



**Franklin City Council Agenda
October 28, 2024
Council Chambers
207 West Second Avenue
Franklin, Virginia 23851**

**7:00 P.M.
Regular Meeting**

CALL TO ORDER. MAYOR ROBERT L. CUTCHINS
PLEASE TURN OFF CELL PHONES. MAYOR ROBERT L. CUTCHINS
PLEDGE OF ALLEGIANCE
CITIZEN'S TIME
AMENDMENTS TO AGENDA

1. INTRODUCTION OF NEW EMPLOYEE

- A. Rosylen Oglesby, City Manager
- B. Constance Barnes, Finance Director

2. CONSENT AGENDA

- A. Approval of September 23, 2024, regular council meeting minutes

3. OLD/ NEW BUSINESS

- A. Council's Comments

4. DEPARTMENT ITEMS

- A. City Manager's Report
 - a) 2025 Proposed Legislative Package
 - b) Presentation & Public Hearing: Issuance of General Obligation Bonds/Notes
 - i. Presentation-November 25, 2024
 - ii. Public Hearing & Consideration-December 9, 2024
 - c) Project Status Updates
 - d) Organizational Changes/City Staffing Updates

5. COUNCIL/STAFF REPORTS ON BOARDS/COMMISSIONS

- A. Council Appointment: Hampton Roads Transportation Planning Organization (Alternate)

6. CLOSED SESSION

I move that the City of Franklin, Virginia City Council adjourn into a closed session meeting pursuant to Virginia Code subsection 2.2-3711 A.29 for the purpose of discussing **the award of a public contract involving the expenditure of public funds**, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City, specifically regarding **the procurement of legal services**.

**CERTIFICATION OF CLOSED MEETING – MADE PURSUANT TO VIRGINIA CODE
SECTION 2.2-3712(D)**

I hereby move that each council member certify that, to the best of his or her knowledge:

- (i) Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and

- (ii) Only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting just concluded.

Any member of the public body who believes that there was a departure from the requirements of clauses (i) and (ii), shall so state prior to the vote, indicating the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of the public body.

7. ADJOURNMENT

Regular City Council Meeting Minutes September 23, 2024

Call to order

The Franklin City Council held its regular City Council meeting on September 23, 2024 at 7:00 p.m. in the City Council Chambers.

Council Members in Attendance: Robert “Bobby” Cutchins, Mayor; Wynndolyn Copeland, Vice-Mayor; Councilman Gregory McLemore; Councilman Mark Kitchen; Councilman Linwood Johnson; Councilwoman Jessica Banks.

Council Members not in Attendance: Councilman Ray Smith

Staff in Attendance: Darlene Burcham, Interim City Manager

Other Staff in Attendance: Steve Patterson, Chief of Police; Deputy Robert Porti; Sgt. Joao Martins; Officer Kristopher Coughlin; Matthew Jezierski, Director of IT; Aaron Barnes, Director of Community Development; Christy Brinkley, Administrative Assistant Community Development; Sarah Rexrode, Director of Social Services.

Citizen’s Time

Mr. Jim Hart of 24576 Delaware Rd, Courtland, Virginia, addressed Council regarding the nationwide issue of illegal immigrants and homelessness in Virginia and concern for homeless behind his business.

Mr. Ricky Sykes of Franklin, Virginia, addressed Council regarding the power outage at Dorchester Apartments over the weekend.

Mr. Thomas Council, III of Franklin, Virginia, addressed Council asking to speak with the Mayor at a later date.

Mayor Bobby Cutchins stated that would be glad to speak to Mr. Council outside of the City Council meeting. As far as legal matters, the Mayor is not in position to get involved.

Amendments to Agenda

Councilman Gregory McLemore made a motion to amend the agenda to discuss the Dorchester Apartments issue with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye

Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins affirmed the motion carried.

Introduction of New Employees

Ms. Burcham stated there is a new employee in Community Development and Mr. Aaron Barnes, Director of Community Development will introduce the new employee.

Mr. Barnes introduced Ms. Christy Brinkley, Administrative Assistant/Permit Tech for Community Development. Ms. Brinkley has been a wonderful asset to the team.

Mayor Bobby Cutchins welcomed Ms. Brinkley to the City.

Consent Agenda

- A. Approval of July 22, 2024 Work Session meeting minutes.

Mayor Robert Cutchins asked if there were any corrections or additions for the July 22, 2024 minutes.

Councilman Linwood Johnson made a motion to approve the minutes as amended with a second from Councilman Mark Kitchen.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins affirmed the motion carried.

- B. Approval of August 12, 2024 Work Session Meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the August 12, 2024 minutes.

Councilwoman Jessica Banks made a motion to approve the minutes as amended with a second from Councilman Mark Kitchen.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins affirmed the motion carried.

C. Approval of September 9, 2024 Regular City Council meeting minutes

Mayor Robert Cutchins asked if there were any corrections or additions for the September 9, 2024 minutes.

Councilman Linwood Johnson made a motion to approve the minutes as amended with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-1-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Abstained

Mayor Robert Cutchins affirmed the motion carried.

Presentations

A. Recognition of STAR Performers – Police Department

Ms. Burcham stated we are pleased to have Chief Steve Patterson to introduce our STAR Performers. Chief Patterson recognized Sgt. Martins and Officer Coughlin with the Franklin Police Department. Over this past summer, they conducted several investigations which led to the arrest of juveniles in possession of firearms. The juveniles were out past curfew and these officers prevented violent crimes from plaguing our community.

The Mayor presented Star Performer certificates to the two officers.

B. Social Well-Being Matters: Department of Social Services

Ms. Burcham stated she has had the opportunity in her role as Interim City Manager to sit in the monthly meetings DSS conducts with the advisory committee, and have learned much which she felt needed sharing with the council and public.

Sarah Rexrode thanked Council for allowing this discussion. Ms. Rexrode introduced the advisory committee board members in attendance. She reported 5,456 of City of Franklin residents received benefits (SNAP, TANF, or Medicaid) in FY 2024. The City currently has 15 children in foster care, there are no foster homes in the City or surrounding area. Significant funds are spent within the locality. In fiscal year 2023 \$60,222,614.00. \$786,431 was the total amount spent on Social Services contributed by the locality in fiscal year 2023.

The Family Services Specialist requires a 4-year degree in Human Services, protect and assist those in need, assess the needs of individuals and families, provide support to families, investigate allegations of abuse, neglect, and exploitation, provide 24-hour-on-call emergency response, and work with the community in the community. Currently there are a total of 26 positions with 2 of those as frozen positions, and 9 vacancies with 3 pending new hire. Recruitment and retention challenges starting salary for teachers is \$47,809 with starting salary for FS Spec is \$36,993.00, cost of insurance for a family, workload, increasing case complexity, employee safety, and high turnover in key positions. Current work incentives include telework, protected time, on-call vehicle, anniversary recognition, and various in-office celebrations. With a full staff we could recruit and train local foster homes, work with local business to create employment opportunities for customers, provide more robust adult services through the Chore & Companion Program, put more effort into abuse and neglect prevention, grow local programming to meet the increased needs of those experiencing hardship, and more opportunity to develop services specific to our community such as the Fatherhood Initiative.

Ways that you can help include supporting a gradual increase in minimum salary, support a retention bonus for current and new staff, consider becoming a foster parent, talk to your friends, neighbors, and loved ones about fostering, encourage parents to reach out for help early, solicit advisory board members to serve, and remember, that for every \$1 spent on Social Services, \$6 is pumped back into the local economy.

Vice-Mayor Wynndolyn Copeland asked how Social Services helps the homeless. Ms. Rexrode stated the short term solution is to help get them to a shelter which is outside of City limits. There are times when we transport them or ask volunteers to transport them. Social Service has occasionally, purchased a ticket for them to travel or hotel stays. Councilman Gregory McLemore stated the advisory board should do what they can to get interested individuals and retain those individuals on the board.

Councilman Linwood Johnson asked if there any agencies that offer support or assistance for training for foster homes. Ms. Rexrode stated the Virginia Department of Social Services provides that training at no charge to the foster parents.

Mayor Bobby Cutchins thanked Ms. Rexrode for all the efforts that Social Services is doing for the City of Franklin. Councilman Gregory McLemore stated his support for the Social Services agency and asked for the total cost of the Social Services new building. Ms. Burcham indicated she would provide.

No further action at this time.

C. FSEDI-Karl Heck

Ms. Burcham called on Mr. Karl Heck to provide an update with Franklin Southampton Economic Development. Mr. Heck stated there have been some revisions with Global Concentrate that have been provided to Community Development, construction should begin soon. The Business Center is working with WAVY TV to install a weather camera, which advertise the City. The Business Center is at 76% occupancy and 6 new businesses were approved at the last board meeting. The City of Franklin and Southampton County had the first Restaurant Week which had some good buzz and seemed to do well.

Councilman Linwood Johnson stated he is excited about the weather camera and is pleased with all of the progress that has taken place. Councilman Gregory McLemore asked when the Restaurant Week will happen again and the criteria to participate.

Mr. Heck stated the next Restaurant Week will take place next year and restaurants can choose special menu items.

Proclamations

A. Proclamation #2024-20 City of Franklin National Night Out (Read by Councilman Mark Kitchen)

Mayor Bobby Cutchins entertained a motion to approve Proclamation #2024-20. Vice-Mayor Wynndolyn Copeland made a motion to approve Proclamation #2024-20 with a second from Councilman Linwood Johnson.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent

Councilman Gregory McLemore

Aye

Mayor Robert Cutchins affirmed the motion carried.



City of Franklin National Night Out
Proclamation #2024-20

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug, and violence prevention program on October 1st, 2024 entitled "National Night Out" and

WHEREAS, the "National Night Out" provides a unique opportunity for the City of Franklin to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts, and

WHEREAS, the City of Franklin plays a vital role in assisting the Franklin Police Department through a joint crime, drug, and violence prevention efforts in the City of Franklin and in supporting "National Night Out 2024" locally, and

WHEREAS, it is essential that all citizens of the City of Franklin be aware of the importance of crime prevention programs and expect that their participation can have an enduring crime, drug, and violence in the City of Franklin, and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.

NOW, THEREFORE I, Mayor Robert "Bobby" Cutchins and the members of the City of Franklin City Council, do hereby call upon all citizens of the City of Franklin to join the Franklin Police Department and the National Association of Town Watch in supporting the "National Night Out" on October 1st, 2024.

FURTHER, LET IT BE RESOLVED THAT, I, Mayor Robert "Bobby" Cutchins and the members of the City of Franklin City Council, do hereby proclaim Tuesday, October 1st, 2024 as "National Night Out" in the City of Franklin.

Signed this 23rd day of September 2024

Robert "Bobby" Cutchins, Mayor
City of Franklin, Virginia

National Night Out is October 1, 2024.

Financial Matters

A. Budget Amendment #2024-23

Darlene Burcham, Interim City Manager, stated this budget amendment is a budget adjustment in the previous fiscal year for the schools and involves the record of increases and decreases to the City of Franklin Public School grant allocations for unspent RARS funds in fiscal year 2024.

BUDGET AMENDMENT 2024-23

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2023-2024 City Budget is hereby amended to:

- 1. Record the increases and decreases to City of Franklin Public School grant allocations for unspent RARS funds in FY24.

	2023-2024	AMENDED	INCREASE
	BUDGET	BUDGET	(DECREASE)
#1			
250 EDUCATION FUND			
REVENUE			
250 3 33010 0249	Continuing Education Grant Revenue	\$ (2,500)	\$ (2,500.03)
			\$ (2,500.03)
EXPENDITURES			
250 4 60000 0249	Continuing Education Grant Expense	\$ (2,500)	\$ (2,500.03)
			\$ (2,500.03)

Certified copy of resolution adopted by Franklin City Council

Clerk to the City Council

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Abstain

Mayor Robert Cutchins affirmed the motion carried.

C. Budget Amendment #2025-04

Darlene Burcham, Interim City Manager stated this budget amendment involves the appropriation of donations for the Fall Festival and Holiday Open House, the Creative Communities Partnership Grant award for use by community organizations, transferred from Federal Asset Forfeiture Account to use for training costs, and funds donated to the police department for National Night Out.

BUDGET AMENDMENT 2025-4

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA that the 2024-2025 City Budget is hereby amended to:

1. *Appropriate Bronco Federal Credit Union donations for Fall Festival and Holiday Open House and allocation for use.*
2. *Appropriate the Creative Communities Partnership Grant award for use by community organizations.*
3. *Appropriate funds transferred from Federal Asset Forfeiture Account to use for training costs.*
4. *Appropriate funds donated to police for National Night Out.*

	2024-2025	AMENDED	INCREASE
	BUDGET	BUDGET	(DECREASE)
#1			
100 GENERAL FUND REVENUE			
100 3 18990 3016 Donations Tourism	\$ -	\$ 1,250	<u>1,250</u>
			<u>1,250</u>
EXPENDITURES			
100 4 81600 5892 Festival and Events	3,000	4,250	<u>1,250</u>
			<u>1,250</u>
#2			
100 GENERAL FUND REVENUE			
100 3 24040 0008 Arts Grant	\$ -	\$ 4,500	<u>4,500</u>
			<u>4,500</u>
EXPENDITURES			
100 4 13010 5699 Contributions to Comm Organizations	\$ -	\$ 4,500	<u>4,500</u>
			<u>4,500</u>
#3			
100 GENERAL FUND REVENUE			
100 3 18990 0099 Miscellaneous Other	\$ 3,000	\$ 13,608	<u>12,608</u>
100 3 18990 3041 Donations Police	\$ -	\$ 984	<u>984</u>
			<u>13,602</u>
EXPENDITURES			
100 4 31300 5530 Subsistence and Lodging	\$ 12,500	21,518	<u>9,018</u>
100 4 31300 5540 Convention & Education	\$ 11,000	14,600	<u>3,600</u>
100 4 31300 7300 National Night Out	\$ -	984	<u>984</u>
			<u>13,602</u>

Councilman Linwood Johnson made a motion to approve Budget Amendment #2025-4 with a second from Councilman Mark Kitchen. Councilman Gregory McLemore stated that he abstains because for the people in attendance and at home watching to not know what the item is about, when it is discussed quickly and not explained. Ms. Burcham explained that Tourism received a donation in the amount of \$1,250 that will be used for expenditures for the festival and events. The City received an art grant in the amount of \$4,500, revenues were received on behalf of the police department for National Night Out and reimbursement for expenses received by the department.

The motion failed to carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins affirmed the motion carried.

Old/New Business

A. Dorchester Discussion (Amended Agenda Item)

Vice-Mayor Wynndolyn Copeland stated that the power has been out since Friday evening and is affecting apartments C-G. She was told by management today that hotel accommodations would be provided for tonight and tomorrow and that school age children will be picked up at the hotel to be transported to school. This is about the third time these apartments have had this issue, twice with the previous owner and once with the current owners. They have been cited for high grass and the overflow of tras. Today she received pictures of rodents in tenants’ homes (rats, roaches, and mold). Something needs to be done about this. What can the City and we as Council do?

Councilman Gregory McLemore stated our job is to pass legislation and policy and the attorney’s need to construct a policy that is legal that we can ask multiple dwelling owners to abide by, that if something to this matter happens on their property, it holds the owners accountable.

Councilman Linwood Johnsons asked for clarity on the idea of the policy. As a City we need to focus on what the problem is. Some residents will have hotel accommodations for two days, is that enough time to have the problem fixed, we are in limbo as to what is taking place. Vice-Mayor Wynndolyn Copeland stated the two days are not sufficient to repair the issue. Councilman Gregory McLemore stated we as Council need to stop allowing these owners to take advantage of our citizens. A possible solution being if the owners only do two days of accommodations, the City pick up another two days and bill the owners for that accommodation. The City has emergency funds, and this is an emergency.

Council asked what we can do legally. Christopher Mackenzie, City Attorney, stated the challenge is when the power infrastructure leaves the public right-a-way and goes to private property, it becomes privately owned and privately maintained. Your ability to regulate private property on a high level as Councilman McLemore stated, it will have to be with the legislation and codes Council adopts.

Councilwoman Jessica Banks stated that we should contact the property management to see if they do have a plan and if they do not have a plan then we need to ask them can city staff go in to see if we can

fix the problem. The Interim City Manager stated that Mr. Zach Wright, Director of Power and Light, has been aware of the issue as soon as it occurred and he has been in touch with the local manager and the property owner. Unfortunately, our ability stops at the street, the issue is with the lines that go beyond the City's right-a-way and for us to go into that property, even with the owner's permission, creates a liability for the City. We have no knowledge or understanding of the history of that wiring, we would be going in blind.

Mayor Bobby Cutchins posed the questions what if the property was to be condemned. Christopher Mackenzie, City Attorney stated there are the tenant leases and the Virginia Residential Tenant Act. If you are removed from your property because it is deemed unsafe, the tenant would have to look to those for the remedies.

B. Council's Comments

Councilman Linwood Johnson thanked Ms. Burcham for the work she has done with the City for this short time. The Western Tidewater Regional Jail Board would like Ms. Burcham to come back to be presented with a proclamation for the input she has provided.

Councilman Mark Kitchen asked if there has been a dress code in place for the City Council meetings because things are getting out of control. Do we need one and enact one, if one is not in place already. If there is one in place can it be explained. Councilman Gregory McLemore stated he has not seen anyone dressed inappropriately, again the Charter dictates what we can do. Councilman Mark Kitchen asked are the food trucks being looked into that was brought up previously. This past Saturday and Sunday, not just food trucks, but people are selling laundry detergent, and the hotdog stand is booming again. Who has responsibility is to check on those licenses. This is also getting out of control, they are taking away from our businesses. The Interim City Manager, asked whether they receiving permission for the business owners or are they doing while the business is closed.

Councilwoman Jessica Banks gave praise to the City of Franklin Public Schools for giving bonuses to their employees. She was saddened to hear the portion of the Social Services presentation that the City has only given \$786,431 and when the starting salaries of teachers was compared to the salary of Social Workers, that is baffling. It is our responsibility as Council to be concerned with where we are appropriating these funds.

Vice-Mayor Wynndolyn Copeland invites Ward 5 to National Night Out on Tuesday, October 1st at the Martin Luther King Center from 5:00 to 8:00 pm.

Councilman Gregory McLemore stated there were issues brought to Council tonight about immigration and homelessness and asked about a policy for Council to be proactive instead of reactive.

Mayor Bobby Cutchins thanked Interim City Manager Darlene Burcham for helping the City move forward.

C. City Manager's Report

Darlene Burcham, Interim City Manager stated we are pleased to announce a Finance Director has been hired and the position of the Executive Assistant/Deputy Clerk filled. The incoming City Manager, Executive Assistant, and Finance Director will begin on Monday, September 30th. In the middle of October the last vacancy in Finance a Finance Account will be filled. With all of the rain recently, there have been identified a number of leaks in City buildings. Council previously received a report on this.

We have an estimate of \$300,000 to replace the roof of the police building. There is no need to renovate the building if there will be leaks causing issues so that amount will be added to the project. In October, Council will receive a briefing on the Capital Improvement needs for the next 10 years.

With this being her last meeting, she stated she has seen so much progress in the brief time she has been here. There have been changes for the better and she asked that Council to provide the same respect to the incoming City Manager who brings a lot of experience. The City has great potential, but we have got to stop the divisiveness that is shown daily in conversations and in the way we look at the City. We shouldn't have situations where we discuss the North versus the South or the East versus the West parts of the City of even Wards. For our community to be successful, we have to see the community as a whole and make decisions that are in the best interest of the City and bring our citizens along with us. This will require additional work for each Council member and to our citizens. Council has tremendous staff that work for the City and want to be here and work with you. We have to stop looking at the past and stop looking at the way we have done things, some of those things are appropriate for the future, however, we need to stop long enough to analyze. Keep looking to the future and not the past.

Council thanked Ms. Burcham for her time with the City.

Darlene Burcham asked Mayor to add an item to the Closed Session under A.1 legal services.

Mayor Bobby Cutchins entertained a motion to go into Closed Session.

Closed Session

Councilman Mark Kitchen moved that the City Council of the City of Franklin, Virginia adjourn into closed meeting at 9:50 PM. pursuant to the authority granted by those sections of the Code of Virginia referenced on the agenda for the permitted purposes provided and to discuss those subjects described and set forth on the agenda. The motion was seconded by Vice-Mayor Wynndolyn Copeland.

The motion carried with a vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Aye

Mayor Robert Cutchins stated the motion carried.

Councilman Gregory McLemore left the meeting at 9:55 PM

Motion Upon Return to Open Session

Councilman Mark Kitchen moved that the City of Franklin, Virginia City Council certify that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting held on September 23, 2024 at 10:01 P.M., meeting were heard, discussed or considered by the City of Franklin, Virginia City Council; and (ii) no action was taken in closed meeting regarding the items discussed. The motion was seconded by Councilman Linwood Johnson.

The motion carried the vote 6-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Absent

Mayor Bobby Cutchins stated the motion carried.

Councilman Linwood Johnson made a motion to appoint Takeia Davidson to the Beautification Committee with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Absent

Mayor Bobby Cutchins stated the motion carried.

Councilman Mark Kitchen made a motion to appoint Novella Edmonds to the Southview Cemetery Committee with a second from Vice-Mayor Wynndolyn Copeland.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Absent

Mayor Bobby Cutchins stated the motion carried.

Vice-Mayor Wynndolyn Copeland made a motion to appoint Rosylen Oglesby, incoming City Manager to the Clerk to Council, Western Tidewater Regional Jail Advisory Board-Alternate, HRTPO, HRPDC, SPSA, and FSEDI Advisory Board, with a second from Councilwoman Jessica Banks.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Absent

Mayor Bobby Cutchins stated the motion carried the vote.

Adjournment

Vice-Mayor Wynndolyn Copeland made a motion to adjourn the September 23, 2024 City Council Meeting at 10:03 p.m. with a second from Councilwoman Jessica Banks.

The motion carried the vote 5-0

The vote was as follows:

Councilman Linwood Johnson	Aye
Councilman Mark Kitchen	Aye
Councilwoman Jessica Banks	Aye
Vice-Mayor Wynndolyn Copeland	Aye
Mayor Robert Cutchins	Aye
Councilman Ray Smith	Absent
Councilman Gregory McLemore	Absent

Mayor Bobby Cutchins stated the meeting stands adjourned.

Mayor

Deputy Clerk to City Council



**Business of the City Council
Agenda Statement
Item No. 4A(a)
October 28, 2024**

Item Title: 2025 Proposed Legislative Package

Submitted by: Rosylen Oglesby, City Manager

Summary Explanation:

To discuss the proposed legislative priorities and position statement relative to the City of Franklin.

Item Budgeted:

N/A

Strategic Priority:

N/A

Financial Impact:

N/A

Recommended Action:


An adoption of the item is not being requested at this time. Consideration and adoption of this item is scheduled for the next meeting, November 25, 2024.

Next Steps Following Council Action:

Staff will make the necessary recommended changes to the draft.

Attachments:

Draft of the proposed 2025 Legislative Package



Rosylen Oglesby
City Manager



**Agenda Statement
Item #:4A(a)**

2025 Legislative Package

Priorities

1. **Support for Public Education** - A General Assembly joint subcommittee addresses recommendations from the 2023 Joint Legislative Audit and Review Commission (JLARC) report on the Standards of Quality (SOQ). JLARC's report recommendations about updating the SOQ in the short and long term included items such as eliminating the support cap and providing additional staff and funding for staff. VML is encouraging the General Assembly to implement expeditiously and fund the JLARC recommendations to more equitably share education costs with local government and ensure students' overall success across the Commonwealth.
 - **Recommendation:** The City's position should be to support the priority. If the General Assembly implements and funds the JLARC recommendations, it could mean a more equitable share of education costs with local governments and provide much-needed support to address school construction and renovation needs in communities, estimated at \$25 billion statewide. The City should oppose any efforts that limit local authority or divert state funds from the public education system.
2. **State Assistance to Local Police Departments (HB 599)** - Almost 70 percent of Virginians live in communities served by police departments. The State created a financial assistance program to local police departments (HB 599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly deemphasized this funding obligation as a priority but has never compromised on the annexation moratorium. Although the *Code of Virginia* sets out a distribution formula for calculating the amounts for eligible localities, in recent years the General Assembly has instead specified in the Appropriations Act that localities' allocations in a given fiscal year are to be based on a standard, across-the-board percentage increase or decrease from the previous fiscal year's allocations. The distribution formula has, in effect, been superseded during those years by the instructions in the Appropriations Act. Funds are distributed to eligible localities in quarterly payments via electronic funds transfers.
 - **Recommendation:** The City should support the calling for the state to honor its commitment to fund public safety as stipulated in the Code of Virginia. For 2025, the City's distribution is \$538,864, according to the Virginia Department of Criminal Justice Services' website.
3. **Land Use Control** - Localities must maintain control of local land use decisions. Neither the state nor the federal government should usurp or pre-empt a locality's authority to make such decisions, nor should they impose requirements that weaken planning and

land use functions. This includes all types of housing, including but not limited to short-term rentals.

- **Recommendation:** The city's position should be to oppose any regulations that limit local land use decisions. The City should support decisions related to local government authority to promote affordable and mixed-income housing and the required infrastructure to facilitate in-fill development, redevelopment, and mixing of uses, with the mandate fully funded by the state.

4. **Provide adequate funding through the Community Flood Preparedness Fund (CFPF) to meet the flood preparedness and resilience needs** – The Hampton Roads Region has received CFPF funding to assist with the costs of completing vulnerability assessments and develop action-oriented approaches to bolster flood preparedness and increase resilience.

- **Recommendation:** The City's position should be to support the priority. This funding could be tapped into to assist the City with preparing the address for flood-related events.

5. **Develop a state funding program to provide the non-federal match for federal grants to support large-scale flood relief projects** – A substantial amount of federal funds is available for flood mitigation efforts; however, the City is not in a position to access these resources without providing the non-federal local match. Through HRPDC, regional localities request that the state develop a funding program to contribute to the required non-federal share.

- **Recommendation:** The City's position should be to support the priority.

Position Statements

1. **Housing** - support policy decisions that provide housing opportunities for all Hampton Roads residents, support the recommendations and strategies produced by regional housing assessment and support the continuation of funding for the Housing Trust Fund.
2. **Economic Development Site Readiness** - support state funding programs and policies that assist local governments with preparing shovel-ready economic development sites.
3. **Reject Unfunded Mandates** - ask that the General Assembly oppose any proposals that impose new unfunded mandates and fiscal responsibilities on local governments.
4. **Support actions that increase access to affordable and qualified childcare** - the rising cost of childcare is significantly impacting our region's families. These concerns are shared by military leadership, which has identified affordable childcare as a critical priority.



**Business of the City Council
Agenda Statement
Item No. 4A(b)
October 28, 2024**

Item Title: Presentation & Public Hearing – Issuance of General Obligation Bonds/Notes

Submitted by: Rosylen Oglesby, City Manager

Summary Explanation:

To advise City Council and the Public regarding upcoming planned scheduled meetings related to the issuance of General Obligation Bonds/Notes related to certain capital projects. The proposed amount of the issuance of the General Obligation Bonds/Notes is not to exceed \$14.3 million.

Item Budgeted:

N/A

Strategic Priority:

N/A

Financial Impact:

N/A

Recommended Action:

An adoption of the item is not being requested at this time. A presentation and discussion of the item is scheduled for the next meeting, November 25, 2024. A public hearing, consideration, and adoption of this item is scheduled for the December 9, 2024 meeting.

Next Steps Following Council Action:

Staff will prepare the necessary item for the next meeting.

Attachments:

N/A



Rosylen Oglesby
City Manager



**Business of the City Council
Agenda Statement
Item No. 4A(c)
October 28, 2024**

Item Title: Project Status Update

Submitted by: Rosylen Oglesby, City Manager

Summary Explanation:

To provide City Council and the Public an update on certain projects taking place throughout the community.

Item Budgeted:

N/A

Strategic Priority:

N/A

Financial Impact:

Although there is a financial impact as it relates to carrying out the project(s), there is no impact in providing this update.

Recommended Action:

N/A

Next Steps Following Council Action:

N/A

Attachments:

Project Status Sheet



Rosylen Oglesby
City Manager



PROJECT STATUS UPDATES

Item #4A(c):

Blackwater Park

- All surveys are completed, and the developer is finalizing documentation for property transfer to the city, expected by early 2025.

Armory Gym

- Construction documents are 95% complete, and the estimated project cost is \$10.37 million, remaining within the targeted range. The project is set to go out for bid on November 22, 2024.

Mariner Street Paving & Waterline Replacement

- Water main and service designs are complete, and the contractor is preparing a materials list. The project is expected to start early next year, followed by asphalt road overlay.

Poplar Spring Cemetery Signage

- Signs have been ordered, and installation is anticipated within a couple of weeks.

Southview Cemetery Clean-up:

- Section C clean-up is complete, and Section B is underway. Progress is expected to increase as grass growth has slowed.

Dorchester Apartments

- Review and Inspection:
 - The Department of Housing and Development hired Navigate Affordable Housing Partners to conduct a review and inspection of the apartment complex. Updates are pending.
- Utility Infrastructure and Payments:
 - Although the new owners are on a payment plan, the complex is behind on utility payments.
 - The City was informed that repairs are needed for a bad underground wire located on the private property.
 - The City is still waiting to hear about long-term power solutions.



**Business of the City Council
Agenda Statement
Item No. 4A(d)
October 28, 2024**

Item Title: Organizational Changes/City Staffing Updates

Submitted by: Rosylen Oglesby, City Manager

Summary Explanation:

To provide City Council and the Public an update on key staffing and organizational changes.

Item Budgeted:

N/A

Strategic Priority:

N/A

Financial Impact:

N/A

Recommended Action:

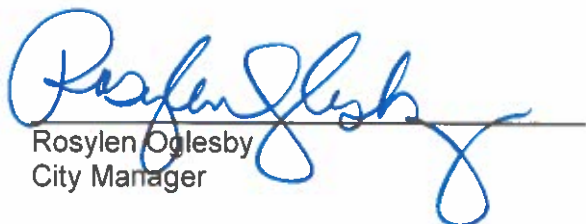
N/A

Next Steps Following Council Action:

No action is required.

Attachments:

N/A


Rosylen Oglesby
City Manager



Item # 5

HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION

Members: One elected official and one staff member from each jurisdiction
 Type: Statutory commission established in accordance with Virginia Code Section 15.2-4203.
 Meets: Monthly, 3rd Thursday
 Term: 1 years
 Duties:

<p>Robert "Bobby" Cutchins Mayor 139 Crescent Drive Franklin, VA 23851 757-641-8663</p>	<p><u>Alternate</u> Vacant</p>
<p><u>Non-Voting Member</u> Rosylen Oglesby City Manager 207 West 2nd Ave. Franklin, VA 23851 757-562-8561</p>	<p>[Redacted]</p>

APPROVED: May 20, 2009
AMENDED: November 17, 2010
AMENDED: October 20, 2016
AMENDED: July 21, 2022

Bylaws of the Hampton Roads Transportation Planning Organization

ARTICLE I

Preamble

1.01 The Bylaws of the Hampton Roads Transportation Planning Organization (TPO) shall serve to guide the proper functioning of the metropolitan transportation planning and programming process by the Metropolitan Planning Organization for Hampton Roads, Virginia. These bylaws provide general procedures and policies for the TPO Board for fulfilling the requirements of the Metropolitan Planning Agreement for the Hampton Roads area; 23 CFR 450.300 *et seq.* and other applicable provisions of federal law; the State's Designation Letter of July 1, 1991; and Virginia Code § 33.1-23.03:01 (or, if recodified or otherwise relocated, the successor provisions).

ARTICLE II

Definitions

Metropolitan Planning Area (MPA) – The geographical area determined by agreement between the MPO for the area and the Governor and in which the metropolitan transportation planning and programming process is carried out.

Metropolitan Planning Organization (MPO) – The policy board of an organization created and designated to carry out the metropolitan transportation planning and programming process. The Hampton Roads TPO is the MPO for the Hampton Roads MPA.

Metropolitan Planning Agreement – A written agreement among the MPO, State, and public transportation operators serving the MPA that identifies the mutual responsibilities of those entities in carrying out the metropolitan transportation planning and programming process.

Metropolitan Transportation Planning and Programming Process – The federally-mandated continuing, cooperative, and comprehensive transportation planning and programming process that results in plans and programs that consider all surface transportation modes and supports metropolitan community goals.

Planning District Commission (PDC) – A political subdivision of the Commonwealth of Virginia chartered under the Regional Cooperation Act by the local governments of each planning district. The purpose of PDCs is to encourage and facilitate local government cooperation and state-local cooperation in addressing regional problems of greater than local significance.

Transportation Management Area (TMA) – An urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the U.S. Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the U.S. Secretary of Transportation.

Urbanized Area (UZA) – A geographical area with a population of 50,000 or more, as designated by the Bureau of the Census.

Unified Planning Work Program (UPWP) – A statement of work identifying the planning priorities and activities to be carried out within the metropolitan planning area. A UPWP includes a description of the planning work and resulting products, and specifies who will perform the work, time frames for completing the work, and the source(s) of funds.

ARTICLE III

Membership

3.01 **General.** The Metropolitan Planning Area consists of the Cities of Chesapeake, Franklin, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg, as well as, the Counties of Gloucester, Isle of Wight, James City, Southampton, and York. Voting Membership in the TPO Board is as follows:

City of Chesapeake	City of Suffolk
City of Franklin	City of Virginia Beach
Gloucester County	City of Williamsburg
City of Hampton	York County
Isle of Wight County	Williamsburg Area Transit Authority
James City County	Transportation District Commission of Hampton Roads
City of Newport News	Virginia Department of Transportation
City of Norfolk	Virginia Department of Rail and Public Transportation
City of Poquoson	Virginia Port Authority
City of Portsmouth	
Southampton County	

4 General Assembly representatives (Two Senators, Two Delegates)

Non-Voting Members:

Virginia Department of Aviation
Federal Transit Administration
Federal Highway Administration
Federal Aviation Administration
Chief Administrative Officers for all Member Localities
Chair of the Community Advisory Committee
Chair of the Freight Transportation Advisory Committee
Peninsula Airport Commission and Norfolk Airport Authority

3.02 Voting Representation. The representative of each voting locality shall be an elected official appointed by the governing body of the locality. Each public transit organization shall be represented by its Executive Director, and each state agency shall be represented by an official designated by the State Secretary of Transportation. With respect to the General Assembly representatives, one of the two senators shall reside in a Southside locality, and the other shall reside in a Peninsula locality, and both senators shall be selected by the Senate Rules Committee. Similarly, one of the two delegates shall reside in a Southside locality, and one delegate shall reside in a Peninsula locality, and both delegates shall be selected by the Speaker of the House. The appointed senators and delegates shall continue to serve as TPO Board members until his or her current term of elected office concludes.

3.03 Alternates. Each voting member shall designate an alternate authorized to act in the absence of the voting member's representative. In the case of localities, the alternate shall be an elected official. For public transit members, the alternate should be an official of the agency's management team authorized to act in the absence of the Director. The State Secretary of Transportation shall designate alternates for state agency members.

3.04 Non-Voting Members. In addition to those non-voting members listed in 3.01, the TPO Board may extend an invitation to any additional parties deemed necessary and appropriate to become a non-voting member of the TPO Board. The Director of an agency invited as a non-voting member shall appoint the agency's representative to the TPO Board and shall notify the Chair and Executive Director/Secretary of the appointment.

ARTICLE IV

Voting

4.01 General. Any proposed action item brought before the TPO Board shall meet three criteria in order to receive approval: 1) the members voting for the action must represent a simple majority of the total number of voting members on the Board; 2) those members representing local governments voting for the action must cumulatively represent at least 66 percent of the population of the MPA, based on the most recent official figures from the Weldon Cooper Center for Public Service; and 3) those members representing local governments voting for the action must represent at least 60 percent of the local government members in attendance. Each local government in the MPA shall have one vote. In addition, the Williamsburg Area Transit Authority, the Transportation District Commission of Hampton Roads, the Virginia Department of Transportation, the Virginia Department of Rail and Public Transportation, and the Virginia Port Authority shall each have one (1) vote.

4.02 Reconsideration. Any member who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken. Such a member may make a motion to reconsider at the next regularly scheduled meeting, but only if the member informed the Chair and the Executive Director, in writing, within five business days of the original vote, of the member's intention to make the motion to reconsider. The Executive Director shall provide a copy of any such written notice to all

TPO Board members. A motion to reconsider cannot be renewed if it has been voted on and defeated except by unanimous consent of those present at the meeting.

4.03 Alternate Voting Members

4.03.01 Voting. At any given meeting, if a TPO Board voting member is absent, the TPO Board member's alternate may vote in place of the absent member.

4.03.02 Notice. Each TPO Board voting member shall provide the Executive Director with the name and contact information for the member's alternate.

ARTICLE V

Meetings

5.01 Regular Meetings. Regular meetings of the TPO Board shall be held at 10:30 a.m. on the 3rd Thursday of each month as approved by the TPO Board each calendar year at a place to be determined by the TPO Chair. The TPO Board may change the date, time, and place of any regular meeting at any prior meeting and may adjourn any meeting from time-to-time or to another place. The January meeting shall be the Annual Meeting of the TPO Board.

5.02 Special Meetings. Special meetings of the TPO Board may be called by the Chair at the Chair's discretion or by any five (5) voting members of the TPO Board upon reasonable notice under the circumstance to all members, of the time, place and purpose of the special meeting.

5.03 Quorum. A quorum shall be constituted as set forth in section 4.01.

5.04 Notices. Public notice of each regular meeting shall be given in accordance with the provisions of the Virginia Freedom of Information Act (ref.: Va. Code § 2.2-3707).

5.05 Meetings Open to the Public. In accordance with the provisions of the Virginia Freedom of Information Act, all meetings of the TPO Board or any committees or subcommittees established by the TPO Board shall be open to the public.

5.06 Public Comment. Time shall be allotted for public comment at TPO Board meetings. Any person desiring to address the TPO Board shall register with TPO staff prior to the opening of the meeting. The time limit for speakers is three minutes per person. The Executive Director of the TPO shall assign a staff member to keep time for each speaker. Time cannot be pooled or assigned to any person other than the person who registered to speak. A member of the public may submit written comments or other materials to the Executive Director for distribution to the TPO Board.

5.07 Minutes and Materials Furnished to Members. Minutes shall be recorded, and meeting materials furnished, in accordance with the provisions of the Virginia Freedom of Information Act.

ARTICLE VI

Officers and Duties

6.01 Officers. The officers of the TPO Board shall consist of a Chair, Vice-Chair, Secretary, and such subordinate officers as may from time-to-time be elected or appointed by the TPO Board. The TPO Board shall hold an annual organizational meeting for the purpose of electing officers at the first meeting after January 1 of each year. The officers shall be elected by a majority of those present and voting.

6.02 Chair. The Chair shall be a voting TPO Board member and preside at all meetings of the TPO Board at which the Chair is present, and shall vote as any other voting TPO Board member. The Chair shall be responsible for the implementation of the policies established and the actions taken by the TPO Board; shall have all of the powers and duties customarily pertaining to the office of Chair of the TPO Board; and shall sign official documents of the TPO Board and perform such further duties as may be assigned to the Chair by the TPO Board.

6.03 Vice-Chair. The Vice-Chair shall be a voting TPO Board member and, in the event of the death, resignation or absence of the Chair, or of the Chair's inability to perform any of the duties of the office of the Chair or to exercise any of the Chair's powers, perform such duties and possess such powers as are conferred upon the Chair including without limitation the power to call meetings as provided in Article IV hereof; shall sign official documents of the TPO Board; and shall perform such other duties as may from time-to-time be assigned to the Vice-Chair by the Chair or by the TPO Board.

6.04 Secretary. The Secretary shall cause TPO Board members to be given notice of all regular and special meetings of the TPO Board and shall attend all such meetings and cause to be kept a record of their proceedings, which shall be a public record, and copies of which shall be provided to TPO Board members with the notice of the next succeeding regular meeting of the TPO Board. The Secretary shall perform all of the duties incident to the office of the Secretary and such other duties as may from time-to-time be assigned to the Secretary by the Chair or by the TPO Board.

6.04 Terms of Office. All officers shall be elected at the Annual Meeting of the TPO Board to serve for a term of one (1) year, or until their successors are elected or until they resign or are removed from office by the TPO Board. Any vacancy occurring in an office shall be filled for the unexpired term by the TPO Board at the next regular meeting following the occurrence of such vacancy, or at a special meeting called for that purpose.

6.05 Term Limitations. The Chair and Vice-Chair may serve not more than two (2) consecutive one (1) year terms in succession, provided however that each such officer may serve for a third or fourth consecutive term if an extension is approved by a majority of the voting members of the TPO Board. Any Chair or Vice-Chair who serves a partial term shall not be considered as serving a full term for purposes of this limitation. No person shall simultaneously serve as the Chair of both the TPO Board and the Hampton Roads Planning District Commission. Additionally, if the Chair of the Hampton Roads Planning District Commission is a member who represents a Southside locality, then the

Chair of the TPO Board shall be a member who represents a Peninsula locality. If the Chair of the Hampton Roads Planning District Commission represents a Peninsula locality, then the Chair of the TPO Board shall be a representative of a Southside locality.

6.06 Election. Prior to the Annual Meeting at which officers will be elected, the Chair shall appoint a Nominating Committee consisting of seven voting TPO Board members, each representing a TPO member locality, and a representative of VDOT who is a voting member of the TPO Board. The Nominating Committee and its Chair shall be appointed by the TPO Chair. At the annual meeting, the Nominating Committee shall submit the names of one or more persons who are willing to serve for each office to be filled. Further nominations may be made by any voting TPO Board member at the meeting at which the election is held. Election of officers shall be by recorded vote.

ARTICLE VII

Committees

7.01 Standing Committees. The standing committees of the TPO Board shall be: the Transportation Technical Advisory Committee, the Transportation Advisory Committee, the Community Advisory Committee, and the Freight Transportation Advisory Committee. Each standing committee shall establish bylaws to guide its function and the functions of its subcommittees. The bylaws of each committee must be submitted to the TPO Board and approved prior to the effective date thereof.

The TPO Board may establish such other special and standing committees, advisory, technical, or otherwise as necessary.

ARTICLE VIII

Staff

8.01 Executive Director/Secretary. The Executive Director of the TPO shall be the Executive Director of the Hampton Roads Planning District Commission, and for TPO matters, he or she shall be directly assisted by the Deputy Executive Director, TPO. The Executive Director shall plan, organize, and direct the activities of the TPO staff in support of the TPO mission and the directions of the TPO Board. The Executive Director shall perform the duties of the Secretary. The Executive Director shall provide staff support to the TPO Board and its committees and shall plan, organize and direct the activities of the staff in support of the mission and the directions of the TPO Board. The Executive Director/Secretary shall work in coordination with the Chair to prepare the agendas for the TPO Board meetings and, as may be required, the meetings of advisory committees established by the TPO Board. The Executive Director may delegate certain duties and responsibilities to TPO staff.

8.02 Additional Duties. The Executive Director and TPO staff, in addition to the duties set forth in 8.01, shall provide professional support and advice to the TPO Board and its committees, and shall prepare reports, analyses, and recommendations as required by state and federal regulations.

8.03 Financial Transactions. All financial transactions by or on behalf of the TPO Board shall be coordinated and managed by the Executive Director/Secretary or by a designated financial manager. All revenues and expenditures shall be received and disbursed by and through the established financial system of the Planning District Commission (PDC) as it applies to the TPO, subject to approval of the TPO Board, in accordance with PDC financial procedures. In addition to managing the TPO's transportation funding, the PDC shall serve as the fiscal and contracting agency for the TPO. The PDC shall provide staff to the TPO, pursuant to a memorandum of understanding between the PDC and the TPO. Financial transactions, if applicable, shall be in accordance with the UPWP.

ARTICLE IX

Procedures

9.01 Parliamentary Procedure. Except as otherwise provided in these rules, the most recent edition of *Roberts – Rules of Order*, shall be used to conduct all meetings of the TPO and its committees.

9.02 Governmental Agency and Public Body. The TPO Board is a "governmental agency," as that term is used in the State and Local Government Conflict of Interests Act, and it is a "public body," as that term is used in both the Virginia Freedom of Information Act and the Virginia Public Procurement Act (ref.: Va. Code §§ 2.2-3101, -3701, and -4301). Accordingly, TPO Board members and committee and subcommittee members shall be subject to the state laws and regulations that govern governmental agencies and public bodies in Virginia, including the Virginia Freedom of Information Act, the State and Local Government Conflict of Interests Act, and the Virginia Public Procurement Act, except where specifically exempted by act of the General Assembly.

ARTICLE X

Public Participation Plan

The TPO shall develop and use a documented Public Participation Plan, as approved by the TPO Board, that defines a process for providing citizens, affected public agencies, representatives of public transportation, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to participate in the metropolitan transportation planning process in accordance with 23 CFR 450.316.

ARTICLE XI

Amendments

Any TPO Board voting member may propose amendments to these bylaws by placing such proposed amendments in writing before the TPO Board at a TPO Board meeting. No vote shall be taken on the proposed amendments until the meeting that follows the meeting at which the written amendments were provided to the TPO Board. The public shall be provided access to inspect the proposed amendments. Approval of amendments shall require an affirmative vote of 2/3 of the voting membership of the TPO Board.