

MINUTES OF JOINT LEGISLATIVE BREAKFAST  
OF THE NEWPORT NEWS CITY COUNCIL  
WITH STATE LEGISLATORS AND  
THE NEWPORT NEWS SCHOOL BOARD  
HELD IN THE JAMES ROOM  
700 Town Center Drive  
December 2, 2009  
8:00 a.m.

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PRESENT: Madeline McMillan; Tina L. Vick; Joseph C. Whitaker; Dr. Patricia Woodbury;  
Herbert H. Bateman; and Joe S. Frank ----- 6

ABSENT: Sharon P. Scott ----- 1

GENERAL ASSEMBLY MEMBERS PRESENT: Delegate Brenda L. Pogge; Delegate Mamyne E. BaCote; Delegate G. Glenn Oder; Senator John C. Miller; and Senator Thomas K. Norment, Jr.

SCHOOL BOARD MEMBERS AND OTHERS PRESENT: Everette A. Hicks, Sr.; Betty B. Dixon; Michael W. Wagner; Dr. William J. Collins, III; Rick B. Donaldson, Jr.; Carlton S. Ashby; Debbie H. Johnston; Neil A. Morgan; Stuart E. Katz; Mabel Washington Jenkins; Alan Archer; Cynthia Rohlf; Wanda Pierre; Joe DuRant; Jerri Wilson; Chris Bridge; Patrick Finneran; Dr. Ashby C. Kilgore; Mary Lou Roaseau; Len Wallin; Cleder Jones; and Jennifer Walker

Mayor Frank welcomed members of the General Assembly and School Board to the meeting and expressed appreciation for their attendance. He introduced Mr. Everette A. Hicks, Sr., Chairman of School Board, Newport News Public Schools (NNPS), to provide welcoming remarks.

Chairman Hicks welcomed members of the General Assembly and the City Council to the meeting on behalf of the School Board, faculty, staff and students of NNPS. Chairman Hicks introduced Mr. Patrick Finneran, Legislative Liaison, NNPS, to report on the School Board's 2010 legislative program.

Mr. Patrick Finneran, Legislative Liaison, Newport News Public Schools, stated the NNPS's legislative positions included: 1) Fully fund rebenchmarking; 2) Avoid permanent cuts to support staff; 3) Maintain 55% of State share; 4) Oppose bumper-sticker slogans such as "65 Percent"; 5) Adopt flexible rules for spending; and 6) Eliminate "Federal Deduct" rule. (A copy of the presentation, "Smart, Safe Schools," and NNPS's School Board 2010 Legislative Program, outlining each of the above positions, are attached and made a part of these minutes.) Mr. Finneran asked that State Legislators continue funding public education to allow continued enhancement of student achievement.

Councilwoman McMillan inquired about positions defined as support staff. Mr. Finneran replied support staff included social workers, guidance counselors, homebound instructors, attendance support workers, behavioral personnel, nurses, librarians, maintenance personnel, etc.

Senator Miller inquired about the City and Schools sharing services to reduce expenses. Mr. Finneran replied NNPS was researching the matter. Mr. Neil Morgan, Acting City Manager, stated the issue of shared services had been pursued; however, one had to spend money to save money, and services could not be consolidated until there was a combined facility.

Ms. Jerri Wilson, Legislative & Management Analyst, City of Newport News, summarized the City's 2010 Legislative Requests and Position Statements. Legislative Requests included: 1) Request for legislative action regarding defective drywall; 2) Request for certain unfinished construction to be defined as derelict or blighted; 3) Request for authority to use volunteer property maintenance and zoning inspectors; 4) Proposal to establish a Prostitution Mapping Program; 5) Request for increased penalties for repeat offenses of prostitution; 6) Request to add burglary and shooting into an occupied dwelling to the list of Predicate Criminal Acts for Gang Prosecution; 7) Request to authorize local community-based probation to supervise adult drug court participants; 8) Allow localities to request determination of constitutionality of local ordinances; and 9) Budget amendment request to allow the Circuit Court Clerk to redirect a portion of the Technology Trust Fund into the operating budget. Position Statements included: 1) Support for alternate advertising of required public notices; 2) Support for civil penalties for violations of the Sewer User Ordinance; 3) Support proposal to allow all localities to regulate solicitation on highways; and 4) Support 180-day delay of implementation of Stormwater regulations. (A copy of the "City of Newport News, Virginia, 2009 State Legislative Priorities" is attached and made a part of these minutes.)

Councilwoman McMillan reported the Hollymeade residents that were suffering from toxic Chinese drywall contamination needed immediate assistance. She indicated the residents were helpless, and were required to pay a mortgage for an uninhabitable home. She felt, without a strong push from the State to define the problem, there was no assistance to be gained from the federal government. She invited members of the General Assembly to visit the Hollymeade homes that were affected by the toxic Chinese drywall. She asked the members of the General Assembly to work together on behalf of the residents of Hollymeade.

Mayor Frank reported he sent a letter to the City's congressional delegation, Congressmen Scott and Wittman and Senator Warner, requesting support for an amendment that would authorize and empower the federal lending agencies to refinance the mortgages of the residents afflicted with Chinese drywall, and impose a five [5] year moratorium on payment of principal and interest. This effort would enable homeowners to put their financial resources into home repair and debt pay-off before resuming payments on their home mortgages.

Senator Miller understood Hollymeade homeowner property assessments were reduced to \$100,000. He indicated the City of Virginia Beach had reduced property assessments of Chinese drywall victims to \$100. He inquired whether permission by the General Assembly was needed in order for the City to reduce property assessments to \$100. City Attorney Katz replied that permission by the General Assembly would be needed for the City to reduce Hollymeade resident's assessments to \$100. He stated Virginia Beach's charter was structured in such a way that gave them the flexibility to reduce their assessments; however, Newport News did not have that flexibility.

Councilwoman McMillan pointed out that the cost to rehabilitate a home in the Hollymeade subdivision was approximately \$100,000. Reducing a property assessment to \$100,000 only reduced the bill by \$1,000 per year. She stated the resident's financial burden was overwhelming and indicated some were losing their homeowner's insurance. She indicated the builder was also suffering.

Acting City Manager Morgan stated the suggestion to reduce assessments could become a problem for homeowners that wanted to sell their homes.

Councilwoman Vick indicated Hollymeade residents needed immediate assistance and reducing their assessment would not provide that relief.

Councilwoman Woodbury stated many of the Hollymeade homeowners had become ill from the Chinese drywall. She inquired whether the General Assembly could help the residents rehabilitate their homes.

Senator Norment stated he understood the critical nature of the toxic Chinese drywall problem.

Delegate Oder stated he understood the critical nature of the issue. He asked that members of City Council provide the General Assembly with specific direction on what to do for residents suffering from defective Chinese drywall.

Councilwoman McMillan inquired whether there was emergency funding available, i.e. FEMA funding.

Delegate Oder asked City Council for direction on what the General Assembly could do for residents that suffered from toxic Chinese drywall. He indicated he did not have anything to offer the residents.

Councilwoman McMillan stated she did not have a solution and asked the members of the General Assembly for direction.

Delegate BaCote stated she would raise the issue of toxic Chinese drywall during a meeting with the Governor on December 18, 2009.

Ms. Wilson stated a copy of the full version of the City's 2010 State Legislative Priorities and/or copies of the suggested drafts of legislation were available on the City's website at [www.nngov.com](http://www.nngov.com) or by contacting her at (757) 926-6939.

Mayor Frank opened the floor for additional comments from members of the School Board and General Assembly.

Senator Miller expressed appreciation for the opportunity to meet. He indicated he would be available should members of City Council secure a proposal or draft legislation for the toxic drywall issue.

Mayor Frank asked the General Assembly to approve legislation that would provide a \$100,000 grant to each Hollymeade resident (38 residents) that suffered from toxic Chinese drywall.

Senator Norment expressed appreciation for the opportunity to meet. He stated the Virginia delegation had to work collaboratively as a result of decisions made on Election Day. Local government and schools had to understand that long-term changes were necessary in the way business was done as a whole. The recession was not over. CEOs of major corporations made demands of their staffs to do more with less, and the public sector had to demand the same. He indicated everyone had to do more with less.

Delegate Pogge expressed appreciation for the opportunity to meet. She offered to carry various bills to Richmond on the City's behalf. She praised Newport News for managing its finances in doing more with less. Newport News had been a model for other cities. She indicated doing more with less was long overdue. The General Assembly had to think outside of the box to pass legislation that would encourage growth. They were required to pass down cuts, and raise revenue for the entire State. She indicated she would do all she could to support Newport News.

Delegate Oder felt the value of the Hollymeade homes were zero if they could not be sold. Acting City Manager Morgan replied it was not that simple; the value of the homes never decreased to zero, due to the land value.

Delegate Oder suggested that the homes be reassessed for a lesser value, rather than waiting two years for a study, as proposed in the legislative request. He felt a \$100,000 grant, as proposed by Mayor Frank, was not possible. He inquired whether CDBG funding could be used to renovate the Hollymeade homes. Acting City Manager Morgan replied CDBG funding could not be used. CDBG funding must be used for programs which benefit low and moderate-income persons and aid in the prevention or elimination of slums and blight.

Delegate Oder inquired about legislation that was needed to help the victims of the toxic Chinese drywall.

Councilwoman McMillan stated Chinese drywall was a difficult problem at the State and City level. The City was asking the State to support a bill that would help the victims affected by toxic Chinese drywall.

Senator Norment stated he would inquire of the General Assembly whether some relief could be provided to victims of toxic Chinese drywall.

Ms. Christine Bridge stated she had conversations with the Housing Commission, but there were limits on what the State could do. She stated conversations were ongoing. She felt something would happen.

Delegate BaCote indicated she would sponsor drug court and volunteer property inspector legislation on behalf of the City.


Councilwoman Woodbury inquired why Virginia was the last State to apply for federal stimulus funding. Delegate BaCote replied that many rules applied to Stimulus funding and the State could not move forward with a request until information was received from the federal government.

Mr. Rick Donaldson, member, Newport News School Board, asked that the General Assembly grant flexibility in how the schools designated staff and spent funding. Delegate Pogge replied she would sponsor legislation to allow schools to have the ability to spend funding where it was most needed.

Mr. Carlton Abbott, member, Newport News School Board, encouraged all to continue to put children first. He stated children were the City's greatest resource, and an investment in children was necessary to help prepare them for the future.

Councilman Bateman encouraged the General Assembly members to support any legislation that would extend Middle Ground Boulevard.

THERE BEING NO FURTHER BUSINESS,  
ON MOTION, COUNCIL ADJOURNED AT 8:55 A.M.

  
Jennifer D. Walker, CMC  
Chief Deputy City Clerk

Joe S. Frank  
Mayor  
Presiding Officer

A true copy, teste:

City Clerk