

## HOUSE JOINT RESOLUTION NO. 142

*Establishing a joint subcommittee to study the feasibility of the consolidation of the Cities of Norfolk and Portsmouth. Report.*

Agreed to by the House of Delegates, March 10, 2004

Agreed to by the Senate, March 9, 2004

WHEREAS, the contiguous Cities of Norfolk and Portsmouth consist of an area of approximately 87 square miles with more than 300,000 residents; and

WHEREAS, these two cities face many similar challenges such as development and maintenance of transportation networks, economic development and the provision of basic governmental services such as water supply and wastewater treatment; and

WHEREAS, these cities also face a number of dissimilar challenges such as rapid population gain or loss and expansion or contraction of the public school system; and

WHEREAS, according to census reports, the two cities have a per capita income of just 78.5 percent of the national average; and

WHEREAS, these cities contain a substantial amount of tax-exempt property, thereby putting a significant strain on local revenue-raising ability; and

WHEREAS, the Cities of Norfolk and Portsmouth currently offer the same services that tend to lead to duplication of public resources; and

WHEREAS, the future welfare of the Cities of Norfolk and Portsmouth may depend on overcoming barriers to cooperation, such as Virginia's unique local government structure of independent cities; and

WHEREAS, the Cities of Norfolk and Portsmouth may be able to look to other examples throughout the country of how multiple localities can be consolidated into a single city; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the feasibility of the consolidation of the Cities of Norfolk and Portsmouth. The joint subcommittee shall consist of 14 members, which shall include six legislative members and eight nonlegislative citizen members as follows: four members of the House of Delegates, who each shall reside in one of the cities, to be appointed by the Speaker of the House in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate, who each shall reside in one of the cities, to be appointed by the Senate Committee on Rules; the mayors of each city; the superintendent of schools of each city; the city manager of each city; and one constitutional officer from each city, one to be appointed by the Speaker of the House of Delegates and one to be appointed by the Senate Committee on Rules. All legislative and nonlegislative citizen members of the joint subcommittee shall reside within one of the two cities. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The chairman and the vice chairman of the joint subcommittee shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall (i) review other models whereby localities were consolidated into a single city that operates under the strong mayor/council form of government; (ii) determine whether such a system, with a directly elected mayor, would be feasible for the two cities, to be phased in over a period of 10 to 20 years; (iii) examine the feasibility of permitting the consolidation of a particular city only upon a favorable vote by referendum in each such city; (iv) examine the feasibility of allowing the constitutional officers of each of the consolidating cities to retain their individual positions for an interim period or until the retirement of such an officer; and (v) explore an efficient method of eventually transferring the duties of such constitutional officers to a single office for the consolidated city.

Other issues to be examined by the joint subcommittee shall include (i) whether an amendment to the Constitution of Virginia will be required in order to implement a proposed consolidation; (ii) the means by which utility systems within the consolidating cities may be efficiently combined or coordinated so as to provide cost-effective and uninterrupted service to the region; (iii) the feasibility of phasing in a consolidated school system under the leadership of a single school board with each city being a separate school district; (iv) the feasibility of providing for oversight by an outside entity of new local debt of the consolidating cities during the transition period between the time of voter approval of the consolidation and the actual consolidation; and (v) the method by which the individual debts and obligations of the consolidating cities shall become the debts and obligations of the consolidated city.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.

ENROLLED

HJ142ER

Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Commission on Local Government, the Department of Education, the State Board of Elections, the Auditor of Public Accounts and the Department of Taxation. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2004 interim, and the direct costs of this study shall not exceed \$3,000 without approval as set out in this resolution. All meetings of the joint subcommittee shall be held within the two-city area with at least one meeting to be held in each of the two cities during the course of the study. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings by November 30, 2004, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2005 Regular Session of the General Assembly. The executive summary shall state whether the joint subcommittee intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a document. The executive summary and the report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2004 interim.