

***City of Portsmouth, Virginia***

2023 Virginia General Assembly

Legislative Package



Adopted

November 22, 2022

*\*Amended  
December 13, 2022*



**Portsmouth City Council**

*The Honorable Shannon E. Glover, Mayor*  
*The Honorable DeAndre A. Barnes, Vice Mayor*  
*The Honorable William E. Moody, Jr.*  
*The Honorable Lisa L. Lucas-Burke*  
*The Honorable Paul J. Battle*  
*The Honorable Dr. Mark M. Whittaker*  
*The Honorable Christopher Woodard Jr.*

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*Ms. Lavonda Graham-Williams, City Attorney*

**City Clerk**

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# Portsmouth City Council 2023 State Legislative Package

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## Preface

The City Council of Portsmouth offers our 2023 State Legislative Initiatives Package to our honorable Virginia General Assembly Delegation members for your review, consideration, and support of the items contained within. These initiatives were vetted and adopted by this City Council via unanimous consent on November 22, 2022. Following a public hearing on December 13, 2022, this Legislative Package was amended by a majority vote of City Council members, adding to it the Charter Amendment regarding the City's recall process. The issues addressed within reflect City Council's 2017 Vision Principles:

- **Prosperous Port**
- **Lifelong Learning**
- **Safe and Friendly Communities**

As we continue to move forward from the COVID-19 pandemic, we are fortunate that our state's General Fund is in a strong position, which includes \$4.2 billion in reserves. Secretary of Finance, Mr. Cummings, presented to the legislative money committees on December 15, 2022, stating that "Year-to-date FY 2023 trends continue to show year-over-year growth in withholding, sales, and nonwithholding taxes. Given the stronger first half versus the Chapter 2 forecast, the result is a December forecast for the biennium that is \$2.2 billion higher than the forecast assumed in the current budget (before policy adjustments).<sup>1</sup>" Although our General Fund revenues are projected to decline from \$28.9 billion in FY 2022 to \$26.4 billion in FY 2023, we are well positioned to weather this slight downturn in our economy. "Prior to enactment of the Governor's proposed amendments, the forecast projects excess resources of \$3.6 billion for FY 2023 reflecting:

- Higher projected FY 2023 revenues of \$1.7 billion,
- Prior reserves released on the balance sheet (super deposit and taxpayer reserve totaling \$849 million),
- Expired appropriations the Governor is reverting to the General Fund (\$233 million),
- Increased federal resources for Medicaid from the continuation of the public health emergency (\$354 million), and
- The planned \$509 million rollover of surplus into FY 2024 included in Chapter 2.

Of the \$3.6 billion in excess resources, the Governor's amendments provide \$1 billion in tax relief for individuals, both large and small businesses, and \$2.6 billion in targeted spending, largely one-time in nature, including capital spending of \$505 million<sup>2</sup>"

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<sup>1</sup>GOVERNOR YOUNGKIN'S PROPOSED AMENDMENTS - 2022-2024 BUDGET Economic Outlook and Revenue Forecast A BRIEFING FOR THE SENATE FINANCE & APPROPRIATIONS, HOUSE APPROPRIATIONS, AND HOUSE FINANCE COMMITTEES

Stephen E. Cummings - Secretary of Finance- Commonwealth of Virginia - [www.finance.virginia.gov](http://www.finance.virginia.gov) -December 15, 2022

<sup>2</sup> GOVERNOR YOUNGKIN'S PROPOSED AMENDMENTS - 2022-2024 BUDGET Economic Outlook and Revenue Forecast A BRIEFING FOR THE SENATE FINANCE & APPROPRIATIONS, HOUSE APPROPRIATIONS, AND HOUSE FINANCE COMMITTEES

Stephen E. Cummings - Secretary of Finance- Commonwealth of Virginia - [www.finance.virginia.gov](http://www.finance.virginia.gov) -December 15, 2022



The Governor's budget amendments phase in tax rate cuts to individuals and businesses over the next two fiscal years. They focus on increasing the attractiveness of Virginia by making it the best place to live, work, and play. Initiatives are included to help attract and retain businesses and citizens through lower tax rates, improvements to the workforce development program (insuring a readily available, trained, and viable workforce), and providing adequate amounts of affordable workforce housing. Other proposed amendments address the needs for additional spending for economic development, education, public safety, behavioral health and the environment. Also included are increased funding for our law enforcement officers, funding to address mental health systems (to include the Temporary Detention Orders), increasing funding for our local police (599 Fund), and providing funding for the K-12 Education Non-Standards of Learning (SOL) positions.

Although overall we can see the merit in and can support many of these initiatives, we encourage the General Assembly to look at these and all budget initiatives through a diversity, equity and inclusivity lens. Furthermore, we request that:

- No further cuts are made to the grocery tax, leaving the 1% local tax in place
- Not centralizing collection of the Transit Occupancy Tax (TOT)
- Replacing transportation funds lost from the elimination of the grocery tax, and increasing funding for transit
- Support allowing an optional 1% local government school construction/modernization tax
  - Ease the restrictions on the competitive school construction/modernization grant and allow use of the funds for current projects as well as new ones.
  - Calculate the fiscal stress score as an average over a multi-year period, and
  - Allow the grant to be used toward servicing of debt on prior projects
- Use \$270M approximately of the surplus to totally remove 2008 cap placed on the Non-Standards of Learning positions

In submitting our 2023 Legislative Initiatives Package to you, we are seeking your support for these matters, as well as for all other legislative, budgetary, and public policy positions that may arise during the upcoming General Assembly Session of concern to this city. The Portsmouth City Council remains grateful for all your hard work and support of our past requests and concerns. We have always enjoyed a wonderful working relationship with our General Assembly Delegation and hope to continue our fruitful collaboration regarding all matters of importance to our city.



R-22-27

A RESOLUTION ENDORSING THE CITY'S 2023 GENERAL ASSEMBLY  
LEGISLATIVE PACKAGE.

WHEREAS, the Virginia General Assembly deals with a broad range of issues that affect local government both directly and indirectly; and

WHEREAS, the City of Portsmouth has certain concerns that deal with both Portsmouth specifically and local governments in general; and

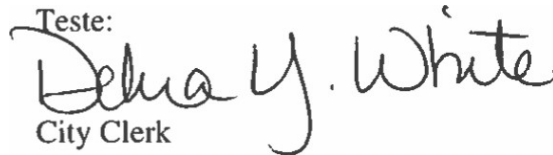
WHEREAS, these concerns need to be made known to Portsmouth's General Assembly delegation so that they may be transmitted for consideration by the Legislature.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Portsmouth, Virginia, that it hereby endorses the positions listed on Exhibit A hereto for inclusion in the Legislative Package for the 2023 General Assembly session.

BE IT FURTHER RESOLVED that the City Manager is directed to provide a copy of this Resolution and the 2023 Legislative Package to each member of the City's General Assembly delegation.

BE IT FURTHER RESOLVED that the City Manager and/or her designee(s) are hereby authorized and directed to provide necessary input and clarification during the 2023 Virginia General Assembly session and to carry out other activities as needed to assist in attaining the goals and objectives contained in the City's 2023 Legislative Package.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on November 22, 2022.

Teste:  
  
City Clerk



# 2023 Legislative/Budget Amendment Requests





# 1. Charter Amendment

## Legislative Request:

The Portsmouth City Council requests that the Virginia General Assembly revise our City Charter to modify our current recall provisions (Section 12.-09) as set out below:

### **Modification of the current recall provision (Section 12.09 of the Portsmouth City Charter)**

#### **Sec. 12.09. Recall of elective officers.**

(a) Any elective officer, or officer who has been appointed to fill an elective office, of the city may be removed from office at any time ~~after one year from the beginning of the term of office~~ by the electors qualified to vote for a successor for such incumbent. Such officers can only be removed under this section for (1) neglect of duty, misuse of office, or incompetence in the performance of duties when that neglect of duty, misuse of office, or incompetence in the performance of duties has a material adverse effect upon the conduct of the office; or (2) conviction of a misdemeanor after all rights of appeal have been terminated that would have a material adverse effect upon the conduct of such office. The procedure to affect such removal shall be as hereinafter set forth.

(b) A petition signed by electors equal in number to at least thirty (30) percent of the electors of the city voting for governor in the last preceding gubernatorial *election*, and demanding the election of a successor of the officer sought to be removed, shall be filed with the clerk of the circuit court. The petition shall contain a ~~general~~ *specific* statement of the grounds, as described above, upon which the election of a successor is sought. ~~Such petition may be filed at any time after one year has elapsed since the beginning of the term of the official sought to be removed.~~ Each signer shall include the number and street of his or her residence in the city, and the date he or she signed the petition. Such petition may be in the form of separate papers, but each separate paper to which signatures are appended shall contain at the top thereof the original petition or a duplicate statement thereof, and when bound together and offered for filing, such separate papers shall be deemed to constitute one petition with respect to the election of the successor of the officer or officers named therein. One (1) of the signers of such petition shall make oath before a proper official that the statements made therein are true, as he or she believes, and upon such separate paper, the circulator of the petition to which signatures are appended shall make oath that each signature to such paper is the genuine signature of the person whose name it purports to be, and that it was signed in his or her presence.

(c) If it appears that the statement of grounds is adequate, and that the petition is signed by the requisite percentage of electors, the same shall be accepted as prima facie regular and sufficient, but it shall be subject to summary review in the same manner as provided in section 12.08 of this chapter. In addition, a judge of the Circuit Court may hold a hearing and take evidence to determine the sufficiency of the petition.

*{Subsections (d)-(g) of Section 12.09 are to remain in effect without amendment}*



## 1. Increase the Road Impact Fee Funding for the Host Cities of the Virginia Port Authority

Around the year 2006, former Delegate Joannou was instrumental in having an annual \$1M placed in the budget for Portsmouth, Norfolk, Newport News and Front Royal, the Host Cities of the Virginia Port Authority (VPA), for road maintenance due to the impact of the trucks on our roads.

Virginia State Budget Item #451 Subsection F states:

*“Of the amounts in this item, \$1,000,000 the first year and \$1,000,000 the second year from the Commonwealth Transportation Fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities. These payments shall be treated the same as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities, nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.”*

Since this time, over the past sixteen (16) years:

- The construction of the MLK connector between I-264 and SR-164 (Western Freeway) roadways have directly and significantly expanded the impact in Portsmouth of VPA truck traffic.
- VPA has doubled the size of the Virginia International Gateway port site.
- VPA expanded sites to include Richmond, VA and are potentially further expanding port sites such as the proposed Port 460 project in Suffolk.
- The Virginia General Assembly has passed several bills into law allowing for increased truck weights.

As of October 2022, the purchasing power of \$1M in 2006 is equivalent to \$1,472,261.90 in purchasing power today. The dollar had an average inflation rate of 2.45% per year between 2006 and today, producing a cumulative price increase of 47.23%. The \$1M VPA budget line item in today's market value adjusted for inflation is worth \$527,738.10

**Budget Request:** The Portsmouth City Council requests that the 2023 Virginia General Assembly address this disparity with an increase of at least \$1M at a minimum.



## 2. Complete High Street Innovation Corridor - \$4.8M Funding Request

The City of Portsmouth recently successfully competed for and received one of the six Virginia- statewide federal RAISE grants for the Complete High Street Innovation Corridor Project – a \$24,100,000 project.

This project will provide a multi-modal, complete streets roadway improvement project along High Street between Martin Luther King Expressway to Chestnut Street. The Complete High Street Innovation Corridor project bolsters mobility and community connectivity in an area defined as an area of persistent poverty

As part of the newly adopted Innovation Overlay District, The Complete High Street Innovation Corridor project allows the corridor to connect to the City's future fiber optic ring providing opportunities to deploy Smart City concepts and Linkage to future wind energy investment projects related to the Port of Virginia

The City was awarded a \$19.3M federal grant leaving a delta of \$4.8M to completely fund this initiative.

### ***Budget Request:***

In order to bring this project forward and close this funding gap, the Portsmouth City Council is requesting favorable consideration from the 2023 Virginia General Assembly for a \$4.8 million one-time allocation from the state.

Once this project is completed, it will not only greatly aid in improving public safety in this corridor of the city but also, by revitalizing this area, attract new business and consumer investment in the city, providing increased taxable revenue streams for Portsmouth and the Commonwealth of Virginia. Supporting this funding request is a smart investment and a great business move and will provide multiple benefits to the Commonwealth of Virginia.



**LOCAL / REGIONAL / STATEWIDE  
PUBLIC POLICY  
STATEMENTS**



## 1. Permanent Elimination/Significant Permanent Reduction of the Midtown/Downtown Tunnels Tolls

The tolling debacle for the Downtown and Midtown Tunnels between Portsmouth and Norfolk has been problematic and burdensome on many of the public, military and business commuters using these crossings. Since the inception of this public-private partnership nearly 10-years ago (2012), there has been a huge outcry from the citizens of Portsmouth and our neighbors to reduce and or eliminate the onerous tolling agreement the Virginia Department of Transportation (VDOT) entered with the original developers and owners, Elizabeth River Crossings, LLC (ERC).

Since that time, numerous efforts were undertaken to rectify the matter. With the early assistance of Senator L. Louise Lucas, our General Assembly Delegation and former Governor McAuliffe, a deal was negotiated with ERC resulting in lowering the fees during the completion of the project. ERC further agreed to allocating \$500,000 annually for 10 years toward a Toll Relief Program (TRP) for eligible residents of Norfolk and Portsmouth annually earning \$30,000 or less. Under Governor Northam in 2019, VDOT was instructed to undertake a study evaluating opportunities to mitigate the financial burden on commuters using these facilities. That study began in May of 2019 and was concluded in June of 2020, when negotiations to buy the ERC contract began. On Monday, November 9, 2020, the contract to own and manage the Midtown and Downtown Tunnels was sold by ERC to a Spanish toll road operator and John Hancock Life Insurance Company for more than \$2 billion. These new concessionaires increased their contribution to the program to \$1M annually and extended the length of their agreement for contributions to the TRP.

During the 2022 Virginia General Assembly Session, Senator Lucas and Delegate Scott introduced legislation increasing the income eligibility to \$45,000 annually for participation in the Program. Although their bills did not pass through the legislative process, a promise of letters from the Committee Chairs to VDOT requesting consideration for toll reduction was acted upon by Senator Janet Howell, Chairwoman of Senate Finance and Appropriations Committee. This letter, along with the advocacy of several stakeholders, to include Mr. Robert Crum, CEO of the Hampton Roads Planning District Commission and the Hampton Roads Transportation Planning Committee, and the Elizabeth Rivers Crossings. LLC, led to an agreement to revise the TRP. The revised TRP was rolled out on November 1, 2022. Below is some of the information on the new TRP. To qualify participants must:

- Reside in Hampton Roads\*
- Earn \$50,000 or less (individual income) per year
- Have or open a Virginia E-ZPass account
- Must drive a passenger vehicle (Vehicles over 2-axles are not eligible)

*\*Includes Chesapeake, Gloucester County, Hampton, Isle of Wight County, James City County, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, Williamsburg, York County, Franklin, Surry County and Southampton.*

Proof of income and residency must be presented *in person* at the time of enrollment.



## **Proof of residency:**

*One of the following is required for proof of residency:*

- Driver's license
- Utility / telephone / cable bill
- Checking / savings account statement
- Property tax bill
- Mortgage – proof of ownership
- Rental contract
- Military documentation confirming city of residence

*One of the following is required for proof of income:*

- W-2
- 1099-Misc
- One month of pay stubs
- IRS 1040
- Employer's statement
- Self-declaration of no income

While this is a marked improvement providing relief to many more persons, some concerns remain regarding access. With the TRP now available to anyone living in the region, there remain only two outlets to sign-up to participate (Norfolk and Portsmouth) with the requirement that one must apply in person. Many persons fitting the income levels work hourly-wage jobs, and taking time off to travel to these locations to register could prove problematic thereby reducing the number of participants.



Enrollment and program opened November 1, 2022

Hours: Monday – Friday: 9 a.m. – 7 p.m.

Saturday: 8 a.m.– 1 p.m.

Although we are very happy to see the changes made to the TRP, we recommend that all stakeholders continue to monitor and revise it as needed so that that the implementation of the TRP fully meets its initial intent.

## 2. § 62.1-132.3:2. Host Cities of the Port of Virginia Economic and Infrastructure Development Grant Fund and Program

This Fund was created through an initiative advanced and advocated by the City of Portsmouth, a significant legislative achievement in the city's 2019 State Legislative Initiatives Package. The attainment of this accomplishment occurred several years after developing the concept and reaching agreement and collaboration with all the key stakeholders. It has been created as a sub-fund of the Derelict Structures and Industrial Rehabilitation Fund (IRF) which is implemented by the Virginia Department of Housing and Community Development. Creation of the Host Port Cities Revitalization Fund (HPCRF) was needed because the criteria for other economic development grants require larger tracts of land to qualify. Large tracts of available developable land are not applicable to the older, built-out host cities of the VPA (Portsmouth, Norfolk, Newport News and Richmond). The HPCR Fund was tailored to specifically meet the needs of these host cities. Initially, the Fund was capitalized at \$1M annually. The first round of grants was allocated in 2020:

- Portsmouth received \$500,000 for Project Power:
  - These funds were used for demolition, site clearance and preparation of a vacant and blighted industrial site for redevelopment for industrial manufacturing/ warehousing/distribution uses at 1 Wild Duck Lane: and
  - For a demolition, site clearance and preparation of a vacant and blighted industrial site for redevelopment for industrial manufacturing/ warehousing/distribution uses at 3599 Progress Avenue
- Newport News received \$250,000 for Phase 1 upgrades to the Menchville Marina aiding Virginia's oyster industry: and
- Norfolk received \$250,000 for a redevelopment project at the Norfolk Railyard at Lambert's Point

The City of Portsmouth, supported by the other host cities of the VPA, requested the 2020 Session of the General Assembly to increase this Fund by \$1M. The Virginia General Assembly approved an increase of \$500,000 for 2021:

- Portsmouth received \$500,000 to redevelop the 51-acre Lovett Point site, which includes the decommissioned BASF Chemical plant, for port-related industrial uses:
  - The site is owned by Thomas Industrial LLC (TI), in partnership with its parent company, Marathon Development Group (MDG). These two entities will work to restore the site, which will include asbestos abatement, demolition and removal of all existing buildings and foundations, and site preparation to allow for marketing and the redevelopment of the property
  - MDG and TI will market the property for industrial development to include uses such as warehouse, distribution and logistics, cold storage, and manufacturing





- The removal of the derelict and abandoned plant buildings from the property will make valuable industrial real estate available for development
- The project is estimated to provide between 50 and 100 permanent new full-time jobs
- Newport News received \$251,000 for Phase 2 of improvements at the Menchville Marina; and
- Norfolk received \$250,000 to redevelop the vacant Willis Building, a 32-year-old, 57,792-square-foot building on Church Street purchased by the Norfolk Economic Development Authority (EDA) in 2019.
  - The EDA is currently reviewing development proposals, which include the renovation of the building for retail and office space, potentially for the City of Norfolk's Department of Human Services, as well as for affordable housing
  - Although the project is still in the planning stages, the city anticipates that either proposal will generate at least 20 new jobs

During the 2021 Special Session II of the Virginia General Assembly, the legislators and the Governor increased the IRF with the federal government's American Rescue Plan Act of 2021 (ARPA) funds by \$22.5M, with another \$22M of state General Funds slated in the Governor's FY2022-24 biennium budget

- **No ARPA funding was provided to increase the PHCRF**
- Both the IRF and the PHCRF are essential to providing the necessary support to finance the acquisition, removal, rehabilitation, repair, or demolition of derelict structures critical to the host cities of the VPA's ability to compete for economic development projects
- But due to the traditionally insufficient funding of the IRF by the Virginia General Assembly, competition for these grants was always very great, and Portsmouth never received an IRF grant.
- However, the increased funding into the IRF may enable the city to successfully compete for a portion of these funds as well. The city has identified several key buildings and sites that can be assisted through these programs and can further Portsmouth's development efforts.
- These sites include mixed-use, commercial, and industrial development opportunities. Preliminary assessments have identified a need for \$8 million in funding to ready sites for immediate revitalization or redevelopment.

An increase in this budget line was sought by the Host Cities of the VPA during the 2022 General Assembly Session but was not awarded. The rationale for not increasing this Fund was that given the large allocation made to the IRF, it would be





easier for the Host Cities of the Port Authority to compete for some of these dollars, as well as the dollars in the HPCR Fund.

The City of Portsmouth recently submitted for the current FY23 round at the end of September (the round was extended from July 31). We requested \$415,657 in funding on behalf of Crofton Construction Services for waterfront bulkhead replacement at 16 Harper Ave. We expect to hear back by the 1<sup>st</sup> quarter of 2023

Although the legislators did not to increase the HPCR Fund in 2022, the Portsmouth City Council would like to see the Virginia General Assembly increase the available funding for this program. As shown in the examples of projects that have received funding, this has proven to be a useful tool, successfully utilized by the Host Cities of the Virginia Port Authority.

- 3. Provide additional funding for Community Services Boards (CSBs)** – Prior to the COVID-19 pandemic, Portsmouth DBHS was already stressed due to the additional obligations assigned to it from the Hampton Roads Regional Jail, with no additional funding provided. The recent COVID-19 pandemic has further stressed mental health services, not only ours, but the statewide mental health services system. For various reasons, for many of our citizens, the pandemic has had a negative impact resulting in mental health issues, and has increased the caseloads of all our CSBs.

To adequately provide services to all those in need, sufficient and sustained funding and technical assistance is needed. Compounding these needs, our CSBs also need the resources and support to continue the implementation of the STEP-VA requirements and the further implementation of the MARCUS Alert system. Our scarce mental health workers must now not only address the needs of those in the community that seek their services, but also under these programs, are required to respond to and participate with the police on crisis services responses.

- 4. School Facility Modernization** – The severe need to upgrade public schools in many regions around the commonwealth, including Portsmouth still exists. With each passing year, our schools continue to age-out with many of them already surpassing their useful age of 50years. Local governments continue to do our best to maintain them by repairing old and outdated buildings and their infrastructures. However, in many cases, these actions are no longer financially feasible. Old HVAC systems, leaking roofs, mold, dimly lit classrooms, small hallways, lack of auditoriums and lunchroom spaces, outdated technology, etc., substantiate why these buildings should be demolished and rebuilt. The City of Portsmouth and the Portsmouth School Board request that our state legislators fund the school construction grant program and seek to identify other means to assist funding of public-school construction and renovation costs adequately and consistently.
- 5. Transit/Transportation Funding** - The City of Portsmouth continues in its support for the implementation of the 3<sup>rd</sup> Amtrak passenger service to Norfolk, and the funding for the Environmental Impact Statement (EIS) between Hampton Roads and Richmond to enhance rail service and improve speed and reliability. We furthermore support:
  - Funding the \$750M gap for the I-64 widening project



- Making transportation funding whole with a consistent, reliable, and sustainable source of funding for transportation to replace the dedicated funding stream lost and not replaced when the state sales tax on groceries was eliminated
- Funding to construct the Virginia Capital Trail Extension with the inclusion of the \$125M for the BoAT/Cap Trail Extension portion of the trail
- Support additional state funding for transit, including funding for state of good repair, equipment, and facilities as well as to provide for service expansion

**6. Increase Funding for Local Stormwater Assistance and Water Quality Improvement Funds** - The Portsmouth City Council urges the Virginia legislature to maintain the \$50M contribution to the Storm Water Assistance Fund (SLAF). The grants funded to local governments through the fund is extremely helpful to low-lying flood prone cities like Portsmouth to make improvements and better manage our stormwater-related problems, such as run off, erosion, and localized flooding.

We further support the Virginia General Assembly providing the mandated \$131M allocation in FY 2023 for the Water Quality Improvement Fund for wastewater infrastructure projects. It would further be advisable for our legislators to approve funding over and above this statutorily mandated amount so that more funding could be made available to meet the increasing costs of necessary capital improvements to wastewater treatment plants statewide.

**7. Increase State Assistance to Local Law Enforcement (599 Funding)** -. The Virginia General Assembly should honor its commitment to public safety by fully funding this program as stipulated in the Code of Virginia. We further request that our state legislators consider providing State assistance to incorporate resolution/mediation skills into Virginia’s K-12 curriculums. The City of Portsmouth also supports the Virginia General Assembly providing financial assistance to decrease the time demands that Temporary Detention Officer (TDO) roles place on our local police departments. Funding is also requested to provide needed mental health resources and staff to transition TDO roles away from our local police officers.

It would also be extremely helpful for the State to provide authorization allowing retired law enforcement officers to serve as School Resource Officers. Last, but not least, please review and or conduct a study as to the use of technology to address Violence and Crime. We are severely hampered from using these effective tools in combating crime by state laws

**8. Increase funding for Virginia Housing Trust Fund** – The Virginia General Assembly should appropriate funding for the Virginia Housing Trust Fund for housing programs and projects that preserve and produce affordable, workplace housing opportunities. The need for increased funding for this program is even more important due to the impact of COVID-19 and the number of people facing eviction due to not being able to pay their rent or their mortgages.

**9. Improve Access to Rental Housing** - The City of Portsmouth is an advocate for access to rental housing by former felons. The discriminatory practice of refusing access to persons, regardless of the length of time that has elapsed since the incident, only furthers



to exacerbate the number of un-housed (homeless) individuals in Virginia. The Virginia General Assembly must identify means to better align the commonwealth with current Housing and Urban Development (HUD) policy recommendations and guidelines regarding this practice.

**10. Bail Reform in Virginia** – The Portsmouth City Council continues our support for bail reform in Virginia that ensures a fair, uniform, and transparent pretrial process. As part of the move for police reform measures, the City urges our state legislators to implement the position of the Virginia Community Criminal Justice Associations on this matter, and pass legislation which will promote policies enabling all jurisdictions in the commonwealth to utilize an evidence-based approach for all bail decisions. Pretrial detention should be based solely on a defendant’s risk of failure to appear in court and risk to public safety and not on their financial resources.

**11. Communications Sales and Use Tax (CSUT)**– The City of Portsmouth continues in its advocacy and support for the return of the CSUT transfers to local governments from the state general fund. These transfers do not align with the purposes stated in the Code of Virginia for the use of this stream of revenue. This tax was initially enacted to establish a statewide tax rate and to preempt local taxes on communications sales and services.

Landlines were once the main revenue stream in this tax bucket, but are now nearly non-existent. Ergo, this revenue stream is on its demise but could be offset by raising the tax rate to the same level as the state sales tax rate. This has been advocated for by all the relevant stakeholders, but the legislature has refused to consider so doing. The state has also opposed broadening the coverage of the tax to include the new consumer mainstreams for streaming services (audio and video) and prepaid calling cards.

Without these changes being made to the CSUT, the unrecognized market changes, coupled with the state’s portion taken off the top, simply result in an increasingly reduced amount of taxes received by localities. This only serves to further hamper local government’s revenue streams and is especially impactful on fiscally stressed municipalities like Portsmouth.



# 2023 GENERAL ASSEMBLY LEGISLATIVE PACAKAGES ENDORSEMENTS



## 2023 Endorsements for Affiliate Organizations' Legislative Packages:

*The Portsmouth City Council in general and for the most part, endorses and supports many of the initiatives included in the legislative packages of several of our affiliate organizations to include, but not limited to, those listed below.*

- Hampton Roads Planning District Commission
- Hampton Roads Transportation Planning Organization
- Hampton Roads Transit
- Treasurers' Association of Virginia
- Virginia Commissioner of Revenues Association
- Virginia First Cities
- Virginia Library Association
- Virginia Municipal League
- Virginia Port Authority
- Virginia School Boards Association
- Virginia Community Criminal Justice Association

*Furthermore, we empower our City Manager and her designee/s to represent the City's interests on all matters pertaining to these and any other legislative and budgetary initiatives that impact the City of Portsmouth.*



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