

MINUTES OF WORK SESSION
OF THE NEWPORT NEWS CITY COUNCIL
HELD IN THE 10th FLOR CONFERENCE ROOM
2400 Washington Avenue
May 12, 2009
4:00 p.m.

PRESENT: Joseph C. Whitaker; Dr. Patricia P. Woodbury; Herbert H. Bateman, Jr.; Joe S. Frank; Madeline McMillan; Sharon P. Scott; and Tina Vick ----- 7

ABSENT: None ----- 0

OTHERS PRESENT: Randy W. Hildebrandt; Stuart E. Katz; Mabel Washington Jenkins; Alan Archer; Neil Morgan; Cynthia Rohlf; Lottie Vincent; Allen Jackson; Gregg Jones; Lisa Cipriano; Scott Liebold; Dr. David H. Trump; Glenn Butler; Everett Skipper; Brian Lewis; Sabine Hirschauer; Jennifer Walker; Cleder Jones; Kim Lee; and Jerri Wilson

I. H1N1 Virus Update

City Manager Hildebrandt introduced Mr. Scott Liebold, Deputy Chief, Newport News Fire Department, to provide an update on the possibility of a Swine Flu pandemic. He recognized Dr. David H. Trump, Director, Peninsula Health Center, who was in attendance.

Mr. Liebold stated the Influenza A H1N1 virus (Swine Flu) was a respiratory disease of pigs caused by type A influenza viruses. The Centers for Disease Control (CDC) had determined that the virus was contagious and spreading from human to human. The symptoms were similar to the regular human flu and included fever, cough, sore throat, body aches, headaches, chills, and fatigue. As of May 12, 2009, there were 3,000 cases of Swine Flu in the United States. (A copy of the presentation, "Influenza A H1N1 Virus (Swine Flu) - A Coordinated Response," is attached and made a part of these minutes.)

Mr. Liebold reported the populations at risk for the Swine Flu included the very young, very old and immune depressed individuals. Virtually all individuals with confirmed cases had not required hospitalization. The Swine Flu was a public health issue, and the City was working with all its regional partners.

Mr. Liebold stated the City Manager convened a working group of key City employees, chaired by Mr. Alan Archer, Assistant City Manager. The working group would study how the City would respond to the flu should it become a pandemic. The working group would also decide on continuity of operations planning should the Swine Flu virus become an issue in the fall of 2009. The City would continue to monitor the situation and advise whether

other measures were recommended and required. Mr. Liebold encouraged all to contact the CDC at <http://www.cdc.gov/hlnflnu/> for further information concerning the virus. The CDC updated its website daily. One could also gain access to the CDC by way of the City's web site at www.nngov.com.

II. Stoney Run Drainage Improvements Update

City Manager Hildebrandt introduced Mr. Brian Lewis, Senior Engineer, Stormwater Division, Department of Engineering, to provide the presentation on the Stoney Run Drainage Improvements project.

Mr. Lewis reported the Stoney Run Watershed was the second largest in the City and encompassed 37 acres, bounded by Denbigh Boulevard to the South, and the York County line to the East, and ultimately discharged into the Warwick River. Neighborhoods in the Watershed included Colony Pines, Green Acres, Windsor Great Park, Beechmont, and parts of Stoneybrook and Courthouse Green. The City had experienced a significant amount of flooding into the Watershed, over time, particularly, the Eastern portion.

In 2005, the City hired URS Consultants to perform a study of the Eastern portion of Stoney Run Drainage Basin to help improve the drainage in the Watershed. That study identified five capital projects, 21 maintenance projects, and a number of staff recommended projects. The five capital projects that were identified included: 1) Green Acres Stormwater Basin a/k/a Richneck Area Regional BMP; 2) Kings Charter Drainage Basin; 3) Morgan's Trace Basin; 4) Meadow Creek Drive Drainage Improvements; and 5) Stoney Run Channel Improvements. The 21 maintenance projects had been completed and placed on a three year maintenance cycle. The Department of Public Works would also perform preventive maintenance prior to a storm event making sure there was no blockage that might cause flooding in the Watershed.

Mr. Lewis stated several capital projects were completed and others were on-going. Additional pipes were installed on Meadow Creek Drive to alleviate flooding in the right-of-way. Flooding would still be experienced in residential backyards of the development due to the flood plain and a creek that ran through several properties. The Colony Pines Basin had been cleared; however, the City would continue annual maintenance of the basin. The Colony Pines retaining wall had been completed and helped to prevent additional discharge downstream. Inlets and swales had been added in backyards of several Colony Pines homes to help with isolated flooding that occurred. Windsor Castle improvements were pending, which discharged from Old Shields Road to the intersection of Mona and Monroe Drives, and would hold back water and prevent flooding in the future. Windsor Great Park Channel improvements were under the Design Committee. This was a downstream project that would be between Jefferson Avenue

and the western portion of Richneck Road. It was tied to the Virginia Department of Transportation (VDOT) project, which would help alleviate flooding and was designed to be self mitigating. In addition to the Jefferson Avenue project, a base for a basin was installed and completed behind Windsor Great Park, but landscaping was to be installed.

Councilwoman McMillan indicated the basin needed cleaning and inquired whether it would remain dry and who was responsible for maintenance. Mr. Lewis replied the basin was owned by VDOT, would remain dry and VDOT was required to maintain the basin. He stated he would contact VDOT to note Councilwoman McMillan's concern.

Councilwoman McMillan inquired whether the City had spoken to the homeowners, who resided at or adjacent to the swales, to advise they had the responsibility of keeping the swales clean. Mr. Lewis felt that was made known, to the homeowners, at the time the swales were installed, but felt they should be notified again.

Councilwoman McMillan recalled being told that it was her and her spouse's responsibility to keep the swale that was located in the rear of their yard clean, whether they installed a fence along the front side of the swale or not; however citizens felt it was the responsibility of the City to keep the swales clean. She understood the City had miles and miles of swales, which made it difficult for the City to clean and maintain. She inquired about the legal responsibility to keep the swales clean. Mr. Lewis felt that the residents were required to clean and maintain the swales; it was too much work for the staff of the Department of Public Works to handle.

City Attorney Stuart Katz stated he would meet with the Engineering Department to identify whose responsibility it was to clean and maintain the swales and report back to City Council on whether a change in the ordinance was warranted.

Mr. Lewis reported the Stoney Run Channel Improvements project, which drained up Denbigh Boulevard through the Villages of Stoney Run, was on hold. The City experienced difficulty in receiving a permit from the Army Corps of Engineers. Conversations with the Corps noted the City needed \$800,000 in drainage mitigation costs for the project. After receiving that news, the City focused on projects it could afford to complete.

Councilwoman McMillan recalled the City had an agreement with the developer to cover some of the drainage mitigation costs when the Villages of Stoney Run was built. Mr. Lewis stated the developer agreed to cover part of the mitigation costs, but not \$800,000 worth. The City, however, was looking at other options, i.e. a self-mitigating project.

Councilwoman McMillan noted there had been increased flooding on Jefferson Avenue and along properties in the Hanover Heights neighborhood to include the Atkinson property. The City received ongoing complaints from the Casey BMW dealership. Mr. Lewis stated the flooding experienced by the residents of Hanover Heights and the Casey BMW dealership would be alleviated by the Windsor Great Park Channel Improvement project.

Councilwoman McMillan inquired whether the Stoney Run system would benefit from the BMP at Huntington Point. Mr. Lewis replied the BMP at Huntington Point would benefit the upstream portion of Stoney Run.

City Manager Hildebrandt inquired about the need to mitigate the Stoney Run Drainage Channel. Mr. Lewis replied the Stoney Run Drainage Channel impacted a natural stream which was the reason for mitigation. The cost to modify the 2,000 linear foot stream was \$400 per linear foot, which amounted to \$800,000.

Mr. Everett Skipper, Department of Engineering, replied the Corps believed the damage to the stream was great and recommended that the City purchase the individual parcels, that were most affected, before considering the project. The City did not believe the project was viable at this point due to the requirements imposed upon it by the Corps.

Councilwoman McMillan inquired why the Corps did not point out the mitigation requirement when the Villages of Stoney Run was built. She recalled there was great concern about flooding when the developer built the entrance into Stoney Run over that natural stream. Mr. Lewis replied the developer completed onsite mitigation of the stream to offset the impact of flooding at the entrance. The developer completed a major stream restoration project.

Councilwoman McMillan recalled discussion was held about how the stream would affect the side of Jefferson Avenue. Mr. Lewis stated the City received the Corps' recommendation 18 months ago, which was not what the City had anticipated. The Corps' decision required the City to delay the project until economic conditions improved.

Councilwoman McMillan inquired whether a fence would be built around the Morgan Trace Stormwater Basin, since it was adjacent to the apartments on Windsor Castle Drive and Windsor Court, where children resided. Mr. Lewis replied the Basin could be fenced; however, the City did not generally fence Basins.

Mr. Lewis noted project funding appropriated, to date, for the Stoney Run Watershed projects totaled \$3,550,000. The FY 2009 CIP included an additional \$1,000,000. Future appropriations would bring the total amount of funding to \$6,550,000. (A copy of the presentation, "Stoney Run Watershed - Project Status," is attached and made a part of these minutes.)

Councilwoman McMillan inquired whether VDOT had provided the City with a completion date for the work it was doing on behalf of the Windsor Great Park Basin at the intersection of Richneck Road and Jefferson Avenue. Mr. Skipper stated he would provide City Council with the completion date.

III. Homelessness Prevention & Rapid Re-housing Program

City Manager Hildebrandt introduced Mr. Alan Archer, Assistant City Manager, to report on the Homelessness Prevention & Rapid Re-housing Program (HPRP) and how the City proposed spending stimulus funding for the program.

Mr. Archer stated he had been working on a Steering Committee with representatives from the Newport News Redevelopment and Housing Authority (NNRHA), the Greater Virginia Peninsula Continuum of Care Task Force on Homelessness and the Planning Council to prepare the City's application for the HPRP. The HPRP was a result of federal stimulus funding that provided grant allocations to eligible grantees, throughout the United States, to prevent homelessness.

Mr. Archer reported the American Reinvestment Recovery Act of 2009 was signed into law, by President Barack Obama, on February 17, 2009. The legislation included \$1.5 billion for the Homelessness Prevention Fund. Congress allocated the funds to assist communities by providing financial assistance and services to prevent individuals or families from becoming homeless and to quickly re-house and stabilize those who had experienced homelessness. Assistance should be focused on housing stabilization, linking program participants to resources and mainstream benefits and helping participants develop a plan to prevent future housing instability. In order to receive funding, eligible grantees, such as the City of Newport News, had to submit an amendment to their Fiscal Year 2008-2009 Consolidated Plan for Housing and Community Development Annual Action Plan. He asked City Council for their support of the amendment to the Plan. (A copy of his presentation, "Homeless Prevention and Rapid Re-housing Program (HPRP)," is attached and made a part of these minutes.)

Mr. Archer noted the HPRP Strategic Partners, in the Hampton Roads region, which included the Housing Broker Team. The Housing Broker Team was responsible for working with the real estate community and others to identify permanent housing solutions for the homeless population. This strategy had been successfully employed in a number of jurisdictions, throughout the country, and was a critical piece in moving forward with the Rapid Re-housing component of the HPRP.

Councilwoman McMillan inquired whether the HPRP focused on temporary housing or long-term permanent housing. Mr. Archer replied the Housing Broker Team would be responsible to identify permanent housing.

Councilwoman McMillan inquired about the length of time the program had been in existence in other areas and whether it included a tracking and accountability component to gauge its success. Mr. Archer replied the program had been implemented by the City of Norfolk, Virginia, who realized tremendous benefits and results in preventing homelessness. The City of Norfolk discovered that the Broker Team was advantageous to the City because they reduced the burden on local government. It was cheaper to subsidize permanent housing rather than temporary housing, i.e. a motel or hotel voucher.

Councilwoman Vick pointed out that the City of Norfolk's Broker Team was instrumental and successful in having slumlords improve their properties, which, in turn, helped to prevent homelessness. Mr. Archer replied the legislation provided a cushion and support structure for property owners; however property owners were hesitant to engage in a contractual agreement, due to the difficulty in screening individuals. The City of Norfolk provided a designated fund to ensure that damages caused by renters would be covered at the City's expense.

Councilwoman Scott inquired whether the program was income-based and available to homeowners who experienced difficulty in paying their mortgages. She inquired whether property owners would be able to receive assistance. Mr. Archer replied the program was income-based. Individual incomes had to be at, or below, 50% of the Area Median Income (\$67,900). Individuals had to be either homeless, or at risk of losing their housing with no appropriate housing options, financial resources or support networks to remain in existing housing.

Mr. Archer reported states, cities, urban counties and United States territories were eligible for HPRP funding. The City of Newport News received an HPRP grant allocation in the amount of \$659,087 for HPRP activities, based on the HUD Emergency Shelter Grant formula that used data from the Community Block Grant Program. States, cities, counties, and United States territories could directly carry out activities or sub-grant all, or part, of their grant amounts to private non-profit organizations to carry out activities. The American Reinvestment Act required that 60% of the grant be spent in two years, and 100% be spent in three years. The City did not anticipate receiving additional stimulus funding for the program; however, HUD emphasized President Obama's focus on transparency and felt if localities and/or grantees did a good job with the data and accountability component, there might be a chance to make a case for continued funding.

Vice Mayor Whitaker inquired whether the program was available to homeless individuals suffering from mental illness. Mr. Archer replied the program did include a category for homeless individuals suffering from mental illness. Those facing discharge from an institution, which did not have an adequate plan in place, would be eligible to receive services.

Councilwoman Scott inquired how the program would be marketed. Mr. Archer replied the program was still in its implementation stage. It had not been determined how it would be marketed; however, the City would develop appropriate marketing materials and strategies to be posted on the web site, and distributed to all providers in the community.

Mayor Frank inquired whether the residents who received HPRP funding were required to have been residents of Newport News for a number of years. Mr. Archer replied there was no residency time requirement included in the criteria.

Miscellaneous

City Manager Hildebrandt inquired whether members of City Council were available for a morning Joint Meeting and Work Session, with the Economic Development Authority and the Planning Commission, on June 9, 2009, 10:00 a.m. to 12:30 p.m., at City Center, regarding the City Center project.

There was consensus among City Council to schedule the Joint Meeting on June 9, 2009, 1:00 p.m. – 3:30 p.m., at City Center, with the Work Session to follow, if needed.

THERE BEING NO FURTHER BUSINESS,
ON MOTION, COUNCIL ADJOURNED AT 5:19 P.M.

Jennifer D. Walker, CMC
Chief Deputy City Clerk

Joe S. Frank
Mayor
Presiding Officer

A true copy, teste:

City Clerk