoods. Vehicle sales from residential property has been a source of citizen concern. Under current state law, an individual selling more than five motor vehicles in any 12-month period must be licensed by the state Motor Vehicle Dealer Board. Based upon best available information, this “Five Vehicle Limit” is interpreted as a maximum number per person/customer, rather than per parcel of property. Because multiple individuals often live in a single residence, interpreting the Five Vehicle Limit on a per person/customer basis means that five, ten, or 15+ vehicles in a 12-month period may be parked or displayed for sale on a single residential lot without requiring a motor vehicle dealer license, as long as no individual exceeds the Five Vehicle Limit.

Accordingly, we would ask the General Assembly to clarify the language of the code by amending section 46.2-1508.1 of the Code of Virginia to 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. Additionally, we would ask that the General Assembly designate any 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 and 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. With these changes the General Assembly would be able to then eliminate existing, unused language concerning local enforcement and towing of vehicles.

Authorize Magistrates to Order Testing in Cases of Exposure to Human Immunodeficiency Virus, Hepatitis B or Hepatitis C Viruses

Justification:

Under current law, when health care providers, public safety personnel, school board employees, or patients expose another to or 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 with human immunodeficiency virus, hepatitis B, or hepatitis C viruses. Such person shall also be deemed to have consented to the release of such test 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. Magistrates already issue Temporary Detention Orders and Emergency Commitment Orders, and are authorized to issue warrants for blood testing in criminal matters. This change greatly simplifies the process and eliminates inconsistent language between § 32.1-45.1(L) and §32.1-45.2 that specifically addresses public safety employees.

Support the Fort Monroe Authority's Request for Increased Funding

The City of Hampton supports the request by the Fort Monroe Authority ("FMA") for increased funding including Payment in Lieu of Taxes for the City of Hampton (the "Payment in Lieu of Taxes" or "PILOT Fee"). 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 recurring funding would allow the FMA to increase the payment to the City in lieu of taxes, due to the increased acreage.

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 and would include the increase in the PILOT fee attributable to the Army land transfer. The City supports the Fort Monroe Authority's request that the General Assembly, through the Appropriations Act, provide for additional funding for repairs as well as an allowance for the full amount of the FY 18 PILOT Fee, whether solely by appropriation, or through a combination of appropriations and other revenue sources available to the FMA.

Allow Local Government Option to Ban Plastic Bags

We request that the General Assembly grant Virginia localities a local option authority to regulate and curtail the use of plastic bags by retail businesses. This authority will provide local governments an additional tool to reduce litter and improve local water quality.

Justification:

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. Additionally, plastic bags can cause problems with city maintenance equipment including lawn mowers. The plastic bags can get stuck in the equipment causing jams, forcing the City to repair or replace this equipment. The Commonwealth of Virginia should allow local governments the ability and discretion to mitigate detrimental, toxic, and economical impacts that 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

Justification:

When this law was originally enacted in 2000, it allowed cities with more than 390,000 citizens to use supervised, trained, and qualified volunteers as property and zoning inspectors. The law was changed in 2002 to remove the number of citizens and specify the cities of Chesapeake, Richmond, and Virginia Beach to use these volunteers for such purposes. In 2005 the General Assembly amended the code to add Portsmouth, and in 2010 Newport News was added, as well. We would request that the General Assembly add Hampton to the list of authorized jurisdictions, and expand the enforcement authorities to include any local ordinance other than those ordinances which are enforced solely by city police officers. The current code limits volunteers to enforcing only codes related to external maintenance of property and zoning ordinances related to motor vehicles and trailers. 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)

Justification:

The City of Hampton requests that the General Assembly amend the statute regarding removal of trash and cutting of grass and weeds, to include overgrown shrubs and trees located on vacant developed properties.

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. This has been a problem for some Hampton neighborhoods and neighbors who are trying their utmost to present well-maintained, attractive properties. This is the third year that citizens and neighborhoods have asked City Council to please help them keep up the appearance of their neighborhoods.

Accordingly, 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. The City of Hampton's residential property tax base is still continuing to recover from the national housing crisis. However, it rose enough to boost the contribution to Hampton Public Schools by \$359,193.

For this and many other reasons, we are pleased to report that Hampton City Schools perform better than other urban school districts across all measures. Hampton schools have continued to make exciting advancements by focusing on career-based academies and becoming the first urban district in Hampton Roads to commit to providing tablet devices to all middle and high school students. Those investments are paying dividends. Hampton City Schools has been selected as the most technologically advanced school system in the nation.

The state must be a reliable funding partner in accordance with the Virginia Constitution and state statutes. The Standards of Quality should recognize the resources, including positions, required for a high-quality public education system. We oppose any changes in methodology or changes in the division of financial responsibility that would result in a shift of funding responsibility from the state to localities.

Further, we oppose policies that lower state contributions but do nothing to address the cost of meeting the requirements of the Standards of Accreditation and Standards of Learning. Any approach to improving low-performing schools must include adequate state financial support.

None of this would be possible without the excellent teachers in Hampton City Schools. We continue to support pay equity for teachers and support staff. We ask our legislative delegation to please keep teachers and support staff in mind when it comes to the difficult budgeting decisions that must be made. The City of Hampton also supports increased state funding for At-Risk Education Funding, Transformational High Schools, and the Virginia Preschool Initiative.

➤ *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.

➤ ***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 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. Hampton City Schools operate Pre-School from the following HCS sites: Andrews PreK-8, Burbank Elementary, Langley Elementary, Moton Early Childhood Center, Phenix PreK-8, and Smith Elementary. Additionally, Pre-School is offered in contracted sites that include: Aberdeen Elementary (Hampton Roads Community Action Program), Mary Peake (Downtown Hampton Child Development Center) and Langley Air Force Base (Child Development Center). 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. Yellow school buses provide transportation to and from home addresses, childcare providers, or day care centers to each pre-kindergarten location. 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. Virginia Pre-school Initiative funding and policies should be flexible enough to ensure success for early childhood education programs. 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.

Hampton Roads Transit (HRT) is the local transit provider. Hampton and other HRT participating localities provide approximately 35% of HRT funding. With costs increasing every year, there has been no expansion of services. Because it is local general fund revenues that support HRT, public transit is in competition with education, public safety, and other local critical needs --- all competing for limited local dollars. A dedicated revenue source that is independent of local general funds is necessary to not only sustain, but to also provide needed improvements to regional transit services.

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.

It is so very important that the Hampton Roads region not lose another year to lack of dedicated funding. Millennials and people moving to Virginia's Central and Southeastern urban centers fully expect and demand a robust transit system to blur the distinction between where one works and lives. The time is now for dedicated transit funding.

➤ 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.

In 2013, the General Assembly adopted legislation that changed the state gas tax from an excise tax to a sales tax. In addition, the law established the Hampton Roads Transportation Fund and imposed a series of taxes to capitalize the fund. This included a 2.1% sales tax imposed on the price charged by a distributor for fuels sold to a retail dealer. This is the same tax imposed in Northern Virginia for regional transit projects.

In switching to a sales tax based on motor fuel prices and the number of gallons sold, the General Assembly set a floor price by which the state tax on motor fuels are calculated as follows: “In no case shall the average wholesale price computed for purposes of this section be less than the statewide average wholesale price of a gallon of unleaded regular gasoline on February 20, 2013.” On that date the price for a gallon of unleaded regular gasoline was \$3.17 and \$3.36 for a gallon of diesel, setting the effective tax rates on a per gallon basis for gasoline and diesel at 16 2/10¢ and 22 2/10¢, respectively.

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.

➤ 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. The SLAF, managed by the Department of Environmental Quality, supports the efforts of local jurisdictions to reduce polluted runoff by providing funding for matching grants. It also provides an effective path forward to improve water quality by maintaining a strong partnership between the Commonwealth and local governments. The SLAF prioritizes cost effective, low- impact practices and projects which are structured, when possible, to attract additional private investments. Continued investment in the SLAF will greatly assist localities in reducing pollution going into our streams and waterways.

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. Coliseum Lake functions as a stormwater treatment facility for a 362-acre watershed that is largely commercial property. The modifications increase its efficiency by converting a portion of the lake from open water to wetlands, slowing the movement of stormwater, stopping bank erosion, and reducing backflow during weather events that create unusually high tides.

2014: Hampton was awarded \$216,231 for the retrofit of the Paul Burbank Elementary School Stormwater Management Facilities. The retrofit consists of the construction of stormwater infrastructure including a series of inlets and pipes as well as the construction of one wet pond, one wetland, and two rain gardens. These stormwater infrastructures will capture the roof drainage coming from the existing elementary school. The rain gardens will outfall into the wetland that will then discharge offsite.

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.

Innovative and necessary projects can be undertaken that have material effect on the quality of the Chesapeake Bay watershed. However, local governments need all the financial assistance possible to undertake these projects. Sufficient SLAF funding is crucial.

Expand Communications Sales and Use Tax

The City of Hampton supports amending the Communications Sales and Use Tax (CSUT) to allow taxation of streaming and post- paid calling services. The City also supports increasing the CSUT to the prevailing State tax rate of 5.3 percent. 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 stagnation may be attributed to the growing popularity of streaming services, which are not subject to the tax, and the exemption for pre- paid calling services. Eliminating these exemptions would not only increase the revenue generated by the tax but would also level the playing field for cable and cell phone service providers.

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.

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.

Recognizing that Virginia voters overwhelmingly supported this exemption when it was presented as a 2010 referendum, Hampton agrees that it is absolutely commendable to honor our veterans. However, Hampton is absorbing an unsustainable and significant revenue loss. In FY12 when the program began in Hampton, there were 402 applications with the City exempting \$770,892 in property taxes. In FY18 the amount of applications has more than doubled to 814 with the City granting exemptions for \$1,659,931 in property taxes. Unfortunately, this state mandated program, that has no means testing and no revenue replacement, is crushing Hampton's local option Elderly and Disabled Real Estate Tax Relief program. With no income guidelines, there is more than anecdotal evidence that tax relief is not always necessary.

The burden of taxation, as well as the benefits of services, should be shared and enjoyed by all. To the extent that the Commonwealth mandates relief for certain groups, the General Assembly should simultaneously enact measures that equalize the impact among jurisdictions, and should refrain from enacting policies and Constitutional amendments without adequately explaining the effects of such tax relief on all citizens or the cost of the tax relief. Additionally, handing down mandates on local government with little or no flexibility or tools available to local government to pay for these mandates is not tenable in the long term.

Expand Funding for Constitutional Officers' Salaries and Career Development

Often Constitutional officers are inadvertently excluded when salary adjustments are granted. We understand that this oversight is unintentional and merely a reflection of the two distinct employee classifications (State and Constitutional Officer) which currently exist for budget

purposes. Therefore, 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 and is in the best position to attract first-in, last-out services that require the deepest channels. In August, the biggest ship to ever call on the East Coast, the CMA CGM Theodore Roosevelt, which can carry the equivalent of 14,400 twenty-foot containers, docked in Virginia. 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

STEP- VA: System Transformation, Excellence and Performance in Virginia: STEP – VA was developed to address: Accountability, Access, Quality, and Consistency across all CSBs to work toward excellence in behavioral healthcare and ultimately a healthy Virginia. STEP-VA services are intended to foster wellness among individuals and prevent crises before they arise.

The General Assembly has mandated that all of STEP-VA be provided in every Community Services Board (CSB) in Virginia, but STEP-VA has not been fully funded. In order to meet the code mandated timeline for implementation of all the services and supports, the General Assembly needs to provide full funding in the 2018 – 2020 biennial budget.

STEP-VA Services:

- Same Day Access (SDA) to Assessments
- Person-Centered Treatment Planning
- Outpatient Behavioral Health Services
- Care Coordination
- Outpatient Primary Care Screening and Monitoring
- Behavioral Health Crisis
- Mental Health Care for Members of the Armed Services & Veterans
- Targeted Case Management
- Psychiatric Rehabilitation
- Peer Supports

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.

Increase the reimbursement rate for Medicaid Early Intervention Case Management: Early Intervention: Services result in special education cost savings and provide an increased quality of life for the child and his/her family.

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.

Reduce the DD Waiver Waiting List: Currently, over 11,000 people with developmental disabilities are on a waiting list for community-based services. Virginia’s DD Waivers have been redesigned to provide increased access to community supports. Using the Family and Individual Supports Waiver, Virginia can serve 50% of the individuals on the DD Waiver waiting list for a quarter of the cost of existing DD waiver programs. Receiving a Waiver slot will enable an individual who needs developmental services and supports to live a life that is fully integrated in the community. The Hampton- Newport News Community Services Board (H-NNCSB) serves over 900 adults and children who have intellectual disabilities in case management, residential homes, mobile crisis, and day support services. Currently H-NNCSB has 82 individuals on the priority one waiting list, 239 on the priority 2 waiting list, and 144 on the priority 3 waiting list.

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.