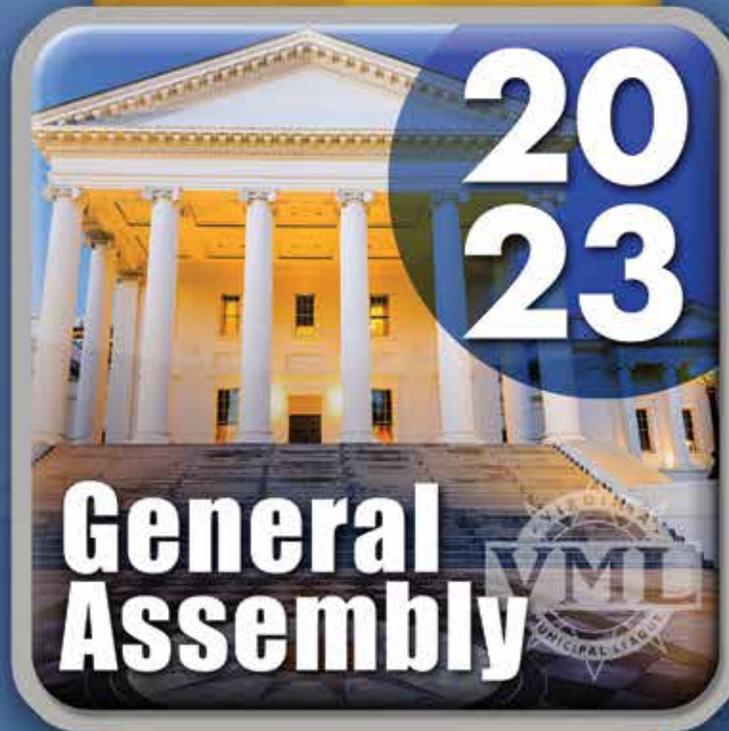


THE MAGAZINE OF THE VIRGINIA MUNICIPAL LEAGUE

# So many bills in so little time!



## Legislative Summary for localities



**Inside:**

Innovation Awards  
call for entries



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THE MAGAZINE OF THE VIRGINIA MUNICIPAL LEAGUE

VOL. 58 NO. 3 APRIL 2023

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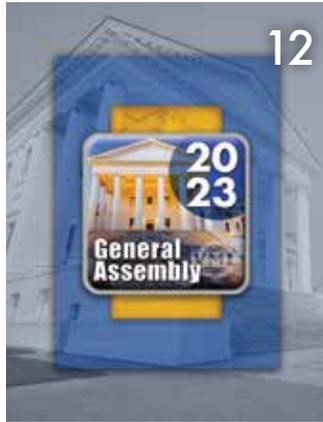
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## ABOUT THE COVER

So many bills in so little time! We take a look at the legislation that matters most for Virginia's local governments from the 2023 short session. We'd love to have included a budget analysis as well, but...there isn't a budget yet! We'll get to it in a future issue (sigh).

## DEPARTMENTS

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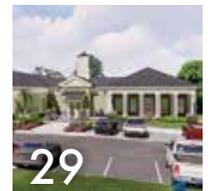
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## CALL FOR ENTRIES

See pages 24-26 for full details and enter on-line at [www.vml.org](http://www.vml.org)



# One General Assembly session ends even as the next one takes shape

**T**HIS IS THE GENERAL ASSEMBLY wrap up issue of the magazine...except there is this thing called “the budget” that is not complete! Apparently, it will be late June at the earliest before we find out if any additional changes will be made to the existing budget (passed last year) and the “skinny budget” from this year’s General Assembly session.

While we wait, we watch with fascination as all the election races heat up. With every seat in the House and Senate up for grabs – and over 550 years (!) of experience leaving the halls of the General Assembly – things are guaranteed to look very different next year!

Let us thank all the legislators that are leaving; whether we agreed with them or not, they deserve thanks for the time and effort they dedicated to serving the Commonwealth and its citizens. Please be grateful to all these public servants and appreciative of their willingness to come to Richmond and make hard decisions. I thought about listing all of them here; but it changes daily!

After the June primary and the November elections there will be precious little time to introduce ourselves to the new members of the General Assembly and familiarize them with all the things that local governments do for the citizens of Virginia. So, VML is asking for your help in this endeavor. Over the next few months, VML will roll out materials designed to help create relationships with new General Assembly members and we will ask you to help by talking with your delegation. It is imperative that local government officials are prepared to explain local issues before the 2024 session gets underway and then, after it begins, be available to support or

oppose legislation that could affect those issues.

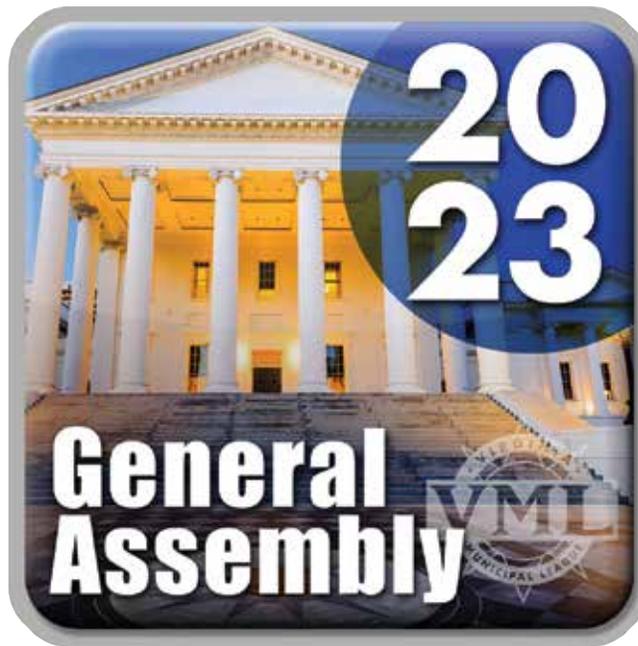
Turning back to 2023 – there are several housing commission subcommittees meeting over the summer to look at topics such as local land use regulation, short-term rentals, and affordable and workforce housing (to name just a few). Please provide input when VML asks for it on these issues – these

are extremely important meetings that will bring proposed changes to the Virginia State Code next year and local governments need to be heard!

In the legislative review section of this issue, you will find a piece on the public notice legislation which drastically cuts what must be placed in a newspaper ad. The bill is over 40 pages long and contains a lot of technical changes; VML is working on more guidance regarding these changes. Please know that this bill is still a work in progress and VML and VACo are keeping track of items that concern local governments so that we can take them back

to the working group. The Code Commission has continued the working group through this summer, so if you have any changes, please let me know.

Lastly, I want to make you aware of all the great opportunities and events on the horizon. Please join a policy committee or attend our Broadband Conference (May 17-18) or our Skills Development Conference (June 13-14)! Rob Bullington, our Director of Communications, and I traveled to Norfolk this week to meet with the city about our Annual Conference in October. They have so many great things to offer and are so excited to host the VML conference – put it on your schedule for October 8-10!



Learn more about these events and additional opportunities at [www.vml.org](http://www.vml.org)



- May 17-18**     **Broadband Together Conference** - Richmond, VA
- June 13-14**   **Skills Development Conference for Virginia Local Elected Officials** - Richmond, VA (in-person and virtually)
- Aug. 21**        **Innovation Award Entry Deadline** - [www.vml.org/innovation-awards](http://www.vml.org/innovation-awards)
- Oct. 7-10**      **VML Annual Conference** - Norfolk, VA

PEOPLE

**Dumfries selects Innis as new town manager**



- Innis -

Following a unanimous vote in early April by the Dumfries town council, **Tangelia Innis** will be leaving her role as the City of Petersburg's deputy city manager to take the town manager job in Dumfries. Of her selection, Mayor Derrick Wood observed, "Mrs. Innis stood out during the recruitment process, and we believe she brings the critical skill set needed to guide us through implementation of our strategic vision for Dumfries while creating a more transparent and accessible town administration."

Innis noted that her nearly two decades of experience in local government management "will be a perfect complement to [the town's] visionary leadership."

Innis previously served as an operations manager and purchasing agent for Petersburg before becoming its director of Public Works and Utilities and then being promoted to deputy city manager in Sept. 2021.

Innis holds a Master of Business Administration from Strayer University.

**Scottsville administrator on the move**

In May, Scottsville town administrator **Matt Lawless** concludes five years of service with the town. He is moving north to Shelburne, VT, to serve as their town manager. Shelburne is a scenic and historic town just south of Burlington on Lake Champlain.



- Lawless -

Prior to Scottsville, Lawless worked in Virginia for Boones Mill, Albemarle County, Charlottesville, and his hometown of Winchester, in a range of staff and leadership roles.

## PEOPLE

Lawless has a degree in government from the College of William & Mary and a Master's in public administration from American University in Washington, D.C. He is a credentialed manager with the International City and County Management Association and has volunteered service with state and national professional associations. He will continue ICMA membership and encourages all his Virginia colleagues to keep in touch.

### Emporia promotes Hawkins to deputy chief of police



- Hawkins -

On April 5, Emporia Police Chief Ricky Pinksaw announced the promotion of Lieutenant **Troy Hawkins** to the rank of major and that Hawkins will serve as the Emporia Police Department's deputy chief of police. Hawkins is a 20-year veteran of law enforcement having first served the City of Emporia, then Greensville, and finally Sussex County Sheriff's Office prior to returning to the City of Emporia as a patrol officer. He was promoted to the rank of sergeant in 2016 and then was assigned as the sergeant of the criminal investigations section. In 2019, Hawkins was promoted to the rank of lieutenant and had the opportunity to work with a group of detectives who successfully cleared many high-profile investigations under the leadership of Major Hawkins.

Hawkins is a graduate of the Virginia Forensic Science Academy 92nd Session and has attended numerous supervisor and leadership schools including the Institute for Leadership in Changing Times sponsored by the Virginia Chiefs of Police Association.

Over the past 12 years with the Emporia Police Department, Hawkins has received many exceptional performance awards including the Chief of Police's MVP award for 2019 and 2022.

### Morefield is Middletown's new manager

In mid-April, the Middletown Town Council unanimously approved **Les Morefield** as the town's new manager and public works superintendent. Morefield had served in the role as interim since November 2022.



- Morefield -

Morefield originally began working for the

Middletown Public Works Department in 1988, returning in 2019 as the public works superintendent. He has more than 33 years of government experience, with more than 24 years in supervisory roles.

In a press release, Middletown Mayor Charles H. Harbaugh IV said that Morefield "has the highest degree of integrity, he is always looking out for the residents of Middletown," adding, "We are proud of his work ethic, honesty, dedication and the desire he has shown since taking over the town manager position."

For his part, Morefield stated that he was eager to continue serving the community. "Not many people get to have a full circle moment in their careers, and I am so thankful to the Town of Middletown, the council, and the community for their support. In the months and years to come, I look forward to working with and interacting with the community, being involved, and working to help the Town of Middletown move forward."

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\* Includes loans and Municipal Advisory engagements | [valocalfinance.org](http://valocalfinance.org)

**Talbot named Norfolk’s next chief of police**



**Mark Talbot**, a veteran law enforcement leader with more than three decades’ experience has been chosen to serve as the next chief of police for the City of Norfolk. Previously, Talbot served as chief of the City of Hampton’s Police Division. Before relocating to Virginia two years ago, he honed his

leadership skills and policing philosophies by advancing through roles with multiple law enforcement agencies throughout the state of Pennsylvania.

“From the outset of this search, I have repeatedly stressed the importance of the chief of police position, for today and well into the future,” said Norfolk City Manager Dr. Chip Filer in a press release. “The most critical conclusion was always to end up with the best person to lead our police department. There is no question Mark Talbot is that person, and I look forward to seeing

the many great things he’ll do to benefit this city and the men and women of the Norfolk Police Department.”

In the same press release, Talbot said “I’m honored to have been chosen as the next police chief in Norfolk and to have the opportunity to work alongside the men and women of the Norfolk Police Department. I am humbled by the awesome responsibility that stands in front of me. I believe in the value of good policing and look forward to meeting this great city’s expectations.”

Talbot has built strong relationships with the public to foster more effective policing. Mirroring Norfolk’s emphasis on data-driven policing, his departments have identified concentrations of criminal activity, then arrested repeat offenders to stop bad actors from continually affecting their neighborhoods. He has extensive experience combatting gun violence and is an advocate for crime prevention outside of law enforcement through educational and social services, plus improved access to mental health and addiction prevention and recovery programs.

Talbot’s career began with a corrections agency in Chester County, PA, before he joined the nearby Reading Police Department in 1994. He advanced from officer to become Reading’s deputy chief, then moved on to the state capital in Harrisburg as director of the Pennsylvania Department of State’s Bureau of Enforcement and Investigation. He later spent eight years as chief of police in Norristown, a small, densely populated urban municipality located approximately 20 miles from Philadelphia’s Center City. While in Norristown, the community saw a reduction in violent crimes and reported measurable improvement in residents’ opinions of their relations with police. Talbot was honored with an NAACP Community Leadership Award. He later moved south to become Hampton’s police chief in July 2021.




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**Virginia Code § 46.2 – 882.1 Authorizes Photo Speed Enforcement in School Crossing Zones**

Key Provisions

- \$100 civil penalty
- 10+ mph over posted speed
- Signs within 1000 feet
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- Penalties collected paid to locality
- Unpaid citations eligible for collections

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**To Learn More**

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 michael.phelan@altumint.com  
 (301) 520 6405

**Movers and shakers**

**Send your announcements about new hires in local government, promotions, retirements, awards and honors to Rob Bullington at [rbullington@vml.org](mailto:rbullington@vml.org).**

## Altavista Combined School students appointed to the planning commission

ON APRIL 20, THE TOWN OF ALTAVISTA was pleased to announce that the Altavista town council had appointed two Altavista Combined School Students to the Altavista Planning Commission.

**Micah Andrews** is a senior and will be attending the University of Virginia in the fall.

**Rayna Steele** is a junior and will serve through the end of her senior year.

The planning commission is a group of citizens appointed by the town council to advise them on issues relevant to land use, growth, and development. The Altavista town council, town staff, and the planning commission thought it was important for Altavista to hear from its younger citizens and include them in the decision-making process. To meet this need, two student planning commission positions were created. It is thought that, with a strong youth presence, the planning commission will be better able to analyze subjects from a larger perspective and when properly motivated and engaged, student planning commissioners will illuminate issues that may have otherwise gone unnoticed and expand the conversation among the commissioners. Miss Andrews



(L-R) Micah Andrews and Rayna Steele

and Miss Steele are voting members of the planning commission and receive a monthly stipend for the meetings that they attend.

The town thanks Community Development Director Sharon Williams, Planning Commission Vice Chair Marie Mitchell, Altavista Combined School Principal Ronald Proffitt, and Guidance Counselor Lindsey West Milam for working together on this initiative.



The VML Voice is the official podcast of the Virginia Municipal League. Each episode explores a different locality or issue but the focus is always on Virginia and the local governments that make the Commonwealth work for everyone.

Contact Rob Bullington, [rbullington@vml.org](mailto:rbullington@vml.org) to suggest topics, ask questions, or inquire about sponsorship opportunities.

**Listen to our newest episode at [www.vml.org](http://www.vml.org)**



## Manassas mayor opens 36th season of the city's farmers market

THE 2023 FARMERS MARKET season was officially inaugurated on April 6 by the Honorable Mayor of City of Manassas, Michelle Davis-Younger, who cut the opening ribbon joined by members of the city council, Historic Manassas Board Members, local dignitaries, and special guests.

The event took place at the Loy E. Harris Pavilion, the heart of the Farmers Market, and the opening included the start of the Saturday Market.

Farmers Market vendors feature plenty of fresh produce like eggs, pastries, cheese, herb plants, meats, bake goods and dairy products. Other products featured at the Market are fresh cut flowers, homemade salsas, preserves and marinades, specialty crafts, soaps, and wines, among others.

The Thursday Market is strictly for vendors within a 200-mile radius of Manassas that sell locally grown produce and handmade/homemade products. The Saturday Market is also open to

non-producers who purchase products from an authorized food source or wholesaler. These items purchased for resale are displayed separately and are clearly labeled as "Purchased for Resale."

SNAP program tickets are accepted at the market again this year. The City of Manassas Farmers Market was one of the first markets in the region to accept SNAP benefits as a form of payment. Low-income families in the area have access to the freshest fruits and vegetables available by redeeming SNAP benefits for wooden tokens that may be spent only at the market.



## Blacksburg youth spend "Morning with the Mayor"

BLACKSBURG MAYOR Leslie Hager-Smith recently took a bit of inspiration home from a networking conference in Washington, DC. There, she met Mayor Michelle Davis-Younger of Manassas, who shared the success of her "My Mayor Looks Like Me!" program. Both Hager-Smith and Davis-Younger are the first woman mayors of their respective hometowns and they naturally share an interest in seeing girls and women achieve.

It did not take long for Hager-Smith to launch "Mornings with the Mayor" which took place on two Saturday mornings in March. Boys and girls, aged 8-12, were welcomed to council chambers along with their parents. After a Q&A session, they visited the Blacksburg Farmer's Market, where the kids got to spend free tokens. Along the way, Mayor Hager-Smith imparted Blacksburg's rich history, pointing out the hidden freshwater streams that run under the streets of downtown – all part of the 16 Frogs walking tour. "The kids learned a lot, for sure, but they had fun doing it," said Hager-Smith.

For the second session, participants toured the William H. Brown building, Blacksburg's new \$16M state-of-the-art police

station. They learned about the town's canine officers, who are trained to smell drugs, guns, and people but not to attack. They also got a look at the Anthony Wilson Training Center upstairs, which is designed to keep officers fit, but also helps them to perform safely and to master de-escalation techniques.

"For 'homework,' we asked them to take photos of their favorite spots in town," said Town Clerk Lorraine Spaulding, who helped to design and staff the inaugural program. The kids and their families were also given stamped envelopes to write to a town department on the topic of their choosing.

When asked about her own part in the effort, the mayor had many moments to share. But, when two sisters asked her to attend a family breakfast hosted by their school, that was particularly special. "Their own grandparents live out of town,

as do my grandchildren," said Hager-Smith. "So, I got to be an 'honorary grandparent' for the day."

"Almost as good as being Mayor," said Hager-Smith, on reflection. Plans are to repeat the free program twice a year, in March and September.



Leslie Hager-Smith

## Newport News creating third-largest food forest in the country

THE CITY OF NEWPORT NEWS and the Newport News Green Foundation received a \$125,000 grant from the American Beverage Foundation for a Healthy America (ABFHA) and the African American Mayors Association (AAMA). Four cities with African American mayors received grants to advance essential programs that improve community health, increase access to affordable basic nutrition needs, and offer educational components that help market the program to residents.

Funding to Newport News will support the Sarfan Food Forest in the city's Southeast Community. Located on a 5.02-acre parcel of land, the Sarfan Food Forest is currently under development. The focus of the project is an active green space with a diverse ecosystem of more than 75 different species of fruit-bearing trees. Plans also include an outdoor classroom, community farm stand, plants for an indigenous garden and pollinator meadow, recreational areas, and more. Through this project, Newport News is creating the third-largest food forest in the nation.

Donated by the Sarfan Family, the space is intended to address food scarcity in the area while promoting the environmental benefits of productive green space. Conceptually, food forests model the structure of a young ecosystem by producing food in small green spaces and providing host environments for a variety of beneficial organisms. However, as the spaces mature, they also become dynamic areas to promote community connection and pride by offering opportunities to interact and connect with neighbors.

“Thank you to the American Beverage Foundation for a Healthy America and the African American Mayors Association for investing in Newport News and helping bring the Sarfan Food Forest to life,” said Mayor Phillip D. Jones in a press release. “The poverty rate in the Southeast Community is 54%, a staggering statistic we are striving to address through initiatives like the Sarfan Food Forest. I commend ABFHA and AAMA for their commitment to cities across the nation and supporting the health of our residents.”

Learn more at [www.nngreen.com](http://www.nngreen.com).



## KABOOM! coming to Emporia

IN MARCH, THE CITY OF EMPORIA was pleased to announce that the Emporia-Greenville Community Health Action Team (CHAT) had received a grant from KABOOM! This project, in partnership with the City of Emporia, will provide additional play structures for all ages at the Meherrin River Park managed by the Emporia-Greenville Recreation Association, Inc. (EGRA). It is anticipated that the structures will be installed in July 2023.

### About the EGRA

Since Emporia and Greenville County do not operate their own public recreation programs, groups like EGRA provide a cost-efficient recreation delivery system partially funded with public money, but offset by volunteer, fees and fundraising. As the largest recreation provider in Emporia and Greenville County, EGRA has organized leagues involving over 1,000 people and an estimated 30,000 visitors use the association operated parks, Meherrin River and Center Street, annually. The programming includes baseball, softball, football, soccer, and basketball. While the association's officers and directors provide leadership for the well-established program, hundreds of volunteer coaches and assistants are the reason behind this local success story.

### About KABOOM!

KABOOM! unites with communities to build kid-designed playspaces. Combined with its decades of experience in community engagement, KABOOM!'s playspaces can spark joy and foster a sense of belonging for communities of color — communities that disproportionately have less access to play where they learn and live. Since its founding over 25 years ago, KABOOM! has built or improved 17,000+ playspaces, engaged more than 1.5 million community members and brought joy to over 11.5 million kids.





## The race is on to bring Secretariat statue back to the Town of Ashland

SECRETARIAT, IN THE FORM of a majestic bronze sculpture, received a hometown hero's welcome on Saturday, April 1 in the Town of Ashland. The official unveiling of Jocelyn Russell's powerful depiction of the Virginia-born Triple Crown legend sparked uproarious cheers from the hundreds of fans who gathered to witness the "big reveal."

The larger-than-life artwork was on display at the Ashland Town Hall until late April and has now departed on the cross-country tour celebrating the 50th anniversary of Secretariat's historic Triple Crown of 1973.

Fundraising is under way to ensure that the monument returns to Ashland later this fall. The Town of Ashland and Randolph-Macon College have agreed to provide a site on the

college campus near the CSX train tracks in the downtown area.

"Secretariat's story truly would come full circle if this monument is placed permanently in Ashland," said Kate Chenery Tweedy in a press release. Her grandfather Christopher Chenery grew up in Ashland and attended Randolph-Macon College, as did generations of the Chenery family. He founded Meadow Stable in nearby Caroline County where Secretariat was born on March 30, 1970. Kate's mother Penny Chenery, the beloved "First Lady of Racing" managed Secretariat's spectacular career. Tweedy lives in Ashland and is the chair of the Secretariat for Virginia Committee of the Ashland Museum.

Learn more at [www.secretariatforvirginia.com](http://www.secretariatforvirginia.com).

## Arlington County receives HUD award to assist with homelessness efforts

THE U.S. DEPARTMENT OF HOUSING and Urban Development (HUD) has awarded \$3 million in competitive funding to Arlington's Continuum of Care (CoC) for Homelessness.

These CoC grants will support the county's efforts, along with nonprofit providers, to quickly rehouse individuals and families experiencing homelessness and provide support, while minimizing the trauma and dislocation caused by homelessness.

New projects receiving funding include the Doorways for Women and Families Rapid Rehousing project at \$127,398 and the PathForward Permanent Supportive Housing project at \$68,116. Seven of the grants renewed ongoing projects and totaled \$2,724,614.

"HUD funding is a vital part of Arlington's efforts to prevent and end homelessness," said Arlington County's Department of Human Services Director Anita Friedman in a press release. "This announcement confirms that our strategic planning, policy development, and service delivery are effective and that we are changing lives for individuals and families who are experiencing homelessness or are at risk of becoming homeless. Arlington's CoC continues to raise the bar and I am grateful to the county staff, non-profit partners, and people with lived experience who make up the Arlington Continuum of Care."

HUD grant funding supports a broad array of interventions designed to assist individuals and families experiencing homelessness, particularly those living in places not meant for habitation, located in sheltering programs, or at imminent risk of becoming homeless. Because grants are competitive, localities must demonstrate need as well as an ability to address those needs



### About the Continuum of Care

The Arlington County Continuum of Care (CoC), a core network of interconnected programs and services, has spent over a decade strengthening its crisis response system to prevent homelessness at every opportunity and resolve it by swiftly connecting individuals and families to permanent housing. The CoC works in alignment with state and federal resources and partners working to address homelessness at the regional and national levels.

Arlington's CoC develops strategies and assists people who are experiencing homelessness or at risk of experiencing homelessness. The CoC works toward the shared goals of preventing homelessness before it occurs and returning individuals and families who are experiencing homelessness to stable housing as quickly as possible.

## Grow Waynesboro Main & Wayne grant recipients announced April 17

ONCE AGAIN, THE CITY of Waynesboro partnered with the Shenandoah Community Capital Fund and the Valley Small Business Development Center to assist applicants to the Grow Waynesboro Main & Wayne small business development program develop their business plans and prepare to launch or expand their businesses. Applicants completed an eight-week business planning class, a pitch workshop, one-on-one counseling, and received expert advice from a host of guest speakers with specific business experience.

“We are excited by the continued community support of this program that has had an impact on downtown and beyond,” says Greg Hitchin, Director of Economic Development and Tourism for the City of Waynesboro in a press release. “The caliber of presentations and the enthusiastic turnout for the live pitch night is a testimony to small business in Waynesboro.”

The Grow Waynesboro Main & Wayne program has been made possible by a grant from the Department of Housing and

Community Development, with additional funding from the city, Economic Development Authority, and local investors.

Judges chose the recipients based on a diversity of criteria, including the start-ups’ job creation, their business viability and readiness, as well as their positive impacts on Waynesboro. “Supporting businesses that will create jobs and add to the economic vitality of Waynesboro weighed into the judges decision-making process,” says Hitchin.

The businesses and award amounts for the 2023 Grow Waynesboro Main & Wayne are:

**Adorn Boutique** will provide customers with local access to high quality clothing and accessories not currently available. adorn boutique seeks to give customers unique options that can be mixed and matched to create beautiful personal wardrobes that will last year after year.

**Crack O’ Dawn Bakery and Bistro** is a dedicated gluten free bakery and restaurant serving breakfast, lunch, and a wide variety of pastries. They are focused on safety so people with celiac disease can take the day off from cooking.

**Band of Barbers Academy** have a passion for helping overlooked and underemployed youth and young adults; the founders are committed to teaching entrepreneurship through the timeless trade of barbering. They are not merely training barbers, but instead, they are training entrepreneurs who can provide exceptional haircuts.

**Revival Décor + Design** is a retail shop featuring unique home decor products offering custom made furniture & designs, reclaimed flooring & lumber, and architectural salvage. Additionally, they have design consulting and historic restoration services.



## USA Today names two Virginia cities among its “10 Best Urban Kayaking Spots” for 2023

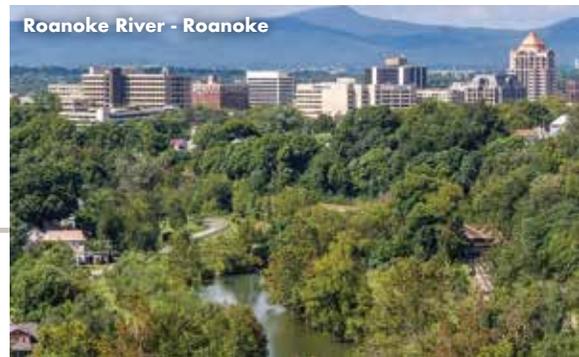
URBAN KAYAKING SPOTS provide a fun and active way to explore cities from a new perspective, while also allowing you to enjoy the outdoors. To find the top spots for city paddling, *USA Today* asked a panel of experts for their nominations, then readers voted for their favorites. Among those selected were...

**No. 9: James River - City of Richmond** – “The Richmond region has no shortage of great kayaking spots, perhaps none as popular as the James River. From Huguenot Flatwater Park, paddlers can head downstream to Williams Island or upstream to Boshers’ Dam.”

**No. 3: Roanoke River - City of Roanoke** – “Roanoke sits in the heart of Virginia’s Blue Ridge Mountains, making it an excellent base for outdoor recreation. The 45-mile Roanoke River Blueway offers easy paddling for much of its length, with the exception of some Class II rapids near the gorge.”

Congrats to Richmond and Roanoke!

Read the full list at [www.10best.com/awards/travel/best-urban-kayaking-spot](http://www.10best.com/awards/travel/best-urban-kayaking-spot).





## SKILLS DEVELOPMENT

# VIRGINIA LOCAL ELECTED OFFICIALS CONFERENCE

Learn the rules of the road.  
June 13-14, 2023

Join VML staff and experts from a variety of fields to learn about topics important to elected officials and staff from local governments of all sizes in Virginia. **This event will be offered both in-person and virtually.**

### Topics to be covered include:

- Parliamentary Procedure
- Budgeting
- Land Use (including housing and zoning)
- Human Resources Issues (including marijuana legalization)
- Planning District Commissions (including grants and partnership opportunities)
- ...and more!

**Cost:** \$65 in-person – Richmond, VA  
\$80 virtual



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**Plenty of bills,  
lots of studies ...**



**... but no true budget  
resolution (yet)**

IF THE GENERAL ASSEMBLY Session is like a cloud, then this year's silver lining was that VML staff and members did not have to battle snow during our treks to and from the Capitol. In fact, Richmond didn't get any snow this winter! Perhaps this was due to the friction and heat being produced by the delegates and senators who considered 2,863 pieces of legislation this session. Even though that includes a fair number of ceremonial resolutions, it's still a lot to digest in just 45 days!

It was a session full of ups and downs both literal (up and down the hallways and stairways of the Pocahontas Building and Capitol Building) and figurative (in the form of legislative ups and downs). In the end, a total of 1,687 bills were passed with just three vetoes. At present, the legislative dust may have settled, but budget uncertainty lingers with only a "skinny" budget addressing a few items in place so far.

This session was as notable for what didn't happen as what did. Major marijuana issues remain in limbo, additional funding for critical behavioral health needs is on hold thanks to the budget holdup, the "bat" bill was defeated, and a bill to override local authority for flow control ordinances will instead be studied.

Among the truly disappointing outcomes this year was the failure of initiatives to provide local governments with the authority to impose an optional one percent sales tax for school construction and maintenance. As a result, many local governments were deprived (once again) of the ability to address the huge and growing backlog of school infrastructure needs on their own.

Local governments, as always, fought to maintain land use control and to ensure that their revenue sources are not diminished. Outcomes worthy of note for local governments include:

- Under the Freedom of Information Act, if your community has a population of 250 or more you will be required to post on your website (if you have one) a written policy that explains how you assess fees for accessing and searching requested records along with the current fees charged.
- If your population is 3,500 or greater you will have several additional reporting requirements related to your local land use ordinances and fees.
- There will be plenty of studies this year on a whole catalog of housing issues, public safety and 911 operator enhanced benefits, and towing.

Looking forward to next year, all seats in the House and Senate are up for election. With so many retirements announced in both chambers, Virginia will lose more than 590 years of experience in the General Assembly! The 2024 Session will feature many new faces and fresh perspectives. However, it's a fair bet that those new people may not appreciate the essential role that local governments play in keeping Virginia working for everyone. As such, VML will be asking for your help in educating those new General Assembly members on the important work and responsibilities assumed by local governments. Stay tuned for resources coming soon!

During this year's General Assembly session, VML began publishing an electronic newsletter with essential information for local government staff and officials. If your locality is a member of VML you are eligible to receive our *Legislative Bulletin* with updates, analysis, and resources. We will use the *Legislative Bulletin* to continue to communicate important updates as needed throughout the summer and fall. Please contact VML's Director of Communications Rob Bullington at [rbullington@vml.org](mailto:rbullington@vml.org) to get on the distribution list as we prepare for 2024 and beyond!



# Big trends and issues from the 2023 General Assembly session

## Legislative round-up for local governments

What follows is a summary of many of the bills that VML followed during the 2023 Session. More information about individual bills may be found on the General Assembly's website: <https://leg1.state.va.us/lis.htm>.

### Administration of Government

**SB1151 (Edwards) / HB2161 (Williams) Local government; standardization of public notice requirements for certain intended actions and hearings; report.** This bill came out of a Code Commission study over the summer and standardizes the frequency of advertisements in the newspaper and pares down several zoning notice requirements for the newspapers. It appears Edwards bill was signed first which states that a rezoning advertisement shall include the street address or tax map number as well as the approximate acreage.

*\*This bill has major ramifications for local government advertisements beginning July 1, 2023.*

**SB1459 (McDougle) Administration of state government; prohibited applications and websites; civil penalty.** This legislation states that no employee or agent of a public body OR any person or entity contracting with any such public body shall download or use any application including Tiktok or WeChat, etc. on any government-issued, owned or leased equipment or other devices capable of connecting to any Commonwealth network. However, the chief law enforcement officer of any locality or institution of higher education can make exceptions for the purpose of participating in any law-enforcement-related matters.

*\*Please note the language about contracting as you conduct future procurements.*

### Agriculture

**SB1305 (Hanger) Farm buildings and structures; building code exemptions.** Amends the building code exemptions to include "any farm building or structure (i) where the public is invited to enter for an agritourism activity, as that term is defined in §3.2-6400, for recreational, entertainment, or educational purposes and (ii) which is used for display, sampling, or sale of agricultural, horticultural, floricultural, or silvicultural products produced on the farm...." The exemption outlines minimal safety regulations to be required.

### Courts

**SB1025 (Stuart) Witnesses; exclusion, governmental agencies and other entities.** Clarifies that an officer or agent of a governmental agency, or other entity are exempt from the rule allowing the exclusion of witnesses during a proceeding in a civil case.

**HB2037 (Sewell) Supplementing compensation of state-funded public defenders.** Allows a city or county governing body

that elects to supplement the state compensation of the public defender or any of his/her deputies to pay such funds directly to the Indigent Defense Commission or to the employees with notice to the Commission of the amount so provided. Requires the Commission to provide the funds directly to employees in combination with the state compensation fixed by the executive director.

**HB2317 (Williams Graves) / SB789 (Spruill) Jury duty daily pay.** Increases the daily pay to jurors in trials from \$30 to \$50. Cities and counties pay jury duty costs for civil trials and misdemeanors under local ordinances.

**HB1590 (Sullivan) / SB1034 (McPike) Public safety false reporting.** Modernizes the harassing phone call statute to include any communications that may ring or otherwise signal or alert with the intent to annoy, harass, hinder, or delay such emergency personnel.

**SB1495 (Surovell) Citizen suits against local government officials.** Provides that any person against whom an enforcement action is carried out by a locality, or any ordinance or regulation,

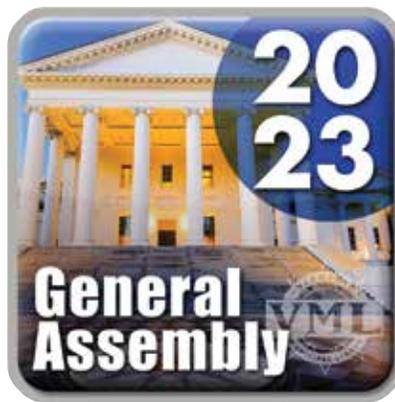
where the enforcement action was based upon a willful disregard for applicable law, regulation, or ordinance shall be entitled to an award of compensatory damages and to an order remanding the matter to the locality and may further be entitled to reasonable attorney fees and court costs.

**SB841 (Surovell) / HB2370 (Scott) Alcohol safety action programs.** Directs the membership of a local independent policy board of an alcohol safety action program to be chosen in accordance with procedures approved and promulgated by the Commission on VA-SAP, and such procedures shall provide that the board shall endeavor to select one criminal defense attorney who has specialized knowledge in representing persons charged with driving while intoxicated offenses and one local attorney for the Commonwealth to sit on such local independent policy board.

**SB807 (Favola) / HB2041 (Shin) Parks, walking trails, liability for property owners.** Authorizes a locality or park authority to release from civil liability the owner of any property leased, licensed, or provided by easement used for a walking trail in absence of gross negligence or willful misconduct.

### Education

**SB1124 (Stanley) Public Elementary and Secondary School Buildings; standards for maintenance and operations.** Requires the Board of Education to make recommendations to the General Assembly for amendments to the Standards of Quality (SOQs) to establish minimum standards for the maintenance, operations, renovations, and new construction of public elementary and secondary school buildings. Proposed recommendations must include standards for the percentage of the current replacement value of a public-school building to be included in the school board's budget for maintenance and operations and standards the Board deems appropriate. All recommendations must be presented to the Chair of the House Education Committee and the Senate Committee on Education and Health by July 2024.



## Education item likely to return in a future session

Several bills introduced this year would have established so-called “education savings account programs.” A common feature of all the bills was that they allowed parents of eligible or qualified students, as defined in legislation, to apply for an account with funding that would be equivalent to a certain percentage of applicable annual SOQ per pupil state funds. Funds could be used for tuition, deposits, fees, and textbooks for a private school, on-line school, or homeschooling. The bills included HB1508 (Davis), HB1371 (Scott, P.), SB1290 (DeSteph), and HB1396 (March) / SB1191 (Reeves).

## Environment

### **HB1510 (Adams) Local incentives for urban green space.**

Authorizes localities to establish programs to provide regulatory flexibility to encourage the preservation, restoration, or development of urban green space, defined in the bill. The regulatory flexibility may include (i) a reduction in permit fees or (ii) a streamlined process for the approval of permits.

**SB1376 (Vogel) / HB1848 (Wachsmann) Stormwater management and erosion and sediment control; agreement in lieu of plan; farm buildings and agritourism activities; small construction activity.** Includes farm buildings, any building or structure used for agritourism activity, and any related impervious surface, including roads, driveways, and parking areas, in the respective definitions of an agreement in lieu of a plan in the stormwater management and erosion and sediment control laws. The bill also requires the State Water Control Board to establish by regulation a procedure by which a registration statement shall not be required for coverage under the General Permit for Discharges of Stormwater from Construction Activities for a small construction activity, defined in the bill, involving a single-family detached residential structure.

**SB999 (Mason) / HB1940 (Runion) Waterworks and wastewater works operators; license reciprocity.** Requires the Board for Waterworks and Wastewater Works Operators and On-site Sewage System Professionals, upon application by an individual, and without examination, to recognize licenses or certificates issued by another state as fulfillment of qualifications for licensure in the Commonwealth if certain conditions are met.

**HB1941 (Hodges) Loans to local governments; repair or upgrade to onsite sewage disposal systems.** Authorizes the State Water Control Board to provide loans from the Virginia Water Facilities Revolving Fund to a local government for the purpose of correcting onsite sewage disposal problems (small water facility projects) to protect or improve water quality and prevent the pollution of state waters. The bill allows loan funding for repairs or upgrades to onsite sewage disposal systems that are owned by eligible businesses, defined in relevant law, where public health or water quality concerns are present and connection to a public sewer system is not feasible because of location or cost.

**SB1168 (DeSteph) / HB2390 (Runion) Virginia Erosion and Stormwater Management Act; regulations; effective date.** Directs the State Water Control Board to adopt regulations to implement before July 1, 2024, the requirements of amendments to the Virginia Erosion and Stormwater Management Act enacted by the 2016 Session and amended by the 2017 Session and delays

from July 1, 2018, to July 1, 2024, the effective date of the amendments made by the 2016 Session and regulations required to be adopted pursuant thereto. The bill also directs such adopted regulations to include the reduction of regulations through consolidation of duplicative requirements.

**SB1091 (Ebbin) Local Stormwater Management; condominiums.** Localities can currently create a local Stormwater Management Fund by ordinance that assists owners of private property and common interest communities in stormwater management and erosion prevention. This bill just added joint flooding mitigation projects of condominium owners to the list of groups who can apply.



## Finance

Much action occurred on finance-related legislation in the House Finance, House Appropriations, and Senate Finance and Appropriations committees. Some bills drew lots of attention, while others were passed or dispatched with little debate.

For example, legislation was introduced for the second year in a row to eliminate the one percent local option for sales tax on groceries. Even though the patrons of the bill attempted to come up with a mechanism to replace approximately \$300 million in sales tax revenues that currently flow to local governments, HB1484 (McNamara) and SB850 (Suetterlein) went away quietly this year in contrast to considerable debate on the same topic during the 2022 General Assembly Session.

On its face, it may seem odd that a bill that would eliminate the one percent local option sales tax on groceries but replace those lost revenues with general funds would disappear with little discussion. But coming up with a dynamic formula that reflects different growth rates in communities across the Commonwealth is nearly impossible. And localities have received assurances in the past that revenues would be replaced only to have funds stripped away or overridden by the Appropriations Act.

It wasn't that long ago that promises were made regarding the Car Tax or the Communications Sales and Use Tax and subsequently ignored. Unlike Charlie Brown, whose misplaced trust in Lucy renews itself with each opportunity to kick the football, local governments in Virginia have learned a valuable lesson through the years: when local revenues are on the line, we need to be very cautious.

That sentiment probably sealed the fate of the grocery tax again this year but also resulted in substantive changes to separate bills that would have diverted bank franchise tax revenues to the Commonwealth. Of course, there were other bills that attempted to chip away at the ability of local governments to generate revenue.

**SJ231 (McPike) Constitutional amendment; property tax exemption for certain surviving spouses.** Proposes a constitutional amendment to expand the current tax exemption for real property to surviving spouses of soldiers killed in action to the surviving spouses of soldiers who died in the line of duty. While there was considerable discussion and debate in Senate Finance & Appropriations about the fiscal impact on local governments, the bill passed each chamber unanimously.

VML did not oppose the bill but monitored these and other bills that mandated popular tax exemptions at the expense of local governments. The bill will need to pass the General Assembly during the 2024 Session and then be approved by the voters to become law.

## Finance item likely to return in a future session

**More red tape to raise revenues:** HB1749 (Walker) failed to pass in 2023. The legislation would have imposed additional requirements on local governments to raise property tax revenues by more than 1%, compared to the prior year's revenues. Specifically, the bill required that:

- An increase up to 3% would require a public hearing and a majority vote of the governing body;
- An increase more than 3% but less than 5% would require a public hearing and a two-thirds majority vote; and
- An increase of 5% or more would require holding a referendum.

VML opposed the imposition of additional hurdles that local governments must overcome to generate revenue to address budget needs in their communities. Members of the House Finance Committee, where the bill ultimately failed, also were reluctant to impose additional red tape on local governments.

Even as the Federal Reserve raises interest rates, housing prices and local property tax revenues will continue to rise. Those increases will draw the ire of constituents and state lawmakers, ensuring this issue will not go away. In the meantime, it may be useful to remind state lawmakers that local officials are constantly balancing the needs of their community with the burden on taxpayers. Moreover, local elected officials are keenly aware that the failure to understand the impact of taxation on their constituents may result in a short tenure in office.

## Freedom of Information Act

**HB1569 (Walker) Virginia Freedom of Information Act; disclosure of personnel records.** States that access to personnel records of persons employed by a public body engaged in emergency medical services or fire protection services or an emergency 911 or any equivalent reporting system shall be discretionary.

**HB2006 (Roem) Virginia Freedom of Information Act; public records charges, electronic payment method.** Any local public body that charges for the production of public records under FOIA may provide for an electronic method of payment.

**HB2007 (Roem) Virginia Freedom of Information Act; posting of fee policy by a public body.** Requires that all state public bodies, any city or county and town with a population of over 250 and any school board shall post on their official government website. A written policy (i) explaining how the public body assesses charges for accessing or searching for requested records, and (ii) noting the current fee charged, if any, for accessing and searching for such requested records.

## Health & Human Services

**SB1513 (Mason) Expansion of CSA state executive council membership.** Adds the Commissioner of the Department of Aging and Rehabilitative Services to the State Executive Council (SEC), the state body that oversees the Children's Services Act (CSA) and to the State-Local Advisory Team (SLAT).

**HB1792 (Ransome) / SB1302 (Deeds) Temporary detention in hospital for testing/treatment resulting from intoxication.** Clarifies that when a mental or physical condition appears to be a result of intoxication, a licensed physician who has attempted to obtain informed consent of the adult for treatment of the condition appearing to be a result of intoxication may seek an order from the magistrate or court authorizing temporary detention in a hospital emergency department or other appropriate facility for testing, observation, or treatment, provided that certain conditions are met.

**HB1976 (Bell) / SB1299 (Deeds) Involuntary admission; temporary detention; release of detained individual.** These similar (but not identical) bills allow the director of the facility in which a person for whom a temporary detention order has been issued but transport has not occurred, to release that person if qualified medical professionals and a community services board employee or designee evaluates the person and determines they no longer met the TDO criteria. A discharge plan may be provided to the person.

**HB2185 (Rasoul) / SB1169 (Hanger) Community services boards/behavioral health authorities; performance contract provisions.** Modifies and reorganizes provisions related to the requirements of performance contracts between the Department of Behavioral Health and Developmental Services and community services boards/behavioral health authorities.

*\*The Governor's amendment changed the effective date of the provisions of subsection C of §§ 37.2-508 and 37.2-608 of the Code of Virginia, as amended by this act to July 1, 2024 from 2025.*

**SB1465 (Hanger) Community services boards/behavioral health authorities; purpose; performance contracts.** Provides that the purpose of behavioral health services provided by community services boards/behavioral health authorities (CSBs/BHAs) is to enable individuals with a mental illness, developmental disability, or substance use disorder to access effective, timely, and cost-efficient services to help them (i) overcome or manage functional impairments, and (ii) remain in the community to the greatest extent possible, consistent with their well-being and public safety. Also requires certain information in the performance contracts between the Department of Behavioral Health and Developmental Services and CSBs/BHAs. Certain provisions become effective July 1, 2025.

**HB2054 (Hope) / SB1267 (Favola) Information to certain defendants; services of community services boards.** Requires the courts, in cases in which a defendant is found not guilty after a trial at which evidence of the defendant's mental condition at the time of the alleged offense was introduced, to make available to the defendant information regarding services provided by their local community services board and how such services may be accessed. Also requires community services boards to develop, regularly update, and make information available to their local courts regarding the services the CSB provides and how to access such services.

**SB872 (Newman) Alternative transportation.** Requires magistrates to authorize alternative transportation for a person subject to an emergency custody order or temporary detention order if appropriate alternative transportation is available. Also allows an employee or contractor of an alternative transportation services provider that contracts with the Department of Behavioral Health and Developmental Services and who has completed approved training in the proper and safe use of restraint to use restraints when necessary to ensure safety of the person or prevent escape and if less restrictive measures have been deemed to be ineffective.

**HB1817 (Avoli) Disposition of unclaimed bodies; how disposition expenses paid; seizure of assets.** Permits seizure of a decedent's nonprobate assets to cover the costs of disposition of such decedent's unclaimed body. Currently, seizure is limited to estate assets.

**HB1423 (Coyner) / SB1404 (Barker) Early Childhood Care and Education Commission.** Renames the current School Readiness Committee as the Commission on Early Childhood Care and Education. With the switch from a committee to a commission, several changes are made: 1. The purpose of the commission. 2. The membership increased (to include a local government representative), and 3. The commission was granted new powers and duties.

**SB1414 (Pillion) Establishment of a Commonwealth Opioid Abatement and Remediation Fund.** Establishes this Fund to receive funds from settlements, judgments, verdicts, or other court orders relating to consumer protection claims regarding the manufacturing, marketing, distribution, or sale of opioids or that are intended to be used for opioid abatement or remediation, excluding funds designated for the Opioid Abatement Authority.

**SB1415 (Pillion) Opioid impact reduction.** Allows any person to possess and administer naloxone or other opioid antagonist used for overdose reversal in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

## Labor and Employment

**SB906 (Saslaw) / HB1408 (Brewer) Workers' compensation; presumption of compensability for certain cancers.**

Expands the workers' compensation presumption of compensability for certain cancers causing the death or disability of certain employees (primarily first responders who are listed in the code section) who have completed five years of service in their position to include bladder and thyroid cancer. The presumption for these cancers applies to individuals diagnosed on or after July 1, 2023.

**SB904 (DeSteph) / HB1775 (O'Quinn) Workers' compensation; post-traumatic stress disorder, anxiety disorder, or depressive disorder; law-enforcement officers and firefighters.** Provides that an anxiety disorder or depressive disorder as defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. Requires that a mental health professional to diagnose the covered individual as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, defined as an incident or exposure occurring in the line of duty on or after July 1, 2023. Includes other conditions for compensability.

**SB1040 (McPike) Employer use of use of employee's social security number; prohibited; civil penalty.** Prohibits an employer from using an employee's social security number or any derivative thereof as such employee's identification number or including an employee's social security number or any number derived thereof on any identification card or badge, any access card or badge, or any other similar card or badge issued to such employee.

**HB1630 (Coyner), SB1107 (Cosgrove), SB1289 (Deeds), and SB1479 (Lucas) Virginia Retirement System; Return to work for certain school personnel.** These bills shorten the break in service required by the Virginia Retirement System (VRS) before a retiree can return to work full time in critical shortage positions in schools, including teachers, bus drivers, instructional or administrative personnel, or as school security officers, while continuing to receive VRS benefits.

**HB1789 (Filler-Corn) Health insurance credits for**

**constitutional officers and staff.** Effective July 1, 2024 increases the amount of monthly health insurance credits received by retired constitutional officers and their employees with at least 15 years of service from \$1.50 to \$1.75 per year of service, not to exceed \$52.50 per month. Does not change the health insurance credit for other state-supported employees, such as general registrars and their staff, and local social services staff.

## Land Use

**HB2110 (Bourne) Delinquent tax lands; extends maximum duration of an installment agreement between locality/landlord.** Extends the maximum duration of an installment agreement between a locality and a landowner to pay delinquent taxes from 60 to 72 months.

**HB1842 (Knight) Economic development; Virginia Business Ready Sites Acquisition Fund and Program.** Creates the Virginia Business Ready Sites Acquisition Program for the purposes of (i) acquiring sites for the purpose of creating and maintaining a portfolio of project-ready sites to promote economic development in the Commonwealth, (ii) developing such sites to increase their marketability for large scale economic development projects or (iii) entering into development agreements with private employers for large-scale economic development projects. The Virginia Economic Development Partnership Authority shall administer the Program, in consultation with the Department of General Services.

*\*The Governor's amendment changed the size of an eligible site to 500 acres and allows the Commonwealth to purchase a site giving notice to the locality and allowing it 14 days to purchase or obtain an option.*

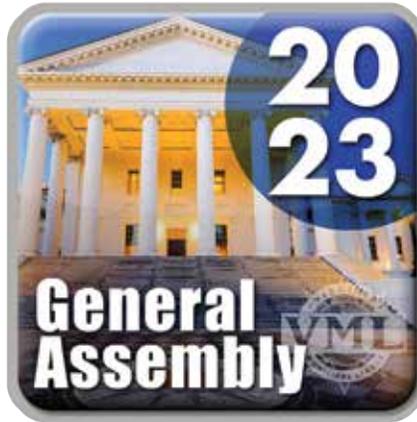
**HB2191 (Rasoul) Removal by locality of unattended or immobile vehicles.** Allows for the removal of certain unattended or immobile vehicles by the locality's civil code enforcement division.

**HB2494 (Ware) Local housing policy; report to the Department of Housing and Community Development.** Applies to localities over a population of 3,500 and requires annual reports to the Department of Housing and Community Development (DHCD). These reports shall include: adoption or amendments of any local policies or ordinances affecting the development and construction of housing, any proffer policy changes, changes to zoning/subdivision ordinances, comprehensive plan revisions, and changes to accessory dwelling units and/or fees. DHCD will work with relevant stakeholders to create a reporting form.

**HB2046 (Carr) / SB839 (Locke) Housing and Community Development, Department of; statewide housing needs assessment and plan; annual reports by certain localities.** Adds to the Duties of the DHCD Director the gathering of affordable housing data along with creating a statewide affordable housing plan. The bill also incorporates similar reporting requirements from HB2494 (Ware) for local governments.

**HB1671 (Wyatt) Residential land development and construction; fee transparency, annual report.** Requires every locality with a population greater than 3,500 to submit an annual report to the DHCD containing the total fee revenue collected by the locality for residential land use development and construction activities.

**SB1114 (Stanley) Housing and Community Development, Department of; powers and duties of Director; Virginia Residential Sites and Structures Locator.** Directs the



DHCD Director to develop and operate a Virginia Residential Sites and Structures Locator database which will show suitable residential or mixed-use development or redevelopment sites that are under public ownership, public and private ownership or private ownership if there is permission to market. This is an optional tool for local governments.

**HB1634 (Bulova) / SB1187 (Lewis) Comprehensive Plan; strategies to address resilience.** Encourages localities to consider resilience during their comprehensive plan review. “Resilience” means the capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, health, the economy, and the environment.

**HB1674 (Hodges) Comprehensive plan; freight corridors.** Adds to the local comprehensive plan freight corridors when developing a transportation plan.

**SB1185 (Lewis) / HB1676 (Hodges) Annexation; extension of current moratorium.** Extends the moratorium on annexation to 2032.

**SB1205 (Lewis) / HB1665 (Marshall) Local land use approvals; extension of approvals to address the COVID-19 pandemic.** Extends to July 1, 2025, the sunset date for local land use approvals that were valid and outstanding as of July 1, 2020.

**SB1390 (Lewis) / HB1944 (Hodges) Solar photovoltaic projects; extensions of land use approvals, extends sunset provision.** Extends to July 1, 2026, the sunset date for various local land use approvals for solar photovoltaic projects that were valid and outstanding as of July 1, 2023.

**HB2312 (Head) / SB1263 (Hackworth) Uniform State-wide Building Code; stop work orders, appeals.** Defines stop work orders for purposes of the Uniform Statewide Building Code along with providing that the appeal process and allows for the recovery of actual costs of litigation, including court costs, attorney fees and witness fees from the locality responsible for issuing the stop work order.

**SB1308 (Deeds) / HB2332 (Campbell) Virginia Economic Development Partnership Authority; eligible site for site development grant.** Reduces the acreage from 100 to 50 as the minimum contiguous acreage for a non-brownfield site to satisfy the acreage requirement in a site development grant from Virginia Business Ready Sites Program Fund by the Virginia Economic Development Partnership Authority.

**SB1401 (Lewis) / HB1805 (Bloxom) Virginia Resources Authority; community development and housing projects.** Allows the Virginia Resources Authority to finance projects that are community development projects to include production and preservation of housing, including housing for persons and families of low and moderate income. The DHCD development shall also assist the Authority in determining which local governments should receive grants.

## Marijuana

**SB1233 (Obenshain) / HB2428 (Wilt) Marijuana; advertising restrictions; penalties.** Establishes marijuana advertising restrictions that are similar to those for alcohol products. Creates new restrictions for the advertisement of “marijuana, marijuana products, or any substance containing a synthetic tetrahydrocannabinol” other than those that may be legally sold. Limits under what circumstances products can be advertised and audiences that can be targeted as well as types of claims or messages that may be used in advertisements.

**HB2294 (Kilgore) / SB903 (Hanger) Tetrahydrocannabinol; hemp products; packaging, labeling, and testing; penalties.** Redefines “marijuana” to include industrial hemp products that have been placed on the schedules of the Drug Control Act by the board of pharmacy. This in effect creates new penalties for the

sale of hemp products containing Delta-8, Delta-9, or Delta-10 Tetrahydrocannabinol (THC). It also creates new regulations for packaging, labelling, and manufacturing of industrial hemp extract or foods containing industrial hemp extract as well as establishing penalties for violations.

**HB1598 (Robinson) / SB788 (Favola) Transition medical cannabis program to the Cannabis Control Authority.** Shifts regulatory authority and oversight for Virginia’s medical cannabis program from the Board of Pharmacy to the Cannabis Control Authority with a delayed enactment date of January 1, 2024.

## Marijuana déjà vu (all over again)

While several bills HB1464 (Hodges), HB1750 (Webert), SB1133 (Ebbin) attempted to address such issues as creating the path for the recreational marijuana market and retail sales as well as local authority regarding referenda, zoning, and taxes, nothing happened...again!

This leaves Virginia with its current status quo in which it is legal for adults to possess, consume, cultivate (up to four plants) and give marijuana as a gift. Non-medical sales of marijuana and marijuana products continue to be illegal. This means marijuana and marijuana products remain essentially unregulated; localities lack the authority to decide whether to allow retail sales to occur within their community; and sales of marijuana are not subject to taxation.

VML supports authority for localities to hold a referendum, impose zoning requirements, and tax marijuana sales in their communities.

## Procurement

**HB2450 (Campbell, J.L.) / SB1491 (Bell) Virginia Public Procurement Act; construction management; contract requirements.** States that construction management contracts involving infrastructure projects are not subject to the provision in §2.2-4382(5). The 10% limitation is now removed for local infrastructure projects. Infrastructure projects are not defined.

**HB1490 (Davis) Virginia Public Procurement Act; certain construction contracts, performance and payment bonds.** Allows a locality to pass an ordinance that will allow a contractor to furnish a performance bond and payment bond equal to the dollar amount in the current contract not a contract of indefinite delivery or quantity contract.

**HB2500 (Wiley) / SB1313 (Bell) Virginia Public Procurement Act; private contracts, payment of subcontractors.** States that in contracts for construction, contractors shall be liable to their subcontractors for the entire amount of the work whether the contractor has been paid or not. Contractors may withhold payment from a subcontractor if the subcontractor fails to comply with the terms of the contract; reasonable notice must be provided. This bill applies to contracts awarded by any agency of local government in accordance with Va. Code §2.2-4352.

**HB1610 (Tata) Virginia Public Procurement Act; cooperative procurement, installation of playground equipment.** Excludes the installation of playground equipment, including all associated and necessary construction and maintenance, from the prohibition on using cooperative procurement to purchase construction.

## Public Safety and Jails

**HB1524 (Coyner) / SB820 (Favola) Opioid use reduction/jail-based substance use disorder fund and programs.** Creates a fund and directs the Department of Criminal Justice Services to administer the fund and develop guidelines in cooperation with

the Virginia Association of Regional Jails and the Virginia Sheriffs' Association for its use. Funds would be used for planning or operation of substance abuse disorder treatment and transition services for people incarcerated in local and regional jails.

**HB1765 (Carr) Fire protection; expands definition of fire company.** Adds to the definition of "fire company" firefighter support group members and ensures that these support members are not granted other firefighter benefits unless provided for in a local ordinance.

**HB1859 (Webert) / SB1183 Applicant Fingerprint Database; participation in FBI Next Generation Identification Rap Back Serv.** Requires the Department of State Police (the Department) to participate in the Federal Bureau of Investigation's (FBI) Next Generation Identification (NGI) Record of Arrest and Prosecution (Rap) Back Service, for the purpose of allowing those agencies and governmental entities that require a fingerprint-based criminal background checks.

**HB2438 (Campbell E.H.) / SB797 (Favola) State Board of Local and Regional Jails; membership.** Adds to the Board a former regional jail superintendent and a public mental health services agency employee with relevant training and experience working with individuals subject to the criminal justice system.

**HB1572 (Walker) / SB1291 (Deeds) False emergency communication to emergency personnel; penalties (Swatting).** Makes it a Class 1 misdemeanor for any person to knowingly report, or cause another to report in reliance on intentionally false information provided by such person, a false emergency communication to any emergency personnel that results in an emergency response. Provides that it is a Class 6 felony if such false emergency communication results in an emergency response and any person suffers a serious bodily injury as a direct and proximate result of the false emergency communication and a Class 5 felony if any person is killed as a direct and proximate result of the false emergency communication. Also authorizes any locality to provide by ordinance that a person convicted of such false emergency communication shall be liable for the reasonable expense in responding to such false emergency communication.

**HB2186 (Rasoul) Trespass; other person lawfully in charge of the property includes locality.** Adds the maintenance code official of a locality as a person lawfully in charge of real property that has been declared a derelict building, unless the owner of such property objects, for the purpose of posting a no trespass sign.

**HB2250 (Cordoza) Criminal Justice Services, Department of; training for law-enforcement personnel.** Requires the Department of Criminal Justice Services to establish training standards and a model policy for interactions with individuals diagnosed with dementia.

**SB1046 (McPike) Law-enforcement officer; definition includes fire marshal with police power.** Amends the definition of law-enforcement officer to include a fire marshal with police powers.

**SB905 (DeSteph) / HB1993 (Krizek) Fire Marshals; police powers, training requirements.** Requires fire marshals and their assistants who have police powers to participate in the appropriate training and programs.

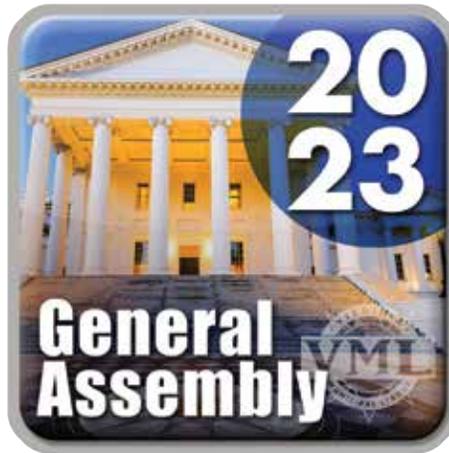
**HB2133 (Wilt) State Fire Marshal; authority.** Clarifies that the State Fire Marshal, or designee, is the authority having jurisdic-

tion over state-owned buildings, properties, or structures for purposes of fire safety and fire prevention in accordance with the Virginia Statewide Fire Prevention Code.

**HB2451 (O'Quinn) Firefighters; training; electric vehicle fires.** Authorizes and directs the Executive Director of the Department of Fire Programs to develop a training program on the risks of fires in electric vehicles and how to manage such fires safely and effectively. Training must be available by July 1, 2024. All full-time and volunteer firefighters must complete the training. Provisions of the bill regarding completion of the training have a delayed effective date.

**SB1455 (Norment) Civil disturbance; local curfew, penalty.** Authorizes the chief law-enforcement officer of a locality to enact a curfew for not more than 24 hours during a civil disturbance. The local governing body or judiciary must take action beyond the 24-hour period.

**SB1246 (Obenshain) / HB1472 (Fowler) Emergency medical services agencies; ordinances or resolutions, designation as emergency response.** Requires ordinances or resolutions that establish an emergency medical services agency to specify the geographic boundaries of an agency's primary service area. Clarifies these agencies as designated emergency response agencies as an integral and essential part of the official public safety program.



## Transportation

**HB1516 (Adams) Towing and recovery operators; vehicle storage.** Prohibits towing and recovery operators from refusing to allow, consistent with current law,

the owner of a towed vehicle, upon presenting proof of ownership, to access and recover any personal items without retrieving the vehicle and without paying any fee.

**HB1649 (Wyatt) Private Tow Fee.** Adds \$20 fuel surcharge fee for vehicles towed from private property without the consent of its owner. Local governments are prohibited from limiting or prohibiting this fuel surcharge fee. Bill must be re-enacted prior to July 1, 2024.

**HB2338 (McQuinn) / SB1326 (McClellan) Transit Ridership Improvement Program Project Eligibility Expansion.** Increases flexibility for transit systems seeking to use the Transit Ridership Incentive Program by increasing the amount of funding available under this program for capital improvements for passenger facilities like bus shelters and for systems transitioning to a zero emissions fleet and related capital costs.

**HB2302 (Adams, L.R.) / SB1106 (Newman) Transportation Partnership Opportunity Fund; funds for transportation projects.** This legislation was amended to broaden the types of loans or grants that can be distributed from the renamed Transportation Partnership Opportunity Fund (TPOF) for economic development purposes with approval of the legislative MEI Committee for grants greater than \$35 million. Prohibits grants from being used exclusively for economic development purposes. These funds would be available for transportation improvements associated with economic development projects identified by the Governor and distributed by the Commonwealth Transportation Board. Introduced language requiring off the top funding was eliminated. Can only use funds appropriated by the legislature for the TPOF.

## Transportation items likely to return in a future session

**SB1293 (Deeds) Bicycles; exemptions to certain traffic control devices; local ordinances.** Would have provided authority for any city, county, or town by ordinance to authorize operators of bicycles after slowing or yielding to proceed without stopping at an intersection controlled by a stop sign or proceed after stopping at a stop light, provided in each case that it is safe to proceed through the intersection.

**HB1939 (Plum) Powers of local authorities; reducing speed limits; highways in the primary and secondary state highway systems.** Would have authorized the governing body of any locality to reduce to less than 25 miles per hour, but not less than 15 miles per hour, the speed limit of highways that are part of the primary and secondary state highway systems located in a business district or residential district within the locality's boundaries, provided that the reduced speed limit is indicated by lawfully placed signs.

## Utilities items likely to return in a future session

**HB2283 (Shin) / SB1447 (Edwards) Disconnection suspensions for certain utilities; state of emergency, residential customers, report.** Suspends electric, gas, water, or wastewater utilities from disconnecting residential customers for nonpayment of bills or fees during a state of emergency for 30 days after the emergency has been declared. This applies to utilities subject to regulation by the State Corporation Commission and to utilities owned and operated by a municipality. Other provisions are included regarding when disconnections are suspended.

**SB1001 (Stuart) Clean Energy and Community Flood Preparedness Act; repeals Act.** Repeals the Clean Energy and Community Preparedness Act and directs the Department of Environmental Quality to take all steps necessary to suspend Virginia's participation in the Regional Greenhouse Gas Initiative.

## Utilities

**SB1029 (Stanley) / HB1752 (Head) Public utilities; fiber optic broadband lines crossing railroads.** Provides that if a broadband service provider, in the construction of its works, deems it necessary to cross the works of a railroad company, the broadband service provider is required to submit an application to the railroad company. The bill requires the application to include (i) a license fee; (ii) engineering design plans, construction plans, bore plans, fraction mitigation plans, dewatering plans, rigging and lifting plans, and any other pertinent plans deemed necessary and prepared by a registered professional engineer; (iii) the location of the crossing, including whether it is located in a public right-of-way; (iv) the proposed date of commencement of work; (v) the anticipated duration of the work in the crossing; (vi) the areas in which the project personnel will work; and (vii) the contact information of the broadband service provider's point of contact. The bill requires a railroad company to acknowledge receipt of the application, to request any additional information within 15 days, and to approve the application within 35 days unless the railroad company petitions the State Corporation Commission.

**SB1129 (Hanger) / HB1485 (Webert) Chesapeake Bay Watershed Implementation Plan; effective date.** Allows the agricultural sector an additional year to meet Chesapeake Bay nutrient reduction goals under the Watershed Implementation Plan (WIP III) for each year that the Commonwealth does not fully fund agricultural best management practices and includes specific targets for agricultural nutrient reductions to meet WIP III Goals.

**HB2189 (Rasoul) Requirements to test for PFAS; public owned treatment works; discharges into state waters.** Defines specific fluorinated organic chemicals (aka PFAS) in the code of Virginia and requires industrial users of publicly owned treatment works who clean, repair, refurbish, or process items that contain PFAS to test waste streams for PFAS before and after undertaking their work and notify the publicly owned treatment works within 3 days of receipt of the test results.

## Studies of note

### Finance

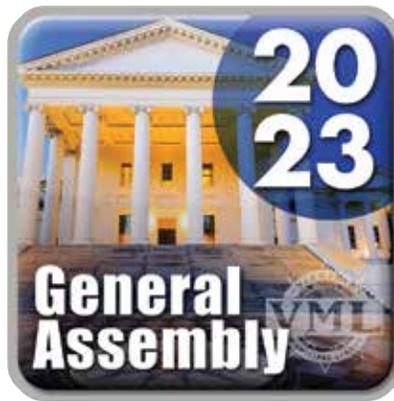
**HB2200 (Robinson) Anti-cancer drugs; analyzing current reimbursement, etc., for medical practices that administer.** Requires the creation of a work group led by the Secretary of Health and Human Resources to analyze current reimbursement and operational challenges for medical practices that administer anti-cancer drugs in an in-office setting to patients whose costs for such treatment are paid for by Medicare, Medicaid, or TRICARE.

A report of the workgroup is required to be submitted by November 15, 2023, and include an analysis of the impact on and accessibility of such treatment for patients enrolled in these publicly funded programs. The workgroup includes a number of important stakeholders including VML.

As introduced, the bill proposed to exempt anti-cancer drugs purchased by medical practices and administered within a physician-patient relationship from Business, Professional, and Occupational License (BPOL) taxes. When it was pointed out to lawmakers that the problem being addressed primarily revolved around the level of reimbursement from public programs, and not

BPOL, the bill was converted to a study examining that specific issue.

**HB1896 (Byron) / SB1182 (Ruff) Bank franchise tax; electronic access to banks for real estate assessment records, etc.** Requires the Department of Taxation convene a work group to assess potential alternative methods for the filing and allocation of bank franchise tax revenues. The work group is required, at a minimum, to evaluate: a) proposals to allow banks to submit their bank franchise tax payments to the Commonwealth, b) the formula used to redistribute funds to local governments, c) the impact of the new method of collecting and distributing funds on counties, cities, and towns, d) the timeline for implementation of any proposed changes, and e) the cost to the Commonwealth and local governments of implementing these changes. The work group must include VML as a participant and submit its findings and recommendations to the General Assembly by December 1, 2023.



Originally, the bill would have allowed banks with deposits in excess of \$40 billion to remit their bank franchise fee tax to the Commonwealth instead of the county, city, or town where the bank resides then redistributed to localities. That change attracted the most attention, and concern among lawmakers, and was eventually removed from the bill; the result was the establishment of this work group. In addition to the study, the bill requires localities that impose a bank franchise tax to provide electronic processes for banks to access real estate assessment records effective *January 1, 2025*.

### Flow control

Localities have the authority under Virginia Code Sections §15.2-931 and §15.2-933 to enact “flow control” ordinances which allow them to direct the delivery of garbage, trash, and refuse to specific facilities. While these ordinances do not apply to recyclable materials, they can apply to the waste generated by recyclable materials. This year, HB1365 (Lewis) would have eliminated local ordinance authority for the “flow control” of materials recovery facilities. After much discussion and debate, the Department of Environmental Quality’s Waste Diversion and Recycling Task Force will instead study the issue further this year.

### Housing

Housing was a hot issue this year with many bills introduced to address housing availability and affordability. The result was several studies to be conducted this summer. Most notable is the HJ507 (Marshall) study, which came from the Chairman of the Virginia Housing Commission. This study’s intention is to revamp Virginia Code Chapter 22 of Title 15.2 which addresses Planning and Zoning. According to the legislation, the goal is to “streamline and enhance predictability in local development review and alleviate the effects of local policies or ordinances that contribute to increased housing costs and constrain supplies of affordable and workforce housing.”

While VML would have preferred a more positive approach to this review, we are grateful for a study and not a mandate!

The second housing study arises from HB2271 (Marshall) / SB1391 (Lewis) dealing with short-term rentals. The goal of this legislation was to make short term rental properties managed by a Virginia realtor less restrictive than current short term rental ordinances (see call out box below).

VML has been given the opportunity to participate in these studies this summer; all the meetings will be public. Final reports are due in the fall. We will continue to report on these studies as they move forward.

### Procurement

**SB954 (Petersen) / HB1957 (Leftwich) Virginia Public Procurement Act; construction management and design-build contracting; applicability.** Requires a two-step process consisting of (i) a preconstruction contract and (ii) competitive sealed bidding for construction services for certain projects totaling less than \$125 million. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Secretary of Administration. If a complex project total is more than \$125 million, the bill provides that an exemption from the provisions of the bill and relevant law is not required. Finally, the bill states that competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth.

## Other studies

**HB1594 (Gooditis) / SB1368 (Vogel) Department of Human Resource Management; health insurance coverage for employees of multijurisdictional community services boards.** Adds employees of community services boards that serve more than one locality to the definition of “state employee” for the purpose of allowing such employees to be eligible for the health insurance coverage provided to state employees by the Department of Human Resource Management.

**HJR461 (Ware) Study; JLARC; Compensation Board funding for the offices of certain constitutional officers; report.** Would direct the Joint Legislative Audit and Review Commission (JLARC) to study Compensation Board funding for the offices of certain constitutional officers and to review the trends and trajectory of general fund support in the state budget for the offices of certain constitutional officers, the metrics by which support is determined, the equity of such state support considering the needs of the various localities, and the degree to which localities are supplementing the Commonwealth’s funding.

### Short-term rental property; locality’s ability to restrict property managed by a Virginia realtor.

HB2271 (Marshall) / SB1391 (Lewis) provide that a locality may not enforce an ordinance against such property where the ordinance:

1. Prohibits short-term rentals.
2. Limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations.
3. Limits the number of days in a calendar year for which a short-term rental property can be rented.
4. Requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year.

5. Requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video.
  6. Requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority
  7. Requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code
- OR-
8. Requires an owner to add additional or otherwise alter existing parking spaces for the short-term rental property.

*\*The provisions of the bill shall apply to any short-term rental property managed by a realtor and operating as such on or after January 1, 2023.*

**SB979 (Marsden) Towing trespassing vehicles; limitations on fees.** Pre-empts local authority to set towing fees at a rate other than the state maximum rate; VDOT will study the issue.

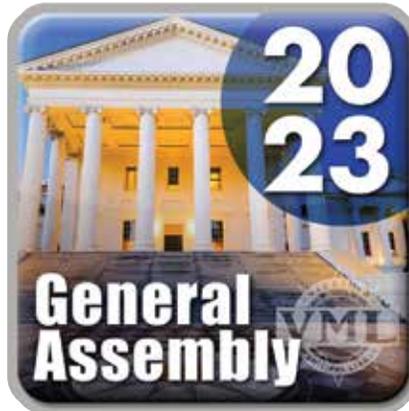
**SB1411 (Norment) Study on return to work for law-enforcement officers.** Directs the Virginia Retirement System (VRS) and the Department of Criminal Justice Services (DCJS), in consultation with the Joint Legislative Audit and Review Commission (JLARC), to analyze and report on options for allowing law enforcement officers to return to work as law-enforcement officers after retirement and continue to receive their retirement benefits. It specifies that the report shall include the appropriate break in service, the need for retirees to fill law-enforcement staffing shortages, the effectiveness of employing retirees, Virginia's return-to-work provisions for law-enforcement compared to other public pension plans, and an actuarial analysis of potential changes.

**HB2175 (Sickles) Secretary of Public Safety and Homeland Security; fire service needs, sustainability of funding, and alternative funding models work group; report.** Directs the Secretary of Public Safety and Homeland Security to establish a work group to study existing fire service needs, analyze sustainability of current

funding, and review alternative funding models from other states. The work group may hire an outside consultant and shall create a needs assessment survey that analyzes existing fire service needs, the sustainability of current funding, any gaps in current funding, how other states fund fire and EMS services, and best practices from other states.

**SJR 250 (Lucas) Study; JLARC; Department of Juvenile Justice.** Directs the Joint Legislative Audit and Review Commission, in conjunction with the Office of the Secretary of Public Safety and Homeland Security and the Office of the Secretary of Health and Human Resources, to conduct a study to determine the feasibility and benefits of transferring responsibility for the Department of Juvenile Justice from the Secretary of Public Safety and Homeland Security to the Secretary of Health and Human Resources.

**HJR489 (Bell) Study; State Corporation Commission; tree-trimming practices of electric utilities; report.** Requests the State Corporation Commission (SCC) to study the adequacy of tree-trimming practices of electric utilities to ensure reliable electric service in the Commonwealth and to reports its findings and recommendations to the Governor and the General Assembly by the first day of the 2024 Regular Session.



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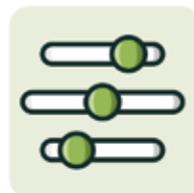
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# 2023

## VIRGINIA MUNICIPAL LEAGUE INNOVATION AWARDS

Enter on-line at [www.vml.org/innovation-awards](http://www.vml.org/innovation-awards)



RECOGNIZING EXCELLENCE IN VIRGINIA LOCAL GOVERNMENT

# CALL FOR ENTRIES

## 2023 VML Innovation Awards

THE PEOPLE WHO MAKE local governments work do so much for their residents with little or no expectation of recognition. That's why 47 years ago, the Virginia Municipal League launched our "Achievement Awards" to recognize outstanding work being done by local governments across Virginia. The program went on to become Virginia's highest honor in local government creativity. In 2017 the name was changed to "Innovation Awards", but the purpose remains the same: To celebrate all that you do to make your city, town, or county a great place to live!

It's time again for our members are to spotlight programs and individuals that have made a big difference to your residents by creating innovative solutions to address emerging needs.

The awards will be presented at VML's Annual Conference in Norfolk in October.

### Criteria

Projects and programs are judged on how well they demonstrate the following:

- **Innovative problem solving**
- **Improved quality of life**
- **Excellence in management**
- **Making the most of local resources**
- **Increased citizen participation**
- **Long-term value to the community**
- **Adaptability to other communities**

Award-winning projects typically demonstrate innovative ways of delivering services, addressing community needs, or significantly improving an existing service.

## CATEGORIES

AWARD CATEGORIES are based on broad topics with local governments of all sizes competing within these categories. The entries will be judged based on the scope and effect of the project in relationship to the community's size, thereby putting all localities on a level playing field.

Many projects relate to more than one category. When deciding what category best fits your project, consider the primary goal of the project and which components of the project demonstrate the greatest innovation.

Localities may submit only one entry in each of the seven following categories (i.e., a maximum of seven submissions total per locality):

### Community Health

Includes building healthy community environments through active lifestyle programs, nutrition education and improving access to healthier food choices.

### Economic Development

Includes business development and retention; international competitiveness; infrastructure development and investment; planning, land use and zoning; blight; enterprise zones; housing; transportation; workforce development; and historic preservation.

### Environmental Quality

Includes natural resources and the authority of local governments to manage the environment, including water resources and quality, solid and hazardous waste management, air quality and the Chesapeake Bay.

### Public Safety

Includes police, fire, rescue services, emergency planning and coordinated response, building code enforcement, jails, health, and mental health related to public safety.

### Working with Youth

Includes civics education, pre-k-12 education, summer programs, parks and recreation, and literacy programs.

### Communications

Includes promotional campaigns, branding campaigns, crisis plans, events, customer service programs; media can include online, video, print, social and other formats.

### Risk Management

Includes the process of identifying, assessing, and controlling threats to a locality's capital, earnings, information technology, and data. This can include, but is not limited to, investments in risk management and diversification of risk management strategies used to mitigate threats.

## President's Award for Innovation

One winning project from the category winners will be selected for the top prize – the President's Award for Innovation – and will receive this top honor in addition to the award in their category. The President's award can come from any of the categories.

## Deadline

**All entries must be received via e-mail by 5 p.m., Monday, Aug. 21, 2023.**

## Rules for entering

The competition is open to all VML local government members.

All entries must be submitted electronically via email. Localities must download the entry form at [www.vml.org/innovation-awards](http://www.vml.org/innovation-awards) and fill in all of the requested information directly on the form. The completed form must then be e-mailed to [mtimbreza@vml.org](mailto:mtimbreza@vml.org).

Entries must cover **new projects** or programs completed between Jan. 1, 2022 and June 1, 2023, or – for **existing projects** – entries must cover major enhancements during the same time period.

Each entry form must be fully completed and must be signed by the local government's chief administrative or elected official.

A local government can only submit one entry in each of the seven categories. The President's Award for Innovation is not a separate category.

Supporting materials totaling no more than 10 pages, including photos, brochures, charts, or other information, can be included in a separate document. This document must also be e-mailed.

A video is also required as part of your supporting materials, include the URL (or web address link) to that video (i.e., YouTube, Vimeo, etc.). Maximum length of video is five minutes.

## Questions?

For more information about completing your entry or other details, contact VML's Manuel Timbreza at [mtimbreza@vml.org](mailto:mtimbreza@vml.org) or call 804-649-8471.

## The judging

Entries are screened by VML staff and judged by a panel of judges chosen for their expertise in local and state government. The judges generally represent a variety of backgrounds, including small and large localities and state agencies.

## The winners

Awards will be presented at the 2022 VML Annual Conference in Norfolk, Oct. 8-10. All winning entries will also be featured in *Virginia Town & City*.

Don't miss this premiere opportunity to spotlight innovative programs that make your town, city or county a great place for people to call home!



Enter on-line at  
[www.vml.org/  
innovation-awards](http://www.vml.org/innovation-awards)



# A Quality Resource: The Regional Elected Leaders Initiative

**G**EORGE MASON UNIVERSITY'S Schar School of Policy and Government is expanding its support for Virginia's local and state elected leaders. VML is co-sponsoring the spring governance webinars and the Peer-to-Peer Cohort described below.

## Beginnings

In 2018, Dean Mark Rozell brought on two prominent VML alumnae to create and grow the Regional Elected Leaders Initiative – Jay Fisette and Mary Hynes. Jay served on the Arlington County Board (1998-2017) and on the VML Executive Committee (2001-2009) and was VML President (2007-2008). He created the popular Go Green Virginia program on his watch. Mary was elected to the Arlington School Board (1995-2006) and then to the Arlington County Board (2008-2015). Mary was on the VML Executive Committee (2011-2015).

## Mission

The Regional Elected Leaders Initiative (RELI) provides a range of programs designed to support, engage, educate, and connect local and state elected officials on a range of governance and policy issues. The two core principles of RELI are (1) provide practical advice, tools and action options, and (2) identify and encourage opportunities for collaboration across borders, levels of government and sectors.

The target audience has changed. Initially, the focus was on newly elected NoVA local and state government officials. It then expanded to include all NoVA elected officials, including school board members. In recent years, the program has expanded to invite elected officials statewide to many programs and as well as many non-elected folks who join the webinars when the topic is of interest.

## Programs

RELI continues to expand – with new programs each year. All programs are free.

**Webinars** on governance issues and topical policy issues are held in the spring and fall. The panelists are top notch, and the webinars are open to all. Increasingly, local government staff, non-profit staff, and other interested parties attend the webinars.

A **Peer-to-Peer Cohort** is held in June for city/county elected officials. This is a unique opportunity for local elected leaders to talk with your peers about a range of governance and policy issues. The program consists of four virtual, one-hour facilitated sessions on June 9, 16, 23 and 30. Participation is limited to 12 local elected officials, and participants must commit to all four sessions. To express interest, send an email to [scharRELI@gmu.edu](mailto:scharRELI@gmu.edu).

The **Annual Leadership Luncheon and Regional Leadership Awards** will be held on December 8. This event brings together elected and non-elected leaders from throughout NoVA and beyond to recognize those elected officials who have just won their first election as well as those departing office. Awards are presented to select individuals for outstanding regional leadership. Special guest speakers at this event have included Governor Terry McAuliffe, Congressman Tom Davis, VA Secretary of Education Anne Holton, VA Secretary of Finance Aubrey Lane, VA Lt. Governor Bill Bolling and VA Secretary of Education Jim Dyke.



## Governance

RELI is guided by a bipartisan Advisory Board comprised of distinguished former elected officials, several of whom were active VML leaders over the years: Dave Albo, Sharon Bulova, Bill Euille, Signe Friedrichs, Mark Keam, Rob Krupicka, Chris Lewis, Ron Meyer, Randy Minchew, Marty Nohe, Janie Strauss, Emma Violand Sanchez, and Mary Margaret Whipple.

RELI is partially supported by private contributions. 2023 sponsors include: JBGSmith, Virginia Housing, McGuire Woods Consulting, Dominion Energy, Moseley Architects, Metropolitan Washington Council of Governments and Seyfarth. RELI has eleven terrific Partner Organizations. Most are NoVA regional organizations, academic institutes, or Virginia associations.

The programs offered by VML and RELI are complementary in nature and reflect RELI's partnership with the league. For more information about RELI visit their website at [www.schar.gmu.edu/faculty-research/research-centers-institutes-and-initiatives/regional-elected-leaders-initiative](http://www.schar.gmu.edu/faculty-research/research-centers-institutes-and-initiatives/regional-elected-leaders-initiative).

To be added to their distribution list email to [scharRELI@gmu.edu](mailto:scharRELI@gmu.edu).

RELI 2023 PROGRAMS

**SAVE THE DATES IN 2023**

A suite of programs from the Schar School's Regional Elected Leaders Initiative (RELI). For the 6th year, programming specifically focused on meeting the region's challenges and curated for NOVA's elected officials, their staffs, and others.

Governance Webinars
<b>EXECUTIVE EVALUATION</b> MAY 5
<b>COLLECTIVE BARGAINING</b> MAY 19
Peer-to-Peer Cohorts
<b>CITY/TOWN COUNCIL &amp; COUNTY BOARD</b> JUNE 9, 16, 23, 30
<b>SCHOOL BOARD MEMBERS</b> JULY 7, 14, 21, 28
Policy Webinars
<b>PLANNING TOGETHER FOR CLIMATE CHANGE</b> SEPTEMBER 15
<b>REDUCING ROADWAY DEATHS &amp; INJURIES</b> SEPTEMBER 29
<b>AFFORDABLE HOME OWNERSHIP</b> OCTOBER 13
<b>CRIME TRENDS &amp; TOOLS</b> OCTOBER 27
Annual Luncheon
<b>LEADERSHIP LUNCHEON &amp; AWARDS</b> DECEMBER 8, 11:30-2PM

ALL EVENTS ARE FREE AND FROM 12-1:15PM UNLESS OTHERWISE NOTED.

## GLAVÉ &amp; HOLMES ARCHITECTURE

By Andrew Moore

# Four things to remember when revitalizing an historic civic center

**V**IBRANT CIVIC CENTERS are a quintessential part of a city or town's fabric. Virginia boasts over 200 towns and cities and their municipal centers are often linked to the historic roots of their community. Current needs have compelled many of Virginia's cities and towns to reconsider these spaces and identify how to transform historic buildings into modern facilities that also serve essential civic functions while maintaining the aesthetics of the historic civic center.

During our recent work for localities like the Town of Middleburg and the City of Fredericksburg, the designers and project managers at Glavé & Holmes Architecture have identified four best practices that we believe are vital to revitalizing historic civic spaces to ensure they meet the needs of today's citizens.

**#1 – Ask for input early.** Local governments should think hard about their stakeholders and what matters to them. That buy-in will be critical as plans are crafted. Architectural review boards, a common feature in historic areas, can be a valuable channel for building citizen support. Working with these boards is critical to the approval process and they often serve as a proxy for broader citizen sentiment.

Another benefit of involving citizens is that they'll be more likely to engage with the enhanced civic spaces once complete.

**#2 – Embrace traditional design principles.** Citizens recognize the civic importance of courthouses and municipal buildings because of well-established architectural and spatial cues. For example, many of Virginia's earliest towns and cities were planned so that the most important buildings were sited with adjacent greens and squares. These civic spaces reinforced the importance of those public buildings and created areas for citizens to gather. Residents are attracted to these spaces to build and strengthen a shared sense of community.

The new town hall for Middleburg (currently under construction) is a great example of how historic components can be incorporated into a new building. The new town hall will be situated next to a new Village Green and a separate park. That park, on the old town hall's footprint, will serve as a primary entry point for the new building. The building's design is intended to recall the vernacular structures of the nearby countryside, while including some details that suggest the building's civic functions and roles as the symbolic center of the town.





Furthermore, traditional elements have the benefit of staying power. For example, brick and stone are durable and associated with meaningful institutions. Likewise, traditional approaches boast an efficient use of space and are often more energy efficient than contemporary architectural trends.

**#3 – Less can be more.** An intense focus on tying new and existing facilities together will ensure that renovated or new buildings honor an area’s historic significance and blend with the existing character. The courthouse complex in Fredericksburg’s historic center offers a great example of this approach. The existing collection of three courts buildings was inadequate to meet current standards for safety, security, and efficiency. After discussing various options with key stakeholders, Fredericksburg’s officials recognized the value of keeping the courthouse in the city center and on the same street it had occupied for over a century. Although this approach resulted in some design and construction challenges, given the tight nature of the sites in the downtown core, the result was a consolidated courts complex that includes a new building and extensive renovation of an adjacent facility.

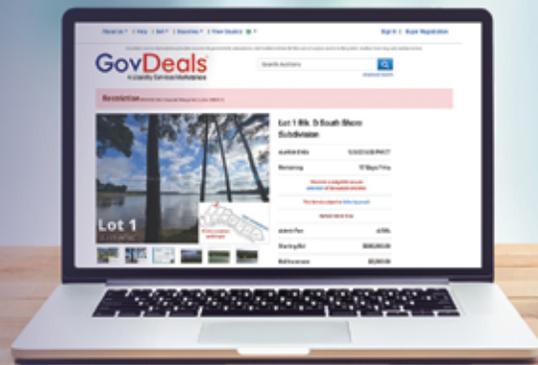
**#4 – Perspective matters.** Sometimes it’s easy to forget that most people engage with civic spaces on their feet. When considering changes to a municipal facility, it’s important to think about how staff and citizens approach and walk around the structure. As such, a key element of Fredericksburg’s new courts complex was the spatial perspective of pedestrians. This helps the complex blend in with the city’s historic downtown and has become a point of pride for residents.

Virginia’s towns and cities have plenty of great options when it comes to enhancing historic civic centers to foster growth, increase efficiency, and boost civic engagement. While each town or city center is unique, the four best practices outline above can serve as a guide as you consider your own revitalization journey.

**About the author:** *Andrew Moore AIA, LEED AP BD+C, CDT is a Senior Principal at Glavé & Holmes Architecture in Richmond, VA. As founder and Director of the firm’s Urban Architecture Studio, he seeks to create buildings and places that enhance community life in the public realm. Andrew has worked with cities and towns to reimagine and revitalize historic municipal facilities and complexes. He can be contacted at [amoore@glaveandholmes.com](mailto:amoore@glaveandholmes.com).*

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