



Executive Committee Meeting
Omni Charlottesville
212 Ridge McIntire Rd., Salon B
August 14, 2015, 9:00 a.m.

- I. Call to Order
- II. Annual Report by VML Insurance presented by Steve Craig, Managing Director & John McCarthy, County Administrator, Rappahannock County

Action Agenda

- III. Additions to Agenda
- IV. Consideration of Minutes from May 15, 2015 [Tab 1]
- V. Approval of Financial Report as of June 30, 2015 [Tab 2]
- VI. Consideration of Capital Expenditures [Tab 3]
- VII. Consideration of Changes to the Annual Conference Schedule [Tab 4]

Information/Discussion Agenda

- VIII. Executive Director's Report [Tab 5]
- IX. Staff Report on Interim Legislative Activities, including BPOL issue [Tab 6]
- X. Redistricting Update [Tab 7]
- XI. Staff Report on Federal Issues [Tab 8]
- XII. Staff Report on Amicus Briefs [Tab 9]
- XIII. Update on the Maker Movement
- XIV. Go Green Update [Tab 10]
- XV. Staff Report on the 2015 Annual Conference [Tab 11]
- XVI. Future Meetings:
 - a. October 4 Richmond
 - b. January 27, 2016 Richmond
- XVII. Items Proposed for Discussion at Future Meetings
- XVIII. Other Matters
- XIX. Adjournment



Executive Committee Meeting
Hotel Monaco
480 King St., Alexandria, VA
May 15, 2015

Attending: President Bill Euille, President-Elect Ron Rordam, Vice President Bob Coiner, Past President David Helms, Mimi Elrod, Katie Hammler, Mary Hynes, Ceasor Johnson, Edythe Kelleher, Christina Luman-Bailey, Anita James Price, Faye Prichard, and Patricia Woodbury. **Staff:** Kim Winn, Mark Flynn

Action Agenda

- I. **Call to Order.** President Euille called the meeting to order at 9:01 a.m.
- II. **Additions to Agenda.** There were none.
- III. **Consideration of Minutes from January 28, 2015.** Coiner moved and Woodbury seconded a motion to approve the minutes as presented. Motion was approved without objection.
- IV. **2015 – 2016 Strategic Vision and Goals.** The Executive Committee discussed the 2015 – 2016 Strategic Vision and Goals. One suggestion was to make certain that trainings be enhanced regarding new ethics laws. Rordam moved and Coiner seconded a motion to approve the Strategic Vision and Goals as presented. Motion was approved without objection.
- V. **Selection of VML Audit Firm.** After review of the proposals, Coiner moved and Rordam seconded a motion to approve a three-year agreement with Keiter to perform audit services for VML. Motion was approved without objection.
- VI. **Consideration of 2014 – 2015 Budget.** After a discussion by the Executive Committee, Coiner moved and Johnson seconded a motion to approve the 2014 – 2015 budget as presented. Motion was approved without objection.

Information/Discussion Agenda

- VII. **Executive Director's Report.** Winn gave a year-end review of the accomplishments of the last year and the progress on the Strategic Vision and Goals.
- VIII. **Staff Report on 2015 General Assembly.** Flynn provided a summary of the 2015 legislative session, noting that it was a particularly good session for local governments.

- IX. **Staff Report on Federal Issues.** The Executive Committee reviewed the staff memo regarding federal issues. There was discussion of working together to make another push regarding Marketplace Fairness.
- X. **Staff Report on Amicus Briefs.** Flynn reviewed a recent request for an amicus brief. In the event that the appeal is granted, Johnson moved and Hynes seconded a motion to approve the request to file an amicus brief. Motion was approved without objection.
- XI. **VML Annual Conference Update.** Winn reviewed plans for the upcoming Annual Conference in Richmond.
- XII. **Go Green Update.** Chair of the VML Go Green Committee, Luman-Bailey reviewed recent activities of the group. There was discussion regarding the importance of notifying the membership of the upcoming changes to the program.
- XIII. **Future Meetings.** Dates and locations for future meetings were reviewed.
- XIV. **Items Proposed for Discussion at August and October Meetings.** VML trainings; the Maker Movement; youth councils (sub-committee established with Price, Hammler, Elrod, and Prichard volunteering).
- XV. **Other Matters.** Rordam moved and Woodbury seconded a motion to go into executive session for the purpose of discussing a personnel matter. Motion was approved without objection. Upon return to the open portion of the meeting, Rordam moved and Price seconded a motion to increase the salary of the Executive Director as follows: a 3% cost of living adjustment along with a \$5,000 merit increase in the salary. Motion was approved without objection. Winn thanked the Executive Committee for their support and restated her commitment to continuing to work with the Committee to move VML forward toward fulfillment of the Strategic Vision and Goals.
- XVI. **Adjournment.** There being no other business to come before the body, the meeting was adjourned at 11:56 a.m.

Respectfully Submitted,

Kimberly A. Winn
Executive Director

VML Unaudited Statement of Revenues and Expenses
For the Twelve Months Ending 6/30/2015

	Annual Budget	YTD Actual	YTD Variance
REVENUES			
Membership Dues	\$1,136,000.00	\$1,153,232.00	\$17,232.00
Annual Conference	245,000.00	278,005.00	33,005.00
Workshops/Seminars	20,000.00	40,052.50	20,052.50
Advocacy	25,000.00	32,445.00	7,445.00
Investment Income	2,000.00	3,207.78	1,207.78
Publications	61,000.00	72,262.00	11,262.00
Insurance Programs	867,000.00	896,701.60	29,701.60
Sponsorships	150,000.00	141,914.98	(8,085.02)
Affiliated Groups	50,000.00	51,362.00	1,362.00
Other Administration Fees	35,000.00	35,978.00	978.00
Miscellaneous Income	25,000.00	29,123.63	4,123.63
Gain from Disposal of Asset		2,866.32	2,866.32
Transfer from Surplus	40,000.00		(40,000.00)
Total Revenues	2,656,000.00	2,737,150.81	81,150.81
EXPENSES			
Compensation and Benefits	1,680,000.00	1,606,173.61	(73,826.39)
Annual Conference	180,000.00	195,568.40	15,568.40
Workshops/Seminars	35,000.00	45,598.46	10,598.46
HR & Financial Services	18,000.00	15,566.47	(2,433.53)
Travel	60,000.00	34,812.81	(25,187.19)
Office Supplies & Postage	40,000.00	29,532.50	(10,467.50)
Office Maintenance & Equipment	30,000.00	20,214.93	(9,785.07)
Office Rent	11,000.00	3,000.00	(8,000.00)
Building Repairs & Utilities	40,000.00	41,185.25	1,185.25
Computer Services	20,000.00	35,695.05	15,695.05
Dues & Subscriptions	22,000.00	18,309.97	(3,690.03)
National League of Cities	22,048.00	22,048.00	
Insurance Expense	18,000.00	10,884.46	(7,115.54)
Professional Fees	46,000.00	42,334.81	(3,665.19)
Advocacy	118,000.00	106,993.89	(11,006.11)
Publications	100,000.00	75,031.69	(24,968.31)
Executive Committee	50,000.00	34,064.43	(15,935.57)
Depreciation Expense	30,000.00		(30,000.00)
Miscellaneous	23,000.00	21,494.38	(1,505.62)
Special Projects	40,000.00	26,400.00	(13,600.00)
Real Estate Tax	7,000.00	6,975.00	(25.00)
Accumulated Leave Earned	20,000.00	43,038.01	23,038.01
Total Expenses	2,610,048.00	2,434,922.12	(175,125.88)
Net Revenue	45,952.00	302,228.69	256,276.69
<p>Note: It was unnecessary to show a transfer from surplus because of the overall surplus for the year. Also, there is no depreciation number yet as that will be calculated by the auditors.</p>			
Checking Accounts	\$84,324.94		
VML Invested Reserve	\$2,629,391.04		



To: VML Executive Committee
 From: Kim Winn, Executive Director
 Date: July 31, 2015
 Re: Capital Expenditures

OFFICERS

PRESIDENT

WILLIAM D. EUILLE
 ALEXANDRIA MAYOR

PRESIDENT-ELECT

RON RORDAM
 BLACKSBURG MAYOR

VICE PRESIDENT

ROBERT K. COINER
 GORDONSVILLE MAYOR

IMMEDIATE PAST PRESIDENT

DAVID P. HELMS
 MARION MAYOR

EXECUTIVE DIRECTOR

KIMBERLY A. WINN

MAGAZINE

VIRGINIA TOWN & CITY

The VML building is a significant asset for this organization and it needs to be preserved and protected. When the budget for 2015 – 2016 was adopted at the May Executive Committee meeting, a capital budget of \$80,000 was also approved. This amount was set aside to make a number of repairs and updates to the VML building. Upon receiving bids and quotes for the various projects, it became apparent that the project was going to exceed this amount. In addition, the discovery of significant rot increased the cost of repairing the windows. I updated the officers and asked if they would like to approve additional funds. They approved an additional \$20,000.

With those funds, we have been able to complete all of the planned projects, except the installation of the LED lighting. Below you will find a summary of the projects that have been completed so far.

Action needed: In order to finalize this project, the Executive Committee will need to approve the funds to install the LED lighting. I am recommending that we do the lighting on the top two floors only at this time. The basement is going to require a complete remodel at some point in the future, so it makes sense to hold off on replacing lighting there right now. Actual estimates put the cost of the lighting project at \$29,098.64. Because you never know what we might encounter once we start working on this (see examples below), I would suggest approving up to \$35,000, should you wish for us to proceed with the lighting aspect of this project.

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Building Project to Date (\$99,632.27)

Windows \$41,193.66

By far, the most necessary aspect of this project has been the windows. We knew this was going to be a challenge because most of the windows were not even keeping out the rain. During the project, we discovered many areas of the windows with significant rot (see above). We are estimating that this repair will last at least 10 years. At that time, there will need to be an assessment of whether the windows need to be replaced in their entirety.

Carpet \$27,185.00

The carpet is being installed the week of August 10th. The existing carpet is worn and dirty and desperately needed to be replaced.

Exterior Work \$6,800

This aspect of the project involved mortar work and dealing with seriously peeling paint and rot (see right).

Interior Paint \$7,846.60

This included painting trim areas as well as repair and painting ceilings in the areas that will not be a part of the lighting project. The remaining ceilings will be repaired and painted if the lighting project is approved.

Furnishings \$6,711.21

This included the recovering and purchase of some pieces of furniture. We repurposed furniture wherever possible.

Front Entry Way \$2,413.30

The front entry way was chipping and looked very unprofessional. This includes replacing the flooring inside the door, along with the thresholds.

Downstairs Bath \$7,482.50

At one time, the plumbing in the downstairs bath had been repaired but never replaced properly. So, the plumbing is being routed properly and the wall is being repaired. In addition, we updated this space as it is the facility that is used by those visiting the building.





To: VML Executive Committee
From: Kim Winn, Executive Director
Date: July 30, 2015
Re: The Future of the VML Annual Conference

The VML Conference Planning Committee asked staff to review the length of the event and make recommendations. Anita Yearwood and I sat down and went through every aspect of the annual conference, start to finish. Based on this analysis, we put together the proposed schedule that you see below. The VML Conference Planning Committee met for a second time and endorsed these changes. Key factors in this decision were:

- **Reduces Room Nights for Attendees.** Right now, if someone attends the Mayors Conference and the full Annual Conference, that represents at least four hotel nights. The proposed schedule would reduce that by one, saving local officials this expense.
- **Advocacy.** Rather than a pre-conference meeting with limited attendance, this proposal moves the legislative committee meeting into the heart of the conference (Monday). This gives us the opportunity to engage more attendees in our advocacy efforts.
- **General Session and Substance on Day One.** Right now, attendees arrive on Sunday and the only general activity is a reception in the trade show area. This proposal would have an opening session, break outs, and host city night on Sunday.
- **Expense.** Overall, this should reduce expenses for VML by reducing a reception and a lunch.
- **Closing.** Providing a closing on Tuesday morning before everyone leaves gives us an opportunity to bring attendees together for final business and a closing keynote speaker.

Should the Executive Committee approve this new structure for the Annual Conference, I will proceed to work with the future locations to renegotiate our contracts to allow for this change. Upcoming conferences include:

2016 Virginia Beach
2017 Williamsburg
2018 Hampton

I would anticipate that we will solicit for future proposals and present those for your consideration next year.

Proposed Conference Outline 2016 & Beyond

Virginia Mayors Institute

Saturday

8:15 AM	9:00 AM	Registration & Breakfast
9:00 AM	12:30 PM	Program
12:30 PM	1:30 PM	Group Lunch
1:30 PM	4:15 PM	Program
6:00 PM	7:00 PM	Reception
7:00 PM	8:30 PM	Group Dinner

Sunday

8:15 AM	9:00 AM	Continental Breakfast
9:00 AM	12:00 PM	Program
12:00 PM		Adjourn

VML Annual Conference

Sunday

10:00 AM	6:00 PM	Registration
10:00 AM	6:00 PM	Exhibit Hall Open (Light lunch items available)
1:00 PM	2:15 PM	Opening Session with Keynote
2:15 PM	2:30 PM	Afternoon Break
2:30 PM	3:30 PM	Breakouts & Mobile Workshop
3:30 PM	5:30 PM	Executive Committee Meeting
5:00 PM	6:00 PM	Afternoon Break in the Exhibit Hall
6:30 PM	9:30 PM	Host City Night

Monday

7:45 AM	8:45 AM	Nominating Committee Meeting & Breakfast
7:45 AM	8:45 AM	Women in Local Government Breakfast
8:00 AM	8:45 AM	Continental Breakfast in Exhibit Hall

8:00 AM	3:00 PM	Exhibit Hall Open
8:00 AM	4:00 PM	Registration
9:00 AM	10:30 AM	General Session - Advocacy & Legislative Committee Meeting
10:30 AM	10:45 AM	Morning Break
10:45 AM	11:45 AM	Breakouts & Mobile Workshop
11:00 AM	1:00 PM	Spouses Program Luncheon
12:00 PM	1:00 PM	NBC-LEO Program and Luncheon
12:00 PM	1:15PM	VLGMA Luncheon
12:00 PM	1:15PM	First Cities Luncheon (or breakfast TBD)
12:00 PM	1:00 PM	Lunch in Exhibit Hall
1:15 PM	2:30 PM	Section Elections & Workshop
1:15 PM	3:00 PM	VLGMA Board Meeting
2:30 PM	3:00 PM	Afternoon Break
3:00 PM	5:00 PM	Local Government Roundtables
3:00 PM	4:00 PM	Past Presidents' Meeting
6:00 PM	6:45 PM	President's Reception
6:00 PM	6:45 PM	Banquet Reception
6:45 PM	8:00 PM	Annual Banquet
8:00 PM	10:00 PM	Entertainment

Tuesday

8:00 AM	9:00 AM	Continental Breakfast
9:00 AM	11:00 AM	Closing Session & Business Meeting <ul style="list-style-type: none"> • Speaker • Recognition of VEOLA Graduates • Presentation of Go Green certificates • Heal Campaign Awards • Business Meeting & Elections



To: VML Executive Committee
From: Kim Winn, Executive Director
Date: July 31, 2015
Re: ED Report

The Executive Committee approved the Strategic Vision and Goals at the May meeting. Earlier this week, we had a staff retreat where we participated in a facilitated team building exercise and updated the implementation plan for these goals.

Also in May, the Executive Committee received a summary of what we had accomplished in 2014 – 2015 so I thought it would be appropriate to highlight where we are headed in the near term with respect to our goals.

Building Relationships

Relationships are the critical foundation upon which successful organizations must be built. VML is committed to forming and maintaining relationships in order to provide excellent service to the membership and to promote the principles of good government.

- VML will develop and maintain strong working relationships with members of the General Assembly, the State Administration, and the Federal Delegation.
- VML will facilitate networking among the membership and between VML and local government officials.
- VML will build and maintain partnerships with peer associations, the business community, and other groups with mutual interests.
- The VML Executive Committee will promote and implement principles of ethical and effective leadership throughout the organization.

The VML staff and I spend a great deal of time collaborating with other associations and working groups on key issues. Most recently, I was invited to be a part of the upcoming Go Virginia initiative (see attachment). This is a unique opportunity to work with business leaders, the education community, members of the General Assembly, and local governments. While the details of the initiative are still being formulated, I am optimistic about the fact that this broad group of stake holders is working together to identify ways to help the Commonwealth build the economy.

I was also recently contacted by the Director (Dr. Ben Kiser) of the Virginia Association of School Superintendents. We met and discussed the data from a recent study that their association has completed. I invited Dr. Kiser to present this information to our

Education Policy Committee. The impact of recent reductions in school funding really is dramatic. I believe that there are opportunities for us to work with this association on this critical issue.

We have also reached out to the congressional delegation regarding the issues of Marketplace Fairness (now the Remote Transactions Parity Act).

Communications

Timely and substantive communication is critical to the overall mission of VML. As such we are committed to establishing both print and electronic communications to achieve the research, training, and advocacy goals of the organization.

- VML will develop a comprehensive communications strategy in order to tell the local government story and to establish VML as the primary information hub for local government officials.
- VML will explore and maximize ways to use communications in order to promote the legislative agenda of the organization.
- VML will develop a comprehensive marketing strategy in order to build stronger relationships with the business community and to provide appropriate avenues for businesses to offer their services to the VML membership.
- VML will work to educate and assist the membership in learning to tell their story in a manner that effectively demonstrates the community building accomplished by local governments.

The VML website continues to undergo transformation. Most recently, we have migrated the entire site to a new platform that will enable us to utilize it in a more user and administrator-friendly way. With this change, we will also be able to develop a web-based solution for our database management.

Our new Communications Specialist has been on board now for four months and she is ready to undertake the development of a comprehensive communications strategy. In particular, we will be studying how social media fits into VML messaging.

Engagement

Developing and maintaining an engaged membership is vital to both the short and long term success of VML. We will actively seek ways to engage our membership and to support citizen engagement in our local governments.

- VML will evaluate new ways to demonstrate the value of membership in VML along with the value of being an active participant in the association and our conferences.

- VML will work to identify ways to improve citizen engagement, including ways to enhance the civics knowledge of Virginia’s students.
- VML will identify and implement programs to encourage the membership to play a more active role in advocacy at both the state and federal level.

We are hard at work finalizing details for the VML Annual Conference. You will notice a number of changes to enhance the overall experience for our attendees. In addition, planning is underway for VML Day, regional suppers, and the VML reception at the NLC Conference in Nashville.

I have also appointed a “Training Development Team.” I have asked this group of staff members to work together to develop a more comprehensive training/certification program for VML. Over the next few months, we will be considering various options as well as asking an outside group of local officials for their thoughts and feedback. We hope to launch a new program in 2016.

Finance

In order to evaluate existing programs and plan for the future of the organization, VML must maintain a strong financial position. VML is committed to maintaining and modernizing accurate and appropriate financial systems.

- VML will evaluate existing programs, seek efficiencies, and make recommendations for staffing changes in order to accomplish the strategic goals of the organization.
- VML will seek strategic partnerships, where possible, in order to enhance our ability to provide top quality programming and services for the membership.
- VML will enhance financial reporting and modernize financial systems where appropriate.

From a financial standpoint, 2014 – 2015 was an excellent year. While we haven’t yet seen the audited numbers, it looks like we are on track to add at least \$200,000 to our reserve funds.

A recent focus has been the VML building. We own it outright and it represents a significant asset for the organization. I am hoping that we can fix a number of the most critical areas in the next several years to bring the building up to a higher standard of maintenance.



VIRGINIA INITIATIVE FOR
**GROWTH &
OPPORTUNITY**
IN EACH REGION

AT A GLANCE ...

Our Goals

To raise awareness of Virginia's significant new economic challenges and opportunities;

To mobilize business, education, and community leaders in each part of Virginia to work collaboratively for economic development, job creation, and career readiness; and

To make Virginia's state government a strong and effective catalyst for this strategic, job-focused regional collaboration through financial incentives, technical support, and other assistance.

Why This, Why Now?

AN URGENT NEED FOR PRIVATE-SECTOR GROWTH. For the first time in a half-century, Virginia is trailing the Nation in economic recovery and job creation. Steep cutbacks in defense and other federal programs have exposed our over-dependence on public-sector and government-contractor jobs. For current and future generations to enjoy the kind of opportunity we have experienced, Virginia urgently needs strong private-sector growth and a more diversified economy.

COLLABORATION IN VIRGINIA'S DIVERSE REGIONS. Virginia does not have a single economy; our state's economy is the aggregate of our regions. Businesses typically provide jobs to qualified workers from throughout a region, serve customers across the region, use regional suppliers and vendors, and rely on regional transportation networks and other infrastructure. Because Virginia is a large and diverse state, the opportunities for private-sector growth vary significantly from one part of our state to another, requiring collaborative innovation among employers, entrepreneurs, investors, researchers, educators, governments, and other leaders in each region. Too often this cooperation has been lacking, causing Virginia to lag behind other states.

STATE GOVERNMENT AS A CATALYST AND PARTNER. While the innovation to spur private-sector growth must come from within each region, the Commonwealth has a vital role to play. State government aids business growth by keeping taxes and regulatory burdens low, supporting education and training, and addressing critical infrastructure needs, among other functions. But the State can and must do more to encourage strategic, job-focused collaboration in each region. Significant state funds currently flow to localities, schools, and higher education institutions; the Commonwealth should use such resources to promote joint efforts on economic and workforce development and to encourage collaboration that can improve performance and reduce costs. The State must be a reliable partner in these regional efforts, and state-funded initiatives should result in greater economic output and job creation in each region rather than reallocating market share or picking winners and losers.

5 Policy Priorities

Robust and diverse private-sector growth here in Virginia is the surest path to greater opportunity for our citizens. To achieve sustained success, initiatives to promote growth and job creation must meet the demanding test of the private marketplace. We thus seek to encourage voluntary, business-led collaboration on economic and workforce development in each region, with educational institutions and local governments engaging effectively as full partners. While not an exclusive list, here are five ways that state-funded incentives could have a significant positive impact on private-sector growth:

INNOVATION

The State can promote innovation and growth in each region through start-up grant support for projects that promise substantial economic impact, leverage significant local, private, and other investment, and reflect regional cooperation on industry sector growth, alignment of education and training programs with employer demand, entrepreneurship, and other private sector-focused growth strategies.

INVESTMENT

The State can encourage cooperation rather than competition among localities in the recruitment of new business investment and jobs to each region by returning a portion of the state tax revenues generated by projects to regions where localities share economic development-related costs and revenues.

IMPROVEMENT

The State can provide financial incentives for efficiency-enhancing and cost-saving collaboration between and among local governments, school divisions, and higher education institutions, thereby improving performance, reducing pressures to increase the size and cost of government, and freeing up tax dollars for opportunity-focused initiatives in education, job training, and economic development.

INVENTION

The State can encourage inventions and discoveries that lead to commercially viable products and services by providing matching-fund support for labs, equipment, and other research-related needs, thereby leveraging private and other R&D investments and generating economic benefits for the region.

INFRASTRUCTURE

The State can invest in capital projects of regional or broader significance that will produce strong returns in private-sector growth, diversification, and job creation through improved education and job-skills training, research, business site development, communications, and other vital infrastructure.

GO Virginia, an initiative launched by the Virginia Business Higher Education Council and the Council on Virginia's Future, will help generate private-sector growth and job opportunities in every part of our Commonwealth. ★ **Bipartisan and business-led**, it provides a regional framework for implementing other private sector-focused economic strategies, including Governor McAuliffe's "New Virginia Economy" plan, the General Assembly's "Top Jobs" legislation, and "Blueprint Virginia" (Virginia Chamber). ★ **Incentive-based and voluntary**, it calls for NO new taxes, layers of government, local mandates, or changes in local authority.

Our focus is expanding job opportunities for all Virginians.

To join the coalition or learn more, visit www.GOVirginia.org today!

First-round Policy Committee Meetings Completed

Strong attendance and in-depth discussion of issues facing local governments marked the meetings of three of VML's policy committees on July 23 in Richmond. The next round of policy committee meetings, featuring the Community & Economic Development, Human Development & Education, and Transportation committees, will be July 30 in Richmond.

Environmental Policy Committee acts on renewable energy, resilience

The Environmental Quality Policy Committee, chaired by Herndon Council Member Sheila Olem, considered and acted upon several issues. Priority issues to the committee, which will be forwarded to the VML legislative committee, included the following:

- (1) Allowing localities to expand the use of renewable energy through the aggregation of facilities under the existing "net meter" statute;
- (2) Supporting an increase in state cost share funds for water quality improvements to sewage treatment plants and urban stormwater systems;
- (3) Supporting the creation of a "Commonwealth Resilience Fund" through Virginia's participation in a regional compact that auctions carbon credits to meet greenhouse gas emission targets (proceeds from the auction would go to assist localities in address flooding, energy efficiency improvements, and economic development);
- (4) Authorizing localities to phase out the use of synthetic plastic micro beads due to their harmful impact to water quality and aquatic life; and
- (5) Allowing local governments the authority to regulate the purchase and disposal of plastic bags used in retail.

Finance Policy Committee considers tax reform and funding shortfalls

The Finance Policy Committee, chaired by Lynchburg City Manager Kim Payne, took on a number of topics, including tax reform, education funding, state assistance to local police departments (HB 599), fines and forfeitures, line of duty act funding, the impact of the "sharing economy" on state and local revenues, and the state-local fiscal relationship.

First, committee members agreed that any state-level discussion of tax reform should focus on state, not local, taxes and state funding reform (i.e., the state pay its portion of shared program obligations as outlined in the Code of Virginia or state budget).

Regarding state assistance to local police departments, the committee discussed the need for the state to set aside its neglect for this shared-commitment to community public safety and to fund the program as specified by the Code of Virginia.

The committee discussed the status of VML's request to the McAuliffe Administration to examine the issue of the state's continued seizure of local fines and forfeitures, despite any legal justification. Changes to current policy language were discussed, as well as language for the legislative committee to consider.

On line of duty funding and administration, the committee concluded that VML should support the adoption of recent recommendations made by the Joint Legislative Audit and Review Commission (JLARC). The committee's first preference is for the state to reassume responsibility for funding the program that it created.

Regarding education funding, the committee endorsed a study by JLARC that would examine how education is funded in other states.

General Laws Policy Committee tackles public safety technology

The VML General Laws Policy Committee, chaired by Martinsville Vice Mayor Gene Teague, developed a new policy position for the League on the issues of local government use of police body cameras, license plate readers and unmanned aerial vehicles.

The committee received a presentation on the law and practice of using technology featuring Chesapeake Police Chief Kelvin L. Wright, Chesapeake Assistant City Attorney Ryan Samuel, and Virginia Division of Legislative Services Senior Attorney, Lisa Wallmeyer.

After discussion of the issues, the committee recommended that local governments be given the freedom to make their own decisions on the policies to use. A city, town or county should be able to set its own policies on: whether to buy body cameras for police; when to turn cameras on and off; how long to retain video; the rules for when the public may have access (within the overarching rules of the Freedom of Information Act). The committee accepted the idea that the Virginia Department of Criminal Justice Services should work to develop guidelines for body worn cameras.

The committee made similar recommendations on use of license plate readers and unmanned aerial vehicles in public safety enforcement.

On the authority of local governments to regulate or prohibit private use of drones within a jurisdiction, the committee recommended a position to oppose any legislation that would reduce or eliminate a locality's authority to deal with UAVs.



OFFICERS

PRESIDENT

WILLIAM D. EUILLE

ALEXANDRIA MAYOR

PRESIDENT-ELECT

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KIMBERLY A. WINN

MAGAZINE

VIRGINIA TOWN & CITY

TO: VML Executive Committee
FROM: Mary Jo Fields, Director of Research
RE: Redistricting Update
DATE: July 28, 2015

The landscape for redistricting reform in Virginia is changing rapidly with two lawsuits working their way through the judicial system and a third likely to be forthcoming.

Page v. Virginia State Board of Elections

In the first case, a panel for the Fourth U.S. Circuit Court of Appeals has twice held that the state legislature unconstitutionally “packed” African-Americans in the 3rd Congressional District, resulting in a dilution of black voting power in other districts (*Page v. Virginia State Board of Elections*). In its most recent decision on June 5, the court ordered that congressional districts be redrawn by September 1.

In response, on July 16 Governor Terry McAuliffe issued a writ for a special session on redistricting on August 17. In the letter, the Governor said he had asked the Democratic leadership to develop a Congressional district map that values equal representation, compact and contiguous districts and communities of interest. He proposed that legislators meet in Richmond on August 3 to forge a compromise.

In a press release dated July 28, Speaker William J. Howell said that the House and Senate had asked for an extension of the Sept. 1 deadline, and that it would be inappropriate to begin the redistricting process before the appeals options were exhausted.

Finally, Representative Bob Goodlatte has been quoted as saying that the Congressional Republicans will appeal the decision to the U. S. Supreme Court.

Bethune-Hill v. Virginia State Board of Elections

The second lawsuit (*Bethune-Hill v. Virginia State Board of Elections*) involves a similar allegation that black voters were packed in twelve legislative districts in the Virginia House of Delegates. The case was heard earlier in July in the U.S. District Court in Alexandria. Del. Chris Jones, cited as the chief architect of the House redistricting plan, testified that race was only one of many factors taken into consideration. Attorneys for Speaker William J. Howell argued that partisan politics, not race, drove redistricting, with some Democratic legislators specifically placed in less-friendly districts. The decision is expected later this year.

Other suits

At least one more suit is anticipated to be filed on the grounds that both Senate and House districts do not meet the compactness criteria included in the state Constitution.

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Reform advocacy

OneVirginia2021 continues to advocate for the establishment of an independent, non-partisan redistricting commission. If Congressional lines are redrawn, there could be some impetus for the legislature to create by statute a redistricting commission to perform the job because of the negative publicity surrounding the redistricting cases.

At this point the organization also plans to continue to pursue the passage of a constitutional amendment requiring the use of an independent commission that would draw legislative and Congressional lines according to specified criteria, including the recognition of existing political boundaries such as city, county, town and precinct lines. The organization was heartened by the recent U.S. Supreme Court decision holding that states could use a referendum process to establish independent commissions to draw Congressional lines.

Despite all the negative press surrounding the redistricting cases, the abundance of legislative seats in which there is no opposition this fall, and the almost-universal support for non-partisan redistricting by newspapers and media across the state, reform advocates are well aware that they face an uphill battle.



COMMONWEALTH of VIRGINIA
Office of the Governor

Terence R. McAuliffe
Governor

July 28, 2015

The Honorable William J. Howell
Speaker of the House
P.O. Box 8296
Fredericksburg, Virginia 22404-8296

The Honorable Thomas K. Norment, Jr.
Member, Senate of Virginia
P.O. Box 6205
Williamsburg, Virginia 23188

The Honorable Richard L. Saslaw
Member, Senate of Virginia
P.O. Box 1856
Springfield, Virginia 22151-0856

The Honorable M. Kirkland "Kirk" Cox
Member, House of Delegates
P.O. Box 1205
Colonial Heights 23834

The Honorable David J. Toscano
Member, House of Delegates
211 East High Street
Charlottesville, Virginia 22902

Dear Legislative Leaders:

I am writing with respect to the order of the United States District Court for the Eastern District of Virginia dated June 5, 2015, in the case of *Page v. Virginia State Board of Elections*, which order requires the General Assembly to complete the redistricting of the Commonwealth's congressional districts by September 1, 2015. On July 16, 2015, I issued a writ for a Special Session commencing August 17, 2015, in order to give the General Assembly the time needed to comply with the order.

As we prepare for this Special Session, it is my hope that we complete congressional redistricting quickly, fairly and in a manner consistent with the principles of democracy and

equal representation that are integral to the fabric of our Commonwealth and country. The court's order to remedy the unconstitutional gerrymander of our congressional lines presents an opportunity for both chambers of the General Assembly to work together and produce a nonpartisan map that reflects the true makeup of our Commonwealth.

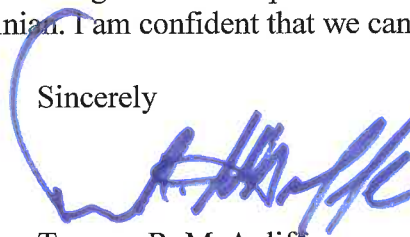
It is my hope that in working together we adhere to the principles identified by nonpartisan redistricting advocates like Virginia2021, such as the use of objective data to determine district lines and genuine transparency and public input into the process.

To this end, I have asked the Democratic leadership of the Senate and the House of Delegates to compose a congressional district map that values equal representation, compact and contiguous districts and the importance of communities of interest ahead of partisan political interests. I have also asked them to publicly release proposed redistricting plans as they are completed and drafted into legislative language. I would make the same request of the Republican leadership.

Additionally, I propose that during the week of August 3, we meet here in Richmond – with leadership and members designated by leadership – to forge compromise on a plan that is agreeable to the General Assembly and can be reviewed quickly by the public and our congressional colleagues. This should minimize the length and cost of the special session, as well as the disruption it will have on General Assembly members and their families.

My administration stands ready to work closely with you to pass a fair, nonpartisan and geographically-balanced congressional map that encourages more competitive elections, and the best possible representation for every single Virginian. I am confident that we can achieve that goal.

Sincerely



Terence R. McAuliffe

TRM/kfs

cc: Members, Senate
Members, House of Delegates

Statement of House Speaker William J. Howell on redistricting letter
from Governor McAuliffe

[View this email in your browser](#)

FOR IMMEDIATE RELEASE

July 28, 2015

Contact: Matthew Moran

(804) 698-1228

Statement of House Speaker William J. Howell on redistricting letter from Governor McAuliffe

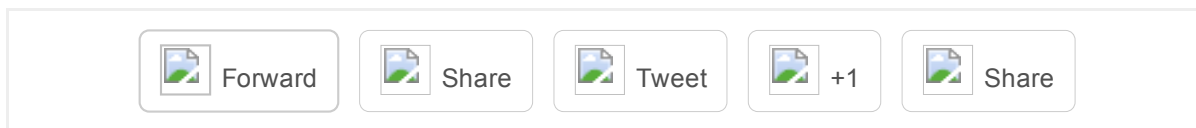
RICHMOND, VA - Virginia House of Delegates Speaker William J. Howell (R-Stafford) issued the following statement [in response to a letter written](#) by Governor Terry McAuliffe:

"I appreciate the Governor's comments, but do not see the need for a meeting. Redistricting is a lengthy, complicated process that requires legislative committee meetings, public hearings and input from all 140 legislators. I agree with the Governor that the process should be open and transparent, but a meeting to work out a deal ahead of time is the opposite of that.

"The House and Senate have requested an extension of the September 1 deadline to allow the defendants the opportunity to further pursue their appeal and give the General Assembly the necessary time to prepare for a special session. It would be inappropriate, in our view, to begin the redistricting process before the defendants have exhausted their appeal options. It would also be inappropriate and unfair to the public to rush this process.

"We remain confident the Court will grant our request for an extension."

###



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Campaign Committee, All rights reserved.*

Our mailing address is:

Virginia House Republican Campaign Committee
106 Carter Street, Falmouth, VA, United States
Fredericksburg, VA 22405

[Add us to your address book](#)



July 29, 2015

To: VML Executive Committee

From: Janet Areson

Subject: Federal issues update

Appropriations bills lagging. The federal fiscal year begins Oct. 1, and Congress will have about 14 days in which to complete its work on approving 12 annual appropriations bills. According to the GMU State & Local Government Leadership Center, the House was hoping to complete and send onto the Senate eight of the annual spending bills before the August recess. Even if that is accomplished, the Senate still needs to act on those as well as four more.

Lack of action on these measures would bring about a government shutdown on Oct. 1, as well as another sequester – this one disproportionately affecting domestic and defense discretionary programs.

Short-term transportation fix coming? Various associations and news outlets are reporting that Congress may prevent an interruption in the Highway Trust Fund flow of funds to states and localities by approving a short-term extension of the nation's surface transportation funding act (MAP-21) before adjourning for August vacation. That would push off consideration of a long-term transportation funding bill yet again; this time until September, when Congress returns. In the last six years, Congress has made 33 short-term extensions of the highway trust fund.

The Senate has been considering a newly introduced DRIVE Act (Developing a Reliable and Innovative Vision for the Economy) to address the expiring surface transportation act. This bill includes \$47 billion in revenue from other areas of the federal budget to supplement the increasingly insufficient federal gas tax revenue. Funds would come from such things as selling oil from the Strategic Petroleum Reserve used to prevent energy crises, reducing interest rates paid by the Federal Reserve to large banks, and nabbing fees from the Transportation Security Administration and customs processing. None of these measures would provide a long-term, sustainable fix for the revenue stream needed to address the country's transportation infrastructure needs, but there seems to be little appetite for talking about the federal gasoline tax.

The Senate leadership had hoped to get the House to go along with its bill before the August recess, but House members have their own ideas, and have pushed for a short-term patch. The

House leadership is looking to an overseas corporate tax reform package to generate enough revenue to fully-fund a six-year highway bill.

Marketplace fairness. Efforts continue to get legislation moving forward to even the playing field for Main Street businesses vs. on-line retailers. One such bill is HR 2775, the Remote Transactions Parity Act, introduced earlier this summer and referred to a subcommittee of the House Judiciary Committee. The bill would give states and local governments the flexibility to require remote on-line retailers to collect the sales taxes owed on remote purchases, just as Main Street businesses collect sales taxes owed on purchases made from their shops. NLC estimates that state and local governments lose out on \$23 billion in sales taxes annually because of the remote transaction loophole.

Virginia Congressman Scott Rigell is one of 44 co-sponsors on the bill.

FLSA proposes extension of overtime coverage. The National League of Cities (NLC) reports that the [U.S. Department of Labor has proposed changes](#) to the Fair Labor Standards Act (FLSA) that would extend (or reinstate) overtime protection to millions more workers by increasing the salary threshold at which workers are eligible for overtime. NLC plans to file comments to the proposed changes.

The FLSA establishes minimum wage and overtime pay standards affecting workers in the private and public sectors. As a general rule under the FLSA, unless they are exempt, workers must be paid at least one and one-half times their regular rate of pay for any hours worked beyond 40 in a work week. A “white collar” exemption excludes certain executive, administrative, and professional employees from the FLSA’s minimum wage and overtime protections.

To qualify for the exemption, a white collar employee “generally” must be:

1. salaried;
2. paid at least a specific salary threshold (currently \$455/week or \$23,660/ year) (salary threshold test); and
3. primarily performing executive, administrative, or professional duties as provided in the Department’s regulations (duties tests).

The proposed rule would nearly double the salary threshold at which workers would earn overtime pay whenever they worked more than 40 hours in a week. Last updated in 2004, the salary threshold would climb from \$23,660 a year to \$47,892 a year. In the first year of its implementation, the Administration projects that 5 million more workers would become eligible for overtime pay. The number of workers in each state that would be affected by this proposal can be found [here](#). For additional information about the proposed rule, click [here](#).

Besides changes to the salary threshold test, the department is seeking comments on whether the current “duties tests” are working as intended to screen out workers who are not bona fide “white collar” exempt workers. It also seeks comments on the possibility of including nondiscretionary bonuses to satisfy a portion of the standard salary requirement. *Comments are due on or before September 4, 2015.*

Amicus report

To: VML Executive Committee

From: Mark Flynn, General Counsel

Re: Amicus report

Date: 28 July 2015



Hazel Homes v. King George County Service Authority

The Virginia Supreme Court declined to consider the King George County Service Authority case. In May, the committee authorized participation in an amicus brief. As a result of the Court's decision, no further action by VML is needed.

Background:

The developer that created a residential subdivision in King George County contracted with the county's service authority for the developer to build the internal water and sewer infrastructure and then to turn it over to the authority. The developer agreed to pay all connection and other fees that the authority charged all users. The project was sold and the new owner balked at paying the fees.

Issues:

The Virginia code provides that water authorities and locality-owned water & sewer operations may charge fees based on the share of all costs to the authority or locality to provide water and sewer services. That is, the authority or locality is not required to identify one set of fees for each separate system that is part of its operations.

This appeal raises the question of whether the authority may include the various areas it serves in a unified system and charge uniform fees throughout. If it may not, the bookkeeping for the authority would become very extensive, expensive and burdensome.

The appeal also raises the question of whether a payment made by a citizen (Hazel Homes, in this case) is voluntary or is made as an "urgent and immediate necessity" payment. Under Virginia law, a payment made for an urgent and immediate necessity may be demanded to be repaid by the party that made the payment. The standard is a difficult one for the party making the payment to meet. Because Hazel Homes raised the issue, it is a factor in this appeal.

Memorandum

To: VML Executive Committee

From: Joe Lerch

Date: July 29, 2015

Re: Go Green Virginia initiative update

The 2015 Green Government Challenge was launched at the end of June with members now able to login and start completing action items to become a certified “green government”. As in years past those qualifying with at least 100 “green” points will be recognized at the VML conference in October.

So how does the revised challenge look? First, many of the action items from the current challenge will be included. Additionally, there are 14 more action items than the current 30 thereby allowing for additional opportunities to garner points to reach the 100 level. Many of the new items will present opportunities for VML members to build partnerships (both public and private) to expand efforts at building more sustainable and resilient communities. For example, points can be earned by participating in the FEMA Community Rating System (CRS) program, a certification process that reduces risks and damages due to flooding with the reward of lower insurance premiums for policyholders. Another example is the ability to earn points by facilitating or supporting a “solarize” initiative in your community to lower the cost of solar panel installations through bulk purchasing.

As with the current challenge there will be plenty of resources and examples available on the website for each action item. Additionally the Go Green Advisory committee has tentatively set dates in August to conduct local government roundtables to invite members to learn more on how to implement some of the new action items.

Copy: Kimberly A. Winn, Executive Director



Preliminary Agenda

October 4 - 6, 2015

Richmond Marriott
500 East Broad Street
Richmond, VA 23219

VML ANNUAL CONFERENCE • RICHMOND

Sunday, October 4

12:30 - 7 p.m.	Registration
Noon - 1 p.m.	Executive Committee Lunch
1 - 3 p.m.	Executive Committee Meeting
1 - 7 p.m.	Exhibit Hall Open
3 - 5 p.m.	Legislative Committee Meeting
3:30 - 4:30 p.m.	Nominations Committee Meeting
5:30 - 7p.m.	Opening Reception in the Exhibit Hall

Monday, October 5

8 - 8:45 a.m.	Continental Breakfast in Exhibit Hall
8 a.m. - 3 p.m.	Exhibit Hall Open
8 a.m. - 4 p.m.	Registration
9 - 10:15 a.m.	Opening Session
	<ul style="list-style-type: none"> • Call to Order- President • Color Guard Presentation • National Anthem • Welcome • Report of the Nominations Committee • Report of the President • Keynote Address: The Future of Virginia's 324 Places: Leadership, Engagement and Purpose Matt Thornhill, Founder & President of Generations Matter and the Boomer Project

Each of Virginia's 38 cities, 191 towns, and 95 counties is a unique place with its own identity. Together, these localities are the future of the Commonwealth. Throughout 2015, the Virginia Municipal League has been studying the key trends that will be facing Virginia's local governments over the next 10 years. In this engaging keynote address, Matt Thornhill of GenerationsMatter, the nationally renowned

think tank of the Southeastern Institute of Research, will help local leaders understand what's coming and what to do now to make sure your community prospers. Plus, Matt will set the stage for the trend topic breakout sessions throughout the day.



9 a.m. - Noon
10:15 - 10:45 a.m.
10:45 - 11:45 a.m.

VLGMA Meeting*

Break

Breakouts

Each of these hour-long sessions will focus on a specific trend topic impacting Virginia's 324 Places. You'll hear a 20-minute presentation on the topic, including examples of best practices from across the country. Then a facilitated discussion among all audience members will allow dialogue, idea sharing, and lessons learned from local leaders across Virginia.

- Aging Infrastructure
- Education
- Workforce Development
- Economic Development

10:45 a.m. - Noon

VHDA Mobile Workshop

11 a.m. - 2:30 p.m.

Spouses Tour & Group Lunch at the Virginia Museum of Fine Arts

Noon - 1 p.m.

NBC-LEO Program and Luncheon

Noon - 1:15 p.m.

VLGMA Luncheon*

Noon - 1 p.m.

Lunch in Exhibit Hall

1:30 - 2:30 p.m.

Breakouts

Each of these hour-long sessions will focus on a specific trend topic impacting Virginia's 324 Places. You'll hear a 20-minute presentation on the topic, including examples of best practices from across the country. Then a facilitated discussion among all audience members will allow dialogue, idea sharing, and lessons learned from local leaders across Virginia.

- Sustainability and Resiliency
- Community Image and Reputation
- Transportation and Mobility

1:30 - 2:30 p.m.

Concurrent Session: Panhandling Ordinances & Recent Cases

Presented by VML Insurance Programs

1:30 - 2:45 p.m.

City of Richmond Mobile Workshop

1:15 - 3 p.m.

VLGMA Board Meeting*

continues on next page

- 2:30 - 3 p.m. **Break**
- 3 - 4 p.m. **Breakouts - Regional**
- 4 - 6 p.m. **First Cities Meeting**
- 6 - 9 p.m. **Host City Night**

Host City Night will start with a reception at Richmond CenterStage, a fully renovated, historic performing arts complex. Rich visual displays will showcase the art, culture and history of Richmond. A food truck court will provide an assortment of local cuisine, highlighting Richmond's excellent and authentic food scene. Local performance arts groups will provide entertainment.



Tuesday, October 6

- 8 - 9 a.m. **Continental Breakfast**
- 8 - Noon **Registration**
- 9 - 10:30 a.m. **General Session - Where We've Been ... Where We're Going**
 - Invitation to 2016 Annual Conference
 - Keynote & Moderator - Edward Ayers, President Emeritas, University of Richmond
 - Young Professional Panel
- 10:30 - 10:45 a.m. **Break**
- 10:45 - Noon **City, Town and Urban Section Elections & Workshops**
- Noon - 1:30 p.m. **Public Service Awards Luncheon**
 - Keynote Address
 - Recognition of VEOLA Graduates
 - Presentation of Go Green certificates
 - Heal Campaign Awards
- Noon - :15 p.m. **Women in Local Government Luncheon***
- 1:45 - 3:15 p.m. **Local Government Roundtables**
 - Disruptive Economy
 - Tax, Land Use & Public Safety
 - Economic Development & Young Citizen Expectations
 - Costal Resiliency & Flooding

1:45 - 3:15 p.m. **Local Government Roundtables (cont.)**

- Community Rating System
- Drive Through Personal Property Tax Program
- Virginia Fire Programs Fund (VFPF) Aid to Localities Program
- Solarize Initiatives
- Supportive Housing
- Planning & Engineering for Bike & Pedestrian Facilities
- Stabilization versus destruction of old buildings
- The ROI on early childhood education
- Civics Education
- Strategic Planning

1:45 - 3:15 p.m.

Concurrent Sessions:

- Conflict of Interest Act
- University Communities

2 - 3 p.m.

Past Presidents' Meeting

3:30 - 5 p.m.

Business Meeting & Election of Officers

- Election of officers for 2015-16
- Executive Director's Report
- Adoption of 2016 Policy Statements
- Adoption of 2016 Legislative Program

5:45 - 6:30 p.m.

Reception

6:30 - 8 p.m.

Annual Banquet

- Remarks by Incoming President
- Presentation of Achievement Awards

8 - 10 p.m.

Dessert Reception & Entertainment



After the Annual Banquet, guests are invited to the lower level of the Marriott for a dessert reception featuring flambé stations, shooters and after dinner drinks. Kings of Swing, "Virginia's most versatile dance and show band," will provide the evening's entertainment.

*Items marked with an asterisk take place at the Hilton Garden Inn, located at 501 E Broad St, Richmond, VA 23219.



VML Annual Conference App Instructions

1.) Download

In the Apple App Store or Google Play search “VML Annual Conference.”

2.) Create User Account

Provide an email address to create a user account.

3.) Explore Features

- Schedule – detailed conference schedule including session dates, times, speakers and any handouts provided in advance. Attendees can bookmark sessions to form “my schedule” with reminders before each session starts.
- Timeline - displays a social feed of photos, comments and social media integration. Ads appear here as sponsored posts.
- People – directory of people who have downloaded the app. Users can provide photo, title, locality and/or organization, etc.
- Map – Displays in both map and list form, important locations including conference hotels, off-site venues, and any locations we choose to link.
- Speakers – A directory containing bios and photos for conference speakers. The speakers are linked to each session and you can click on a speaker to see all sessions they are linked to.
- Exhibitor & Sponsor Directory – A complete listing of exhibitors and sponsors with logos and contact information.
- Search – great search feature to find anything loaded; keyword searches titles, descriptions, and more.

Contact Anita Yearwood, Conference and Marketing Coordinator, at (804)523-8534 or ayearwood@vml.org if you have questions or need assistance.