

VOLUME 47

NO. 4

MAY 2012

VIRGINIA

TOWN & CITY

The magazine of the
Virginia Municipal League

Be a part of history

VML Annual
Conference headed
to Williamsburg



VML Annual Conference
Sept. 23-25, 2012



VML Insurance Programs: More than just coverage

VML Insurance Programs offers **free webinars** each month covering a variety of risk management topics such as policy coverage, human resources, safety, law enforcement, and more. These webinars save members time away from the office, travel costs, and between \$99 and \$250 on the average cost of a webinar registration.

"I love these webinars. I could never have attended these sessions in person.

Thanks for doing this, they are very beneficial!!"

Shirley Chirch, environmental health and safety manager, Gloucester County Public Schools

VMLIP offers more than just coverage. We are partners in risk management. How does your insurer stack up? Having all lines of coverage with VMLIP ensures that your organization is receiving comprehensive coverage and a wide variety of value-added services tailored to Virginia's local governmental entities.



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VIRGINIA

TOWN & CITY

The magazine of the Virginia Municipal League



About the cover

VML's 2012 Annual Conference will take place in Williamsburg Sept. 23-25. Plan to attend this important, informative event that will unfold in the Historic Area of Colonial Williamsburg. Photo illustration by Manuel Timbreza.

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VML Insurance Programs honors members for risk management efforts

VML Insurance Programs honored seven members for outstanding risk management efforts over the past year at the 2012 Annual Meeting held on May 18 in Henrico County.

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2012 VML Annual Conference: Make plans to come to Williamsburg

Make plans now to attend the 2012 VML Annual Conference to be held Sunday through Tuesday, Sept. 23-25, at the Williamsburg Lodge in the Historic Area of Colonial Williamsburg. Local government officials will find the two-and-a-half days of workshops, general sessions and roundtables invaluable as they chart the futures of their communities.



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Is use of city logo fair game?

A decision by the U.S. District Court for the Western District of Virginia issued in September said that the Fluvanna County ordinance restricting use of the official county seal could not keep a blogger critical of the county from using the emblem on his posts. The decision has ramifications for local governments with similar ordinances pertaining to the use of their official seal.

By Mark K. Flynn

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Wilson, Hudson honored as 'influential women'

VML PRESIDENT **Rosemary Wilson**, a member of Virginia Beach City Council, and Hampton City Attorney **Cynthia Hudson** were honored recently as two "Influential Women of Virginia" by Virginia Lawyers Media.

The recognition program, now in its 4th year, recognizes the outstanding efforts of women in Virginia in all fields, including law, business, health care, education and the arts. The honors are given to women who are making notable contributions to their chosen professions, their communities and society at large.

Wilson, who served on the Virginia Beach School Board and who has served on City Council for nearly 12 years, is serving a one-year term as VML president. Among her accomplishments, Wilson was cited for her work in getting a state law passed giving local governments the option of exempting businesses from the Business, Professional and Occupational License tax for the first two years of their existence.

Hudson became city attorney in January 2006, after serving as the city's deputy city attorney for 10 years. Before joining the city in 1996, she spent eight years as a member of the Labor and Employment Law Litigation section at the law firm of McGuireWoods, LLP in Richmond.

Wilson and Hudson were honored at a gala luncheon on May 10 at the Richmond Marriott in downtown Richmond. Virginia Lawyers Media is the publisher of Virginia Lawyers Weekly and Virginia Medical Law Report. For a full list of this year's honorees, visit <http://bit.ly/KDzxif>. 



- Wilson -



- Hudson -

Smithfield names Bowman police chief



- Bowman -

Steven G. Bowman was appointed as the chief of police in Smithfield this spring.

Bowman, who served most recently as the commissioner of the Virginia Marine Resources Commission, also has worked in enforcement for the Surry County and Isle of Wight County Sheriff's Offices, the Smithfield Police Department and the Virginia State Police. At VMRC, Bowman was promoted to chief of law enforcement in 1996 and to deputy commissioner

in 2004. In 2006 he was appointed commissioner by Gov. Tim Kaine.

James City taps Murphy for post



- Murphy -

Allen J. Murphy Jr. has been named James City County's director of development management. Murphy will manage Planning Division operations, including both development review and comprehensive planning functions. He will oversee Building Safety and Permits, Engineering and Resource Protection, and Zoning functions within the Department of

Development Management.

Most recently, Murphy served as the acting director of development management since Oct. 31, 2011 and as acting Assistant Development Manager since January 2008.

Henrico taps Martin for detention post



- Martin -

Michael D. Martin was appointed superintendent of the James River Juvenile Detention Center effective June 2. Martin, who served since 2001 as an

assistant superintendent of the 60-bed center, succeeds **Patricia F. Carrington**, who retired after more than 12 years as superintendent.

The detention center, located in Powhatan County, is jointly owned and operated on behalf of the counties of Henrico, Goochland and Powhatan. Henrico handles employee recruitment with confirmation by the James River Juvenile Detention Commission.

Roanoke Co. detective gains certification

Roanoke County Police Detective **Keshia Saul** completed the Virginia Forensic Science Academy recently.



- Saul -

She finished the nine-week program and was awarded a graduation certificate on April 13.

The academy provides high-level training to qualified crime scene search officers. Saul is a nine-year veteran of the Roanoke County department.

Have news about personnel in your city, town or county government? Send information to David Parsons via e-mail at dparsons@vml.org.

NEWS & NOTES

Roanoke greenway fundraising progresses

The Roanoke Valley Greenway Commission unveiled a campaign recently to raise \$7 million to complete 4.1 miles of the Roanoke River Greenway from Bridge Street in Roanoke to Rotary Park in Salem. More than half of the money already has been raised from corporate and private donors, as well as from grant and government funds.

The announcement took place during the City of Roanoke's dedication of the Roanoke River Greenway's newest section, which stretches from Memorial Avenue to Bridge Street.

When completed, the Roanoke River Greenway will stretch 18 miles, which will make it one of the longest urban greenways in the eastern United States. The trail is designed to promote healthy living, while offering economic development opportunities and connecting communities in western Roanoke County through Salem and Roanoke to Vinton via the Tinker Creek Greenway.

Richmond unveils parks smart phone app

The City of Richmond released a smart phone application recently that provides searchable information, maps and directions to city parks, playgrounds and community centers using search criteria such as athletic fields, community centers and playgrounds.

The mobile app – RVA Parks – allows residents and visitors to gather detailed information about city parks, facilities and amenities. It can be downloaded from the Apple Store or Google Play Store.

Richmond to renovate Landmark Theater

The City of Richmond will invest \$14 million in the upcoming fiscal year as its share of a \$50 million partnership to renovate the Landmark Theater in downtown adjacent the campus of Virginia Commonwealth University.

Formerly known as “The Mosque,” the theater was built in 1926 to be used by the Shriners as the ACCA Temple Shrine. The city purchased it in the 1940s and refurbished it more than 15 years ago.

In making the announcement, Mayor Dwight C. Jones pointed out that a nearly one-month run of

a touring production of the Lion King generated \$5 million in ticket sales recently and had a \$20 million economic impact for the city. Such economic activity justifies the city's investment, according to the mayor.

4 Va. cities cited as playful locations

Four Virginia cities have been recognized for encouraging children to play.

Norfolk, Alexandria, Danville and Hopewell were named recently as “Playful City USA” communities. They are among 213 communities nationwide cited by KaBoom!, a Washington-based nonprofit organization dedicated to bringing play back into the lives of children.

The group recognizes communities that have taken innovative approaches to increase the quantity and quality of play and playgrounds. Norfolk was recognized for sponsoring a play day. Danville has an annual Summer Camp Fun Day, and Hopewell is working with local organizations to enhance parks and playgrounds. The Alexandria Childhood Obesity Network recently worked with the city on an assessment of 86 playgrounds.

ELSEWHERE ...

Falls Church received a \$10,000 grant from the Village Improvement and Preservation Society for improvements to the streetscape along four blocks of West Broad Street in the city. New shrubs and perennials will be planted in decorative planters

along the street. ... Almost 15 tons of electronics and computer equipment were collected at the **City of Falls Church's** spring Recycling Extravaganza on April 28. ... The **Town of Vienna** is accepting payment of parking citations through its online payment portal using debit or credit cards. A \$1.25 service fee is charged.

... The **Town of Purcellville** recently collected 178 pounds of unwanted medications and prescription drugs as part of the DEA's National Drug Take Back Initiative.

Send news about your local government to David Parsons at dparsons@vml.org

Hurricane evacuation guides available


THE 2012 EDITION of the Virginia Hurricane Evacuation Guide is available through multiple agencies and organizations throughout Hampton Roads and central Virginia.

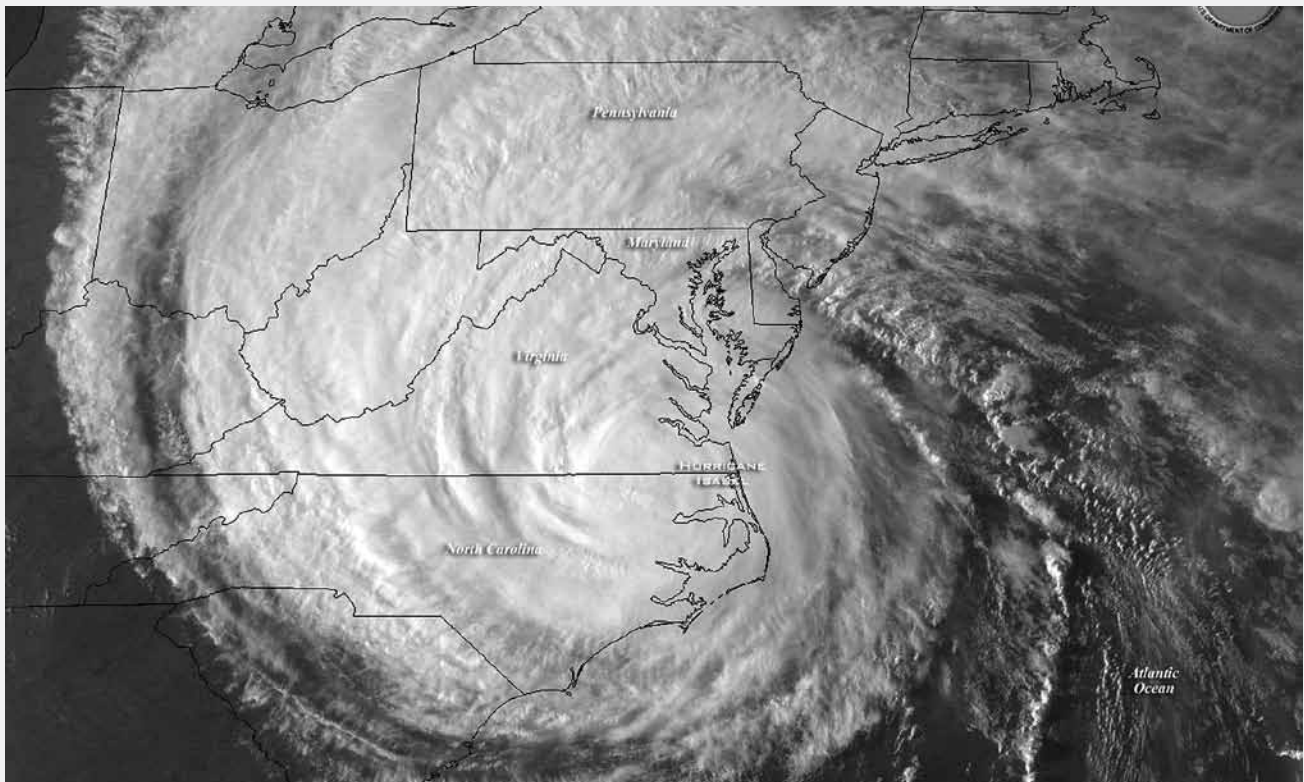
The guide contains essential hurricane season information, including evacuation routes, traffic reversal plans along Interstate 64 and family preparedness. Produced by the Virginia Department of Transportation, the Virginia Department of Emergency Management and the Hampton Roads Planning District Commission, the guide is part of the Ready Virginia and Ready Hampton Roads public information campaigns.

Sections of the guide explain storm surge maps and how to use them and preparedness information for those with special needs. A federal grant that helps the

HRPDC conduct special needs outreach paid for the guide.

"All Virginians need to know their risk for storm surge and should plan ahead for what they will do in an emergency," said Michael Cline, state coordinator for VDEM. "This is an important resource especially for those who live in coastal and low-lying areas."

For the 2012 hurricane season, 175,000 copies of the guide were printed. Most will be distributed by state and local agencies, private businesses and nonprofit organizations. Any individual or organization interested in receiving guides should contact the VDEM Public Affairs Office at (866) 782-3470 or pio@vdem.virginia.gov. The guide is posted online at www.vaemergency.gov/readyvirginia/additional-resources. 



In Virginia, Hurricane Isabel killed 10 and knocked out power to 1.6 million people in 2003.

VML Insurance Programs honors members for risk management efforts



Representing the Fairfax County Water Authority, which won the Margaret A. Nichols Risk Management Leadership Award, were Risk Manager George Hoke (l) and Safety Specialist Brian Miller (c). Peter Stephenson, VML Insurance Programs Member Advisory Board chairman (r), presented the award.

VML INSURANCE Programs (VMLIP) honored seven members for outstanding risk management efforts over the past year at the 2012 Annual Meeting held on May 18. The awards are presented each year to members with a proactive risk management attitude and commitment, excellent loss experience and reporting time, or a significant improvement in their loss ratios. The purpose of the award is to encourage and recognize outstanding risk management performance.

Town of Timberville

The 2012 Tier One Risk Management Performance Award was presented to the Town of Timberville for managing a high-performing safety program with a small staff. Town Manager Austin Garber has

proactively sought the advice of VMLIP staff to update an outdated policy manual. Additionally, the town has been proactive in utilizing VMLIP training materials to provide internal and external safety training to employees regularly. Combined, these efforts have resulted in a five-year loss ratio of 14.3 percent.

Sussex Service Authority

The 2012 Tier Two Risk Management Performance Award was presented to the Sussex Service Authority for utilizing a variety of resources offered by VMLIP to strengthen its risk management efforts and reporting. The authority has utilized VMLIP's webinars, workshops, online university, grant program and resources from the multimedia library. Additionally, the authority has used

VMLIP's Human Resources Services to receive training on HR practices and policies. Combined, these efforts have resulted in a five-year loss ratio of 20 percent.

Town of Herndon

The 2012 Tier Three Risk Management Performance Award was presented to the Town of Herndon, which despite being in one of the most congested areas of the state, maintains an excellent five-year loss ratio of just 29.7 percent. The town also has maintained a 0.38 day lag time for the 2010-2011 fund-year in reporting workers' compensation injuries, and leadership has always worked to provide light duty work for injured employees.

Individual awards

Three individual 2012 Risk Management Excellence Awards were presented this year.

The first award was presented to Harrisonburg-Rockingham Regional Sewer Authority Executive Director **Sharon Foley**. Foley instituted a new safety committee and oversaw a line-by-line review of VMLIP's Risk Management Guidelines assessment to ensure every effort was being made to reduce potential losses. When a deficiency was noted, Foley ensured the authority corrected them quickly and efficiently.

The second award was presented to Fredericksburg Human Resources Assistant **Melissa Steiniger**. Steiniger has shown a willingness to understand specific facts on each claim, and as such has helped to expedite claims investigations so that prompt compensability decisions can be made. She has been an advocate for finding light duty jobs for injured workers and has developed an understanding of Virginia's workers' compensation laws and rules.

The third award was presented to

Gloucester County Director of Parks, Recreation and Tourism **Carole Steele**. Steele has become the driving force behind the county's safety committee, playing a larger role in many of its activities, including the development of some in-house training videos. She has utilized VMLIP's safety grant to purchase trenching and shoring equipment, which is used to prevent cave-ins when digging more than five feet into the ground, in addition to new road work signs to meet new VDOT standards in 2010. She also requested and received personalized training on incident investigation from VMLIP Safety Consultant Pete Strickler.

Fairfax County Water Authority

Fairfax County Water Authority was the recipient of this year's prestigious Margaret A. Nichols Risk Management Leadership Award, named in honor of the late Margie Nichols, a long-time VMLIP administrator who made a substantial contribution to the success of the organization. The award is designed to recognize and

encourage innovation by members in the area of risk management.

With a loss ratio of just 34 percent, the authority has faced some complex claims over the past few years. However, under the leadership of Risk Manager George Hoke, the authority has worked diligently to mitigate the costs of these claims. It did so by providing detailed information to claims adjusters and showing a high level of competence in maintaining its risk management program over many years.

Safety Specialist Brian Miller has shared safety information and help with other pool members, including the Loudon County Sanitation Authority.

This year's annual meeting boasted one of the largest turnouts in recent years with more than 140 people in attendance. Topics for the day included cyber liability basics, common misperceptions on workers' compensation, and the face of employment law.

For more information on VMLIP, visit: www.vmlins.org or follow VMLIP on Facebook at www.facebook.com/vmlip. 



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Purcellville gets a new town hall

EMPLOYEES OF THE TOWN OF PURCELLVILLE in Loudoun County have settled into a new home that opened back in late November. The new town hall, which was the former Purcellville Baptist Church, is located near historic Main Street and downtown. It is directly across the street from the newly-renovated historic Tabernacle Hall and Skating Rink at Fireman's Field. The building also houses a new Town Council Chambers. Most of the handsome interior rooms are painted warm, light mustard yellow, some with a smoky blue contrast color. For the past 20 years the town had made use of an old building once used as a grocery store to house most of its staff. The town has put that building up for sale or lease.



New council chambers and a reception area were part of the refurbishing.



The town hall was formerly the home of Purcellville Baptist Church.

Volunteers spruce up Hampton neighborhood

MORE THAN 150 VOLUNTEERS convened on the Old North Hampton area of Hampton May 18 with a unified purpose: To help 17 elderly, low- to-moderate-income and disabled homeowners with exterior home repairs and yard cleanups.

The one-day blitz was coordinated by a three-agency partnership: The City of Hampton, Habitat for Humanity and the Hampton Redevelopment and Housing Authority. The organizations worked together to qualify homeowners, coordinate skilled team leaders to plan the work, obtain donations and recruit helpers.

Volunteers pitched in from Hampton and surrounding areas, including people from several church groups and other neighborhoods. Military volunteers included 65 from neighboring Langley Air Force Base and 30 from Fort Eustis. The volunteers performed tasks such as: scraping and painting; repairs to porches, gutters and fences; yard cleanup; power washing; and debris removal.

Although homeowners were told they would be responsible for the cost of materials, a number of local companies donated what was necessary.

With the success of the first housing repair blitz, organizers are hoping to target another neighborhood for a one-day blitz in the fall, with a goal of sprucing up two different areas each year.



The 150 “blitz” volunteers included 95 military personnel from neighboring Langley Air Force Base and nearby Fort Eustis who repaired homes and cleaned yards. Photos by Brian Marchese, City of Hampton.

2012 VML Annual Conference

Williamsburg to serve as host Sept. 23-25



MAKE PLANS NOW to attend the 2012 VML Annual Conference Sept. 23-25 at the Williamsburg Lodge in the Historic Area of Colonial Williamsburg.

Conference participants will be able to hear and learn about topics ranging from economic development and volunteerism to transportation and citizen participation in public meetings. In addition to an assortment of other topics, politics – local, state and national – will permeate some of the policy discussions.

A special session on how to use volunteers effectively in emergencies will be held on Sunday, Sept. 23. Learn how local governments can harness and direct their community resources in situations ranging from a natural disaster to finding a lost child. Volunteers are a wonderful asset, but localities need to know how to make the best use of their energy by planning in advance.

An exhibition hall filled with vendors will be open on Sunday and Monday. It will offer attendees an excellent opportunity to learn about products and services aimed at helping local governments find efficient solutions to problems. The opening session Sunday night will be held in the exhibit hall, as will lunch on Monday.

The kick-off general session on Monday will include an address by Na-

tional League of Cities President Ted Ellis. The Democratic and Republican candidates for Virginia's open Senate seat will be invited as well. The focus of Tuesday's general session will be politics, both state and national.

Host City Night on Monday will begin with an outdoor reception at the beautiful Rockefeller Building and Colonial Williamsburg Spa garden. Sip drinks around the fountain and enjoy music by the Virginia Sky Trio. Local musicians Timothy Seaman, Ann Robinson and Peter Budnikas will play contemporary and traditional tunes on hammered dulcimer, Celtic harp, guitar and flute. The Colonial Williamsburg Fifes and Drums will lead attendees to the Virginia Room at the lodge for a "Flavors of the Tidewater" buffet, including favorites such as peanut soup, crab cakes and warm chocolate-pineapple bread pudding. While you dine, listen or dance to the music of The Gurleys, who will supply an evening of lush harmonies and hot picking that will please old friends and new listeners alike.


Tuesday's activities will feature the annual meetings of the City, Town and Urban sections, as well as workshops and the ever-popular Local Government Roundtables. Participants will be able to debate the 2013 VML Legislative Program and elect officers for the upcoming year. Tuesday night's

banquet will include the presentation of the 2012 VML Achievement Awards, remarks by the incoming president, and entertainment.

A special spouse activity on Monday at the DeWitt Wallace Decorative Arts Museum will include a docent-guided tour and a group luncheon. Participants will have time to explore the exhibits on their own and to visit the gift shop. The cost is \$35, which includes a Patriot's Pass and lunch.

Speaking of the Patriot's Pass ... conference participants may purchase a Patriot's Pass that covers admission to the Colonial Williamsburg Foundation's exhibit sites, museums and most day-time programs. The price of the pass is \$18 and conference attendees can sign up for it on the conference registration form.

Plans also are in the works to stage a golf outing on Sunday morning. Details of the tournament will be made available soon.

Finally, the annual Mayors Institute will be held Sept. 22-23 at the Williamsburg Lodge. Conference registration and information will be sent to mayors, vice mayors, board chairs, vice chairs, clerks and managers in member localities. Please note that people planning to attend the Mayors Institute should be sure to indicate their correct arrival date on the hotel reservation form. 



Conference Registration Form

September 23-25, 2012

Colonial Williamsburg

VML Annual Conference

310 South England St., Williamsburg, VA 23187

Name _____ Nickname for Badge _____

Title _____ Locality/Agency/Firm _____

Telephone _____ E-mail _____

Address _____

City, State & Zip _____

Name of Spouse (If attending) _____

(Spouse/guests must be registered to attend receptions and host locality night)

Basic Registration Fee (includes activities on Sunday, Monday and Tuesday, except for ticketed events listed below; partial registration fees are not available).

Please check appropriate registration fee:

| | | |
|---------------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/> Member | <input type="checkbox"/> Non-Member | <input type="checkbox"/> Spouse |
| <input type="checkbox"/> \$340 | <input type="checkbox"/> \$450 | <input type="checkbox"/> \$130 |

Ticketed Events (please check the events you wish to attend and note additional charges for each event):

- Patriot Pass (3 day admission to most Colonial Williamsburg buildings, exhibits and day time events - \$18)
- VML Golf Tournament. Sunday 9 a.m. shotgun start - Green Course at the Golden Horseshoe Golf Club. (registration form will be mailed upon receipt of \$60 tournament fee). **Must register by Sept. 15.**

Name of golfer: _____

- National Black Caucus of Local Elected Officials luncheon. (Monday - \$30)
- Virginia Local Government Managers Association Luncheon. (Monday - \$30)
- Prayer Breakfast. (Tuesday - \$25)
- Women in Local Government Luncheon. (Tuesday - \$30)

| |
|--|
| <p>Optional Spouse Activity</p> <p><input type="checkbox"/> Tour and lunch at DeWitt Wallace Decorative Arts Museum. Price includes Patriot Pass. (Monday - \$35)</p> |
|--|

Total Registration Fees Due

\$ _____

Check enclosed (check must be received within 30 days of registration) OR

Purchase Order No. _____

We do not bill for registration fees. Please return completed form and purchase order or check payable to Virginia Municipal League, P.O. Box 12164, Richmond VA 23241. If this form is faxed, please do not mail. You may register on-site at the conference. For additional information call VML at 804/649-8471, Fax: 804/343-3758.

Deadline for registration refunds is Aug. 23, 2012. Refunds will not be given after this date. Please give notification of cancellations by fax or letter.



Room Reservation Form

September 23-25, 2012

Colonial Williamsburg

310 South England St., Williamsburg, VA 23187

VML Annual Conference

General Instructions

This form must be used to secure your housing accommodations for the 2012 VML Annual Conference or the Mayor's Institute in Williamsburg, VA. All requests must be received in writing on this room reservation form. Each person requesting housing must submit a separate form. You may use a photocopy of this form if necessary. Please follow the instructions listed below to reserve your housing.

- Hotel rooms at the special VML rate are **only available to people registered** for the VML Annual Conference or the Mayors Institute (Sept. 22-23).
- A **minimum 2 night stay is required** at the Williamsburg Lodge. Hotel reservations will not be made until VML has verified that your conference registration fee has been paid.
- Use a **separate form** for each housing reservation required. Photocopy this form, if necessary, to request housing for multiple registrants. Couples need to only submit one form.
- Reservations must be **guaranteed by a major credit card. No checks will be accepted to guarantee room reservations.** The credit card will not be charged unless you fail to show up for your reserved room.
- Your housing confirmation will show the exact cost amount, including tax, of your reserved room. You may bring a check in this amount to the hotel with you to pay for your room if you do not wish to pay by credit card.
- Deadline for reservations is **August 13, 2012.** Requests received after that date will be handled on a space available basis with no guarantee that the special VML rate will be available.
- Deadline for cancellations of housing reservations without penalty is 72 hours prior to your scheduled arrival.

**PLEASE PRINT CLEARLY
AND ANSWER ALL QUESTIONS BELOW**

Last Name: _____ First Name: _____

Title: _____ Locality or Business: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Email: _____ Email CC to: _____

Indicate your order of preference (circle 1 or 2). **Room reservations cannot be confirmed until VML Conference registration is paid.** All reservations must be made through the VML housing bureau to get the conference rate. **The hotels will not take reservations directly.**

| Hotel & Address | Pref. # | No. of beds in room | No. of people in room | Daily Rates Incl. Tax |
|---|---------|---------------------|-----------------------|-----------------------|
| Williamsburg Lodge 310 South England St., Williamsburg, VA 23187 | 1 or 2 | 1 or 2 | 1 or 2 | \$220.90 |
| Woodlands Hotel & Suites 105 Visitors Center Drive, Williamsburg, VA 23187 | 1 or 2 | 1 or 2 | 1 or 2 | \$172.50 |

Arrival Date: _____ Departure Date: _____ Check if attending the Mayors Institute, Sept. 22-23.

Please note any special disability accommodations needed _____

Guarantee my hotel reservation by: Visa Mastercard American Express Discover

Credit Card #: _____ Exp: _____

Name on Card: _____ Signature: _____

Please return completed form to: VML Housing Bureau
P.O. Box 241
Washington, VA 22747

Phone: (540) 675-3118
Fax: (540) 675-3176
Email: VML@brmg.com

Confirmations will be emailed to the address(es) provided on your reservation form.



VML Annual Conference

Preliminary Agenda

September 23-25, 2012

Colonial Williamsburg

310 South England St., Williamsburg, VA 23187

All activities take place at the Williamsburg Lodge, with the exceptions of the golf tournament, Host Night reception and Monday spouses' ticketed event.

Sunday, September 23

| | |
|------------------|--|
| 9 a.m. | VML Golf Tournament (details to be announced) |
| Noon - 6:30 p.m. | Registration |
| 1 - 6:30 p.m. | Exhibit Hall |
| 2 - 5 p.m. | Using Volunteers in Emergency Situations |
| 3 - 5 p.m. | Legislative Committee Meeting |
| 5 p.m. | Nominations Committee |
| 5:30 - 6:30 p.m. | Opening Reception |

Monday, September 24

| | |
|---------------------|---|
| 8 a.m. - 1 p.m. | Exhibit Hall |
| 8 a.m. - 4 p.m. | Registration |
| 8 - 8:45 a.m. | Coffee & Tea in the Exhibit Hall (Note: continental breakfast will not be available) |
| 9 - 11:45 a.m. | Opening session Presentation of Colors Pledge of Allegiance Keynote Speakers Refreshment Break President's Report Report of Nominations Committee Invitation to 2013 Annual Conference |
| 10 a.m. - 1 p.m. | Spouses Activity: Tour & Lunch at the DeWitt-Wallace Decorative Arts Museum (ticketed event) |
| 11:45 - 1 p.m. | NBC-LEO Program and Luncheon (ticketed event) |
| 11:45 a.m. - 1 p.m. | Virginia Local Government Management Association Luncheon (ticketed event) |
| 11:45 - 1 p.m. | Lunch in the Exhibit Hall |
| 12:55 p.m. | Exhibit Hall / Raffle Drawing |
| 1:15 - 2:30 p.m. | Concurrent Sessions |
| 2:30 - 2:45 p.m. | Refreshment Break |

2:45 - 4 p.m. Concurrent Sessions

6 p.m. Host Night
Sponsored by the City of Williamsburg
6 p.m. Reception at the Rockefeller Building & Colonial Williamsburg Spa Garden, 7 p.m. Dinner, Virginia Room, Williamsburg Lodge

Tuesday, September 25

| | |
|--------------------|--|
| 7:45 - 8:45 a.m. | Annual Prayer Breakfast (ticketed event) Held each year in honor of the league's past presidents |
| 8 - 8:45 a.m. | Coffee & Tea in the Exhibit Hall (Note: continental breakfast will not be available) |
| 9 - 10:15 a.m. | General Session Recognition of Go Green Certificate Recipients |
| 10:15 - 10:30 a.m. | Refreshment break |
| 10:30 - Noon | Concurrent Section Meetings City Section Elections & Workshop Town Section Elections & Workshop Urban Section Elections & Workshop |
| Noon - 1:15 p.m. | Women in Local Government Luncheon (tickets required) |
| Noon - 1:15 p.m. | VML Insurance Programs Annual Meeting Brief update on VML Insurance Programs & elections of board members for 2013. Open to all. Lunch will be served. |
| 1:15 - 2:45 p.m. | Concurrent Workshops & Local Government Round Tables |
| 3 - 4:30 p.m. | Business Meeting & Election of Officers Election of Officers for 2012-2013 Executive Director's Report Adoption of 2013 Policy Statements Adoption of 2013 Legislative Program |
| 5:30 - 6:15 p.m. | Reception |
| 6:15 - 9 p.m. | Annual Banquet Remarks by Incoming President Presentation of Achievement Awards Entertainment |

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(Actual participants)

Is use of city logo fair game?

By MARK K. FLYNN

Federal court says yes, but...

YOUR CITY (OR town or county) adopted an official seal, probably ages ago. The design of the seal is described in the city code, which restricts people from using it for any non-city purpose without approval by the governing body. Not so quick. Enter an outspoken blogger who uses the city seal in his missives, some of them highly critical of the city government. Not satisfied with just railing against city hall, the blogger also republishes city documents on his website as news stories.

Can your city prohibit the blogger's use of the seal? In most circumstances, according to an opinion of the U.S. District Court for the Western District of Virginia issued last September, the answer is "no." In the case, *Rothamel v. Fluvanna County*, 810 F. Supp. 2d 771, the judge was faced with Fluvanna's code, which contains a fairly typical ordinance on use of the seal.

In part, it reads: "The seal of Fluvanna County shall be deemed the property of the County; and no persons shall exhibit, display, or in any manner utilize the seal or any facsimile or representation of the seal of Fluvanna County for nongovernmental purposes unless such use is specifically authorized by law."

The county enacted the ordinance in response to Rothamel's use of the seal in his blog. He used the image to indicate when blog entries were about

county news. He also republished county documents, such as press releases, that included the seal.

The court held that the county code section violated Rothamel's free speech rights under the 1st Amendment of the U.S. Constitution. It rejected the county's argument that the seal was property of the county and not speech. The court contrasted the wording of the federal code on use of the seals of the United States.

The federal law only prohibits use of the seals "in a manner reasonably calculated to convey a false impression of sponsorship or approval by the Government of the United States," per 18 United States Code § 713.

The court did restrict its analysis to non-commercial uses of the seal. If a business attempted to use the seal to show county sponsorship, the case would have had a different review, but maybe the same result.

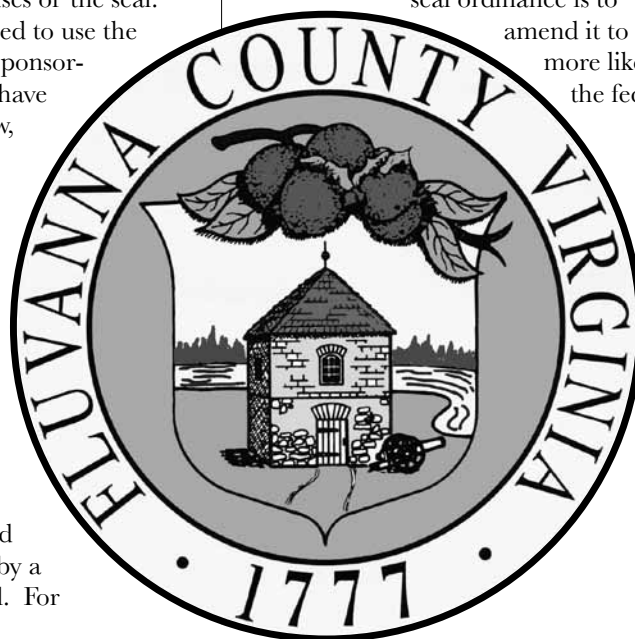
What, then, does the Rothamel case mean for cities, towns and counties in Virginia? If your local code prohibits use of the seal, VML recommends reviewing the language to see if an amendment is needed to avoid a challenge by a citizen like Rothamel. For

example, one locality's code states:

"Neither the city seal nor any image or reproduction thereof can be used by any person or entity, other than by the city government or an agency, board, commission, department or a current officer thereof, for official city business, unless same is authorized by specific provision of law or by any policy regulating the use of the city seal promulgated hereunder."

That section is similar to the Fluvanna code provision the court invalidated. In a lawsuit filed by a person using the seal, a judge would likely rely heavily on the Rothamel opinion. If so, the locality would lose the suit.


One useful step in protecting a seal ordinance is to amend it to be more like the fed-



eral law. The court indicated that it considered the federal statute to be a proper way to limit use. That section states, in part: “Whoever knowingly displays any printed or other likeness of the great seal of the United States, ... in, or in connection with, any advertisement, poster, circular, book, pamphlet, or other publication, public meeting, play, motion picture, telecast, or other production, or on any building, monument, or stationery, *for the purpose of conveying, or in a manner reasonably calculated to convey, a false impression of sponsorship or approval by the Government of the United States or by any department, agency, or instrumentality thereof, shall be fined under this title or imprisoned...*”. 18 USC § 713. Amending the local ordinance to limit it to uses that give the impression of sponsorship or approval could help the ordinance withstand a lawsuit.

Some localities have obtained copyright protection for their seal. Copyrighting a seal would provide protection, but not complete protection. Under the fair use doctrine, the copyright law allows anyone to use copyrighted material for criticism, or news reporting or comment. 17 USC § 107. The section provides: “...(t)he fair use of a copyrighted work, ... for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright...”.

Under the fair use doctrine, the Fluvanna blogger would almost certainly have the right to use the seal for “criticism, comment (and) news reporting” even if it was copyrighted. Comment and news reporting were the very purposes for which the court found he was using the seal.

Free speech issues play a major role in government operations. This seal issue is just one part of the effect of the 1st Amendment. VML has published a general guide to free speech issues affecting local governments on its website, in the “legal resources” section: http://www.vml.org/LegalRes/FreeSpeech_LegalRes.pdf. 

About the author

Mark K. Flynn is director of legal services for VML.



Dewberry aided Louisa earthquake mobilization response

THE 5.8-MAGNITUDE earthquake that struck the East Coast last August was the second strongest one in Virginia history. The epicenter of the quake, which was felt from Alabama to Canada and as far west as Chicago, was only five miles from the Town of Mineral in Louisa County. The shaking earth caused unprecedented damage in the county, with a number of buildings affected, including six schools. Louisa County High School and Thomas Jefferson Elementary School sustained such severe damage that both were closed indefinitely.

In September, recognizing the importance of having a structural engineer evaluate the damage, the Virginia Department of Emergency Management (VDEM) tasked the consulting firm Dewberry with assisting in the preliminary assessment of the school buildings. Because it had completed an evaluation of the buildings not long before the quake, Dewberry possessed an excellent frame of reference to perform an evaluation.

As a result of the significant damage outlined in the September evaluation, and given the need to provide sufficient documentation and cost estimates to qualify for federal support, county officials turned to Dewberry again the following month. A more detailed damage assessment was needed in just two-and-a-half weeks. The firm dispatched a team of experts that accomplished the task and produced a comprehensive report that met the standards of the Federal Emergency Management Agency.

In less than 24 hours, the Dewberry team began its assessment alongside VDEM representatives. Soon, a cadre of architects and structural, civil, mechanical/electrical, plumbing, and fire protection engineers were on site, mobilized from the firm's offices in Richmond, Fairfax, Danville and Raleigh. In addition, staff members from Dewberry's emergency manage-




Dewberry was instrumental in assisting Louisa after the quake.

ment and disaster mitigation practice, who were experienced with addressing FEMA disaster application requirements, were on hand.

The damage to the Louisa County buildings was estimated at more than \$31 million. Dewberry completed the report and submitted it to the county, which worked with VDEM to submit a formal request for a disaster declaration to Gov. Bob McDonnell's office. McDonnell, in turn, submitted the federal disaster declaration request by the Oct. 22 deadline. FEMA approved the request in early November, ensuring that the county would secure financial assistance for infrastructure repairs – and replacement of the two schools – as well as debris removal and related emergency services.

Dewberry also assisted Louisa County Public Schools with development of a modular high school campus to accommodate students temporarily. The firm worked closely with the school division to select a site and modular classroom vendor in addition to creating a set of engineering plans quickly. As a result, the county opened the modular campus in early February, less than six months after

the earthquake. The firm continues to provide on-call support in response to aftershocks, several months later.

“Dewberry was able to quickly mobilize a multidiscipline team of engineers and architects to investigate earthquake damage and turn around a comprehensive report,” said County Attorney Dale Mullen. “The firm’s reports were instrumental in meeting our tight deadline and obtaining a major disaster declaration from FEMA. Louisa County is now poised to receive public assistance grant funding that will go a long way toward the repair or reconstruction of the two schools.” 

About the firm:

A VML sustaining member, Dewberry was established in Arlington in 1956. It moved its headquarters to Fairfax County in 1965.

Contact:

David Maxwell, PE, LEED AP
Vice President
Richmond Office Manager
4180 Innslake Drive
Glen Allen, VA 23060
804-205-3343 direct
804-290-7957
www.dewberry.com

Longer version of job ads posted at www.vml.org

Because of the number of requests it receives to publish job advertisements, VML reduces the length of the position descriptions in Update. A full version of the entire job listings published here for the past two months appears on VML's Web site at www.vml.org. Visit the VML site and click on "Marketplace" to read the complete descriptions.

Applications Development Manager, Suffolk

SALARY: \$55,892-\$86,633 (+) benefits. Performs supervisory and specialized work in the planning, purchasing and development of application software, including planning and developing the interfacing of existing applications. Work involves analysis and design of citywide software solutions, diagnosing software and hardware problems, planning and/or implementing corrective action. Reqs. bachelor's degree in computer science, IT, MIS or closely related area and 5 yrs. lead/supervisory level application systems installation or support. Reqs. exper. with support and maintenance of Microsoft SQL Server, Oracle Server and programming languages such as Java/PHP/ASP.NET, report tools such as SQL Report Services/Crystal Reports, and GIS. Complete application online at www.suffolkva.us or call 757-514-4110 for additional info. Open until filled. EOE.

Class II Water Plan Operator (part-time), Louisa County Water Authority

SALARY: DOQ/DOE. Could lead to FT employment. Performs skilled technical work in the operation and control of water treatment processes. Hours based on staffing needs and may vary from 4-40 hrs. per week. Monitors and evaluates gauge, meter and control panel readings; performs laboratory analysis, interprets data and makes appropriate process adjustments; continuously inspects and fine tunes treatment plant equipment and processes. Reqs. Va. Class 2 Water Plant Operator's certificate and a H.S. diploma or equiv. Prefer completion of at least one course in water plant operation and 2 yrs. exper. in water plant operation. Open until filled. EOE.

Town Manager, Independence

SALARY: DOQ/DOE (+) benefits. Manage town operations / administer Town Code; manage comprehensive planning; serve as zoning director; manage annual budgets and audits; direct activities of department heads who manage Finance, Water, Wastewater, Public Works, Public

Safety and Va. DMV Select Office; manage Community Development projects. Prefer municipal exper. Reqs. knowledge of water, sewer and other utilities; demonstrated exper. managing budgets and managing time sensitive projects simultaneously. Reqs. relevant bachelor's degree and 5-plus yrs. exper. Submit application and resume to: Town of Independence, P.O. Box 99, Independence, VA 24348. Deadline: June 15. EOE.

Director of Public Works, Fluvanna County

SALARY: \$62,649 start DOQ (+) benefits. Duties include: planning, organizing and directing public works and engineering functions, operations and staff of the department. Ideal candidate will bring several years of progressively responsible exper. in local govt. operations; water and wastewater treatment operations; supervising large staff; excellent leadership, teambuilding, organization, interpersonal and verbal/written communication skills. Reqs. proficiency in Microsoft Office or equiv. Prefer bachelor's degree in a civil engineering related field. A comb. of exper. and educ. will be considered. County application available at www.co.fluvanna.va.us. Submit application, resume, cover letter and references to jobs@co.fluvanna.va.us. Open until filled. EOE.

Project Engineer (Capital Programs Department), Loudoun Water

SALARY: DOQ/DOE (+) benefits. Duties include project management, quality assurance, technical reviews and evaluations, and design and construction administration of public water and sewerage facilities. Reqs. bachelor's degree in civil or environmental engineering or related field and min. 5 yrs. progressively responsible exper., including relevant project engineering exper. in the planning, design and construction of water and wastewater facilities. MS degree in civil or environmental engineering may be applied toward the exper. requirements. Registration as a P.E. in Va. is desirable. Apply at www.loudounwater.org or send completed applications to: Loudoun Water, HR Department, P.O. Box 4000, Ashburn, VA 20146 or by fax to 571-223-2079. Open until filled. EOE.

Director of Public Safety, Accomack County

SALARY: Negotiable DOQ/DOE (+) benefits, including VRS. (pop. 33,164) Reqs. relevant bachelor's degree (master's preferred); min. 7-10 yrs. increasingly responsible relevant exper. with min. 3 yrs. exper. in supervisory role, or an equiv. comb. of educ., training and exper. Should have demonstrated intermediate to

advanced knowledge and skill levels in fire, EMS and emergency management, and should be registered as a paramedic with certifications as a Firefighter II or equiv. Leads the Public Safety Department and reports directly to county administrator; supervises 26 FT and 4 PT staff members assigned to 9 volunteer fire/rescue stations. Submit letter of application, resume, salary history and min. 5 work-related references to: John A. Anzivino, Senior Vice President, Springsted Incorporated, 1564 E. Parham Road, Richmond, VA 23228; Fax 804-726-9752 or e-mail Richmond@springsted.com. Complete community and position profile at www.springsted.com. Deadline: June 17. EOE.

City Attorney, Petersburg

SALARY: Negotiable up to \$130,000 DOQ/DOE (+) benefits, including VRS. Min. qualifications include JD from accredited law school, admission to Virginia State Bar and 5-10 yrs. of increasingly responsible exper. in practice of law. Past local govt. exper. is an important consideration, with service as a local govt. attorney or deputy attorney in a comparably sized or larger community desirable. Submit letter of application, resume with salary history and 5 work related references to: John A. Anzivino, Senior Vice President, Springsted Incorporated, 1564 E. Parham Road, Richmond, VA 23228; Fax 804-726-9752 or e-mail Richmond@springsted.com. Complete community and position profile at www.springsted.com. Deadline: June 17. EOE.

Human Resources Analyst, Falls Church

SALARY: \$59,447-\$95,116 (+) benefits. Responsible for recruitment, planning, developing, implementing, administering and managing classification, compensation, training and employment programs; analyzing, developing, recommending and implementing H.R. policies and procedures; managing recruitment and selection; coordinating the preparation and maintenance of files and records. Reqs. relevant bachelor's degree; Human Resources Certification Institute certification; min 5 yrs. exper. in public sector H.R. mngmnt. Send city application or resume to: City of Falls Church, Human Resources Division, 300 Park Ave., Falls Church, VA 22046 or hr@fallschurchva.gov.

Police Officer, Saltville

SALARY: \$23,000-\$25,000 start range. Reqs. current DCJS law enforcement certification or lateral equiv. Must be min. 21 years old and a H.S. graduate or GED (some college preferred). Reqs. unblemished character and record, and

commitment to highest level of professionalism. Obtain application and personal history questionnaire from Saltville Town Hall (276-496-4321). Submit with resume to: Chief Rob Hall, P.O. Box 730, Saltville, Va. 24370. Open until filled. EOE.

Finance Director, Carroll County

SALARY: DOQ/DOE (+) benefits. Develops, monitors and executes a financial plan that is fiscally sound. Work involves setting policies and goals under direction of the assistant county administrator. Prepare budget, supervise finance functions (accounts payable and payroll), review compliance of purchasing policy, prepare monthly expenditure reports. Supervise all dept. personnel. Reqs. bachelor's degree with coursework in accounting, finance or related field and extensive exper. in local govt. budgeting and finance, or equiv. comb. of educ. and exper. Prefer CPA or MBA. Must provide a completed Va. state application to the Carroll County Human Resources Office, 605-1 Pine St., Hillsville, VA 24343. For more information, contact H.R. at 276-730-3103. Complete job description and application at: www.CarrollCountyVA.org. Application review begins June 14. Open until filled. EOE.

Automation Services / Application Specialist, Falls Church

SALARY: \$54,042-plus DOQ/DOE (+) benefits. Serve and provide general govt. automation, desktop and application support primarily for the Mary Riley Styles Public Library. Ensures availability of all critical application systems; provides hands on installation/troubleshooting and overall technology production support of the General Government IT critical business application systems in conjunction with the IT network and desktop staffing. Reqs. relevant bachelor's degree and/or equiv. exper. with min. 2 yrs. exper. in IT systems administration support; prefer 1 yr. library system support exper. (experience with Innovative Interfaces Inc. system administration desired). More info, including city application at: <http://bit.ly/vOGlda>. Send application or resume to: City of Falls Church, Human Resources Division, 300 Park Ave., Falls Church, VA 22046 or via e-mail at hr@fallschurchva.gov. Applications received by May 31 will receive priority consideration. Open until filled. EOE.

County Assessor, York

SALARY: \$66,221-\$76,610 DOQ/DOE (+) benefits. Directs and administers an effective and comprehensive real estate assessment program for the county. Reqs. bachelor's degree in business administration, public administration, accounting or a related field and 5-7 yrs. exper. in

assessment and appraisal, including 3 yrs. supervisory exper.; or any equiv. comb. of educ. and exper. A Va. Certified General Real Estate Appraiser License or a Certified Assessment Evaluator designation from the IAAO is req'd, or must have ability to obtain such certification within 6 mos. Must also meet the qualifications to be certified as the York County Assessor by the Virginia Tax Commissioner. Reqs. valid Va. driver's license with good driving record and exper. in Microsoft Windows and Microsoft Office. Prefer exper. with Computer Assisted Mass Appraisal System. Apply online at www.yorkcounty.gov/humanresources. Open until filled. EOE.

Chief of Police, Front Royal

SALARY: \$61,776-\$98,737 DOQ/DOE (+) benefits. (pop. 14,400) Administer all law enforcement operations and police service programs. Current chief retiring in September. Must have ability to translate community attitudes about law enforcement issues into departmental action. A complete recruitment package is available. For information, contact Julie Bush at 540-635-3929 or at jbush@frontroyalva.com. First review of applications is June 15. Open until filled. EOE.

System Operations Supervisor, Manassas

SALARY: \$53,581-\$89,482 DOQ/DOE (+) benefits. Oversees all load-management programs, including dispatching generation facilities and the utility/public works dispatch center; maintains operational reports regarding purchased energy and generated energy; directs the operations for city's electric demand reduction, and directs and controls activities to effectively operate and maintain the distribution, substation and transmission system. Reqs. a 2-yr. certificate from college or technical school; 2-4 yrs. of progressively responsible related exper.; or any comb. of educ., training and exper. that provides the req'd knowledge, skills and abilities to perform the essential functions of the job. Complete city application at www.manassascity.org/jobs. Deadline: June 11. EOE.

Director of Human Resources, Alexandria

SALARY: Up to \$144,839 DOQ/DOE (+) benefits. (pop. 140,000; 2,381 FTEs; \$586 million total annual bdgt.) Reports to city manager and oversees a department of 22 employees with an operating budget of \$3 million. Reqs. relevant bachelor's degree; prefer master's in business or public admin. and appropriate HR-related credentials. Ideal candidate will have substantial mngmnt. exper. in H.R., change management and best practices. Initial review of resumes begins June 22. Send cover letter,

resume, salary history and six professional references to apply@ralphandersen.com. Confidential inquiries to Robert Burg, Ralph Andersen & Associates, 916-630-4900. Detailed brochure at www.ralphandersen.com. Open until filled. EOE.

County Administrator, Middlesex

SALARY: \$95,000-\$105,000 DOQ/DOE (+) benefits. (pop. 11,000 residents; 56 FTEs; \$23 million annual bdgt.) Responsible for administrative oversight of the county government, as well as budget preparation and policy development and implementation. Reqs. 5 yrs. exper. as a city, town or county manager, administrator or assistant, or related equiv. exper. in the private sector. Additional info about the position and the county at www.co.middlesex.va.us/employment.htm. Submit cover letter and resume, including three professional references, via e-mail to: w.whitley@co.middlesex.va.us or via mail to: William H. Whitley, 268 Heron Point Road, Cardinal, VA 23025. Deadline: June 28. EOE.

Accounting Manager, Manassas

SALARY: \$67,954-\$113,506 DOQ/DOE (+) benefits. Manages the accounting function, including general ledger, accounts payable, payroll and fixed assets. Coordinates, plans and directs the year-end closing of the financial records and the annual audit including preparation of audit schedules and the CAFR. Must have complete knowledge of all govt. accounting, auditing and regulatory pronouncements and federal, state and local laws (including payroll) to ensure that the city's financial records remain in compliance. Reqs. bachelor's degree in accounting or related field and 4-5 yrs. progressively responsible related exper. Prior supervisory exper. preferred. CPA desired. To apply, complete city application at www.manassascity.org/jobs. Deadline: June 11. EOE.

Submit ads via e-mail to David Parsons at dparsons@vml.org. VML publishes job advertisements at no cost to its dues-paying local government members. Non-members are charged a flat rate of \$25 per ad per issue, which includes posting on VML's Web site and publication in the Update newsletter. VML edits position descriptions in printed publications because of space limitations.

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VML Annual Conference
Sept. 23-25, 2012

Virginia Economic Developers Association Membership Luncheon, June 6, Staunton

At the Stonewall Jackson Hotel and Conference Center. Topic: Innovation Ecosystems – Creating Multidimensional Relationships for Economic Development Success. Cost: \$50 members; \$65 nonmembers. More info and register at <http://bit.ly/IUCMBu>.

VML Town Section Meeting, Gordonsville, June 7

Last of four regional meetings of the Virginia Municipal League Town Section to be held in the Council Chambers at the Town Office. Registration information on the VML website. Contact Sherrall Dementi at sdementi@vml.org or 804-649-8471.

VLGMA Annual Conference, June 13-15, Virginia Beach

Annual conference of the Virginia Local Government Management Association will be held at the Hilton Virginia Beach Oceanfront Hotel. The conference includes general sessions and workshops, as well as an annual business meeting. Registration information is available on the VLGMA website at www.vlgma.org. For more information, contact Janet Areson at VML, jareson@vml.org, 804/523-8522

2012 Juvenile Justice and Delinquency Prevention Conference, June 26-27, Newport News

Event will take place at the Newport News Marriott at City Center. Theme of the two-day conference is “Making a Difference in Juvenile Justice.” Registration is \$35 and is available by visiting www.dcls.virginia.gov. Room cost is \$77 plus tax by contacting the Marriott at 866-329-1758 and asking for room bloc rate prior to May 25.

NLC Congress of Cities, Boston, Nov. 28-Dec. 1

Annual National League of Cities event. More information at www.nlc.org/events/coc

VML Annual Conference, Williamsburg, Sept. 23-25

More information at www.vml.org

ICMA 98th Annual Conference, Oct. 7-10, Phoenix

The 98th annual conference of the International City/County Management Association. Registration information will be available beginning June 18 on the ICMA website at www.icma.org.

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Congress begins tough negotiations on passage of transportation program

LAWMAKERS APPOINTED to resolve differences on a new federal surface transportation program met in early May to stake out their opening positions, but gave no indication of a quick resolution of the deep divisions between the House and Senate positions.

Sitting around a large hollow square table, the 47 members appointed by House and Senate leaders to negotiate a long-term national program for funding highway, bridge and transit programs highlighted some of the key issues that have held up agreement on this issue since the original program expired in September 2009.

Sen. Barbara Boxer (D-Calif.), chair of the Senate Environment and Public Works Committee and chair of the transportation conference, pointed out that the Senate had passed a bipartisan bill, S 1813, with 74 votes. "If Sens. Boxer and Jim Inhofe can agree on a bill, we can all agree on a bill," Boxer said, noting the improbability of finding a solution appealing to a liberal Democrat from California and a conservative Republican from Oklahoma.

Although the House bill only included a 90-day extension of the current program, from June 30 to September 30, and three controversial provisions, House Transportation and Infrastructure Committee Chair Rep. John Mica (R-Fla.) indicated the House conferees were not ready to compromise and adopt the Senate bill.

Mica expressed concern over the cost and financing of the \$109 billion, two-year Senate bill. Congress will have to fund a new transportation program without raising taxes, Mica told the conferees. "Anyone who wants to raise taxes, you're on the wrong committee," he said.

Although the House Rules Committee adopted a robust authorization

bill, HR 7, House leaders were unable to gain consensus among House Republicans to support their five-year authorization bill and never brought it to the House floor for a vote. It is unclear how the conference will proceed and whether House conferees will insist on policy language con-



tained in HR 7 but never voted on by the full House.

For local governments, there are many key policy provisions in the massive Senate bill and in any potential House language that might come before the conference committee. Local officials are encouraged to contact their Congressional representatives, particularly those who serve on the conference committee, to urge a bipartisan agreement on a long-term transportation bill. Key issues that will be discussed include supporting local government authority and maintaining funding for public transit.

Local officials also are very concerned over the proposed changes in local planning provisions and the share of funding that would be distributed to communities. NLC


urges support for current law to maintain the current threshold of 50,000 in population for remaining a Metropolitan Planning Organization and the current share of funding for metropolitan areas at 62.5 percent rather than the 50 percent that is proposed in S 1813 or MAP-21.

NLC supports a provision adopted during Senate debate that would provide a 15 percent share of funding for local bridges from the overall funding for states.

NLC supports the "additional activities" contained in the Senate bill that would help revitalize Main Streets, make streets safer for pedestrians and bicyclists and allow local governments direct access for communities to these funds.

Another key concern for local officials will be project streamlining provisions to speed up project reviews since both the House passed bill and S 1813 contain streamlining provisions. NLC supports streamlining environmental reviews which maintain local control in the process. The Senate bill would streamline some environmental review provisions but still ensure public and local officials a meaningful voice on projects that impact communities. The House bill would limit opportunity for local review.

It is unclear when and how conferees will be able to find consensus but Chairs Boxer and Mica expressed confidence that an agreement will be reached. Congress has until June 30 when the current extension expires.

Details: To view a list of members of the conference committee, visit <http://bit.ly/KexseA>. 

About the author

Leslie Wollack (wollack@nlc.org) is program director for infrastructure & sustainability in the federal relations office of the National League of Cities.



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