



Resort Advisory Commission
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RESORT ADVISORY COMMISSION
MINUTES

DATE: October 1, 2015
TIME: 3:00 pm
PLACE: Virginia Beach Convention Center, Room 3A

COMMISSION MEMBERS PRESENT

Billy Almond
Bobby Melatti
BJ Baumann
Kristina Chastain
Sam Reid
Randy Thompson
Jim Davis
Bill Gambrell
Preston Midgett
Bryan Cuffee
Laura Habr
Michael Cloud-Butler
Sylvia Strickland
Gerrie West
Tom Brown

COMMISSION MEMBERS ABSENT

John Hawa
Craig Roback
Nancy Creech
Joe DaBiero

OTHERS PRESENT

Matt McInerney, VBPD
Harry McBrien, VBPD
Lt. Bob Christman, VBPD
Diana Burke, VBHA
John Uhrin, Council
Bill Reed, BEACON
Stacey Parker, The Pilot
Mike Eason, SGA/Resort Mgmt.
Cece Riddick, SGA
Robin Hart, SGA/Recorder

Chair Billy Almond called the meeting to order at 3:00p.m.
Motion carried unanimously to approve the minutes from the August 6, 2015 meeting as written.

Minutes, Meetings and Abstentions – Rod Ingram

Rod discusses when to vote on an issue in a meeting, when one is required to abstain and the requirements of what must be done if one voluntarily abstains.

Commission members are subject to the State and Local Government Conflict of Interest Act (“the Act”), which focuses on officials’ and employees’ financial interest. The act of abstaining focuses on a person’s financial interest in either a business or in land. If you or your spouse owns more than three percent (3%) of a business, you have a financial interest in that business, under the law. If you or your spouse receives more than \$5,000 in annual income from a business, you have an interest in the business. The income can be salary, dividends or retirement income. If you or your spouse, or a minor child who lives in your home whom you count as a dependent on your taxes, owns three percent (3%) or more of land, then you have a financial interest in that land. It is also true if you have an option contract for that business or land of more than three percent (3%). If you own two percent

and your spouse owns one percent (1%), the total is still three percent (3%), and subject to the Act.

According to the Act, the requirements and rules differ based on the type of agency, which falls into either committees that make final decisions (Council, School Board, the Development Authority, Board of Zoning Appeals), or advisory bodies (the RAC, Parks & Recreation Board, Library Board, Planning Commission) who make recommendations to city leaders or City Council.

When the Commission votes, if either a business in which you have a financial interest or land that you own is the subject of the vote, you are required to abstain, and those are the only circumstances under which you are required to abstain.

For example, a XYZ Corporation needs to obtain an application for a special exception from City Council in order to build a very tall hotel. Council asks the RAC for their input. The vote would be to endorse or oppose that application from XYZ Corporation. You must abstain from the vote if:

- (1) You or your spouse work for the company that wants to build the hotel and receive more than \$5,000 in annual income from the company;
- (2) You or your spouse has an ownership interest of more than three percent (3%) in the company that wants to build the hotel, or
- (3) you or your spouse own or have an ownership interest of more than three percent (3%) in the land on which the hotel would be built.

Rod reviewed three example abstention letters. One abstention letter when required by law, and two voluntary extension letters with one based on a business interest, and one based on a land interest. The law requires that you provide the address of the corporation or land if it is the subject of the vote. If you are required by law to abstain, you cannot discuss the matter with other Commission members or staff. Examples of the letters in Word format will be sent to the Commission members for reference.

Per the law, if you abstain, you must disclose your business address, or (if your interest is in land) the address or GPIN of the land. You can have the city attorney ghostwrite a disclosure letter and give it to the meeting recorder. Doing so in writing is best, as an oral disclosure may accidentally fail to provide all required information. If you find out after you arrive at the meeting that there will be a vote, you can say that you abstain, and you have 24 hours to send the letter to the meeting recorder, which is not a requirement, but is a best practice.

QUESTIONS:

There were questions on discussion of the project, subcommittee member responsibility compared to that of RAC Commissioners, abstention procedures for service providers and possible penalties for non-compliance.

Rod tells the Commission that voluntarily abstaining members are allowed to discuss the matter with other members or staff.

Rod says that the Act states that people who are appointed by City Council to a Board are subject to the Act (i.e. RAC members), and any members they appoint (i.e., subcommittee members) are subject to the Act.

Rod says that if you work for a service provider, and it does not sound like your company will be the subject of the vote. If you choose to abstain, you use one of the volunteer sample letters and you would voluntarily abstain if you choose to.

Billy Almond says that if we, as consultants are already involved in the project, then

the right thing to do is abstain for the presentation. Rod tells Billy, in that instance, to provide the address of the business to the recorder and it can be added to the minutes if they just announce that they abstain, saying that your employer is service consultant on this project. You just need to make sure that it makes it to the minutes when they are reviewed the following month.

Billy says that there have been times that the project is presented by the land use attorney and the client, and a month later an architect is hired that might happen to have been sitting in during the earlier presentation. Rod says that our meetings are open to the public, and they can hear all the details as easily as anyone else can. If, however, anyone goes into a closed session, that party should call him to make sure everything is done according to the law.

Lastly, Rod replies that there are penalties based on knowing violations, but they depend on how prosecutors are interpreting this law. There have been very few prosecutions under this Act, but better to err on the side of caution.

Cameras on the Boardwalk – Lt. Bob Christman

The implementation date for Phase I of a three-phase project is July 2016, and will include a total of about 85 cameras throughout the oceanfront, which will be between Birdneck Road and the boardwalk and from the North End at 40th Street to Rudee Inlet.

Phase I includes 25 cameras, plus 13 cameras used by traffic management for a total of 38 cameras. Eventually they will be able to monitor all 54 cameras.

The company they will use is Genetec and will be able to operate under their cooperative contract. As they move forward, they will be able to access the VB schools' cameras for incidences for real-time information. They will be upgrading the video operations in the second precinct.

In Phase I, they will have a camera at every other street on the boardwalk, which is a total of 20 cameras at the even-numbered streets where the power boxes are. Some exceptions are at odd-numbered streets, such as 17th Street Park. On 9th Street (Norfolk Avenue), they will have them at Pacific Avenue and also Birdneck at both ends but they will also be running fiber down Norfolk Avenue in Phases II and III for the bike path. They have also put cameras in other hotspots not specifically on the strip, which have had incidences that require manpower, and in other areas off the resort strip where events are held.

Lt. Christman discussed the camera model type, as well the initial design. Deciding factors included location, landscaping, electrical, fiber requirements, the ability to see the boardwalk as well as to be able to see people in the water in distress at night, etc. They chose the area west of the green belt area. They want the cameras to be obvious as to have a presence, in hopes of influencing behavior.

The operation and monitoring schedule was presented as well as plans for continued use in the future, which are hopefully to include joint camera usage with State Police. Law Enforcement Operations will coordinate with the Traffic Management Center on Dam Neck Road. The Emergency Operations Center will be at the Second Precinct and both entities will be able to view the other's camera systems.

QUESTIONS

When the camera system is fully implemented, they will be able to monitor the entire resort with eight funded part-time employees.

On weather-related issues, Bob says that each camera gets its power source from its location, so power outages may be a problem in some areas. The other possibility is that they can lose a connection between the camera and the network itself. Each one has “edge storage” where each camera has a flash media card which serves as a temporary recording until the connection is restored.

Bob says that this particular management system will be installed on the computers they need, but is also available through a web browser.

Bob and the VBPD keep the media informed on their progress, but he is not sure about signage. Because the cameras are in public view, there is no requirement to post signs, and right now, there are no plans to post them. One committee member believes that we should post signs if one of the goals is to influence behavior, but Bob comments that even though they know they are there, people tend to forget. He welcomes comments from the Commission.

Another member says that people are here on vacation and may fear the Big Brother concept. They want to enjoy themselves. He is against signs and prefers a more discreet location.

Billy Almond has concern about the poles on the west side of the bike path being an obstruction for riders that may be run off the bike path. He suggests the poles be relocated to a planting bed, and volunteers to assist in reviewing the placement, as their firms speak with contractors concerning these very issues.

Mike Eason suggests revisiting the planting bed locations to see what will work best. The other thing he sees as a potential problem is the emergency vehicles' access on the bike path.

Bob says that one of the challenges is the landscape beds and infrastructure. They have to place the poles where the contractor determines they need to go, and they do not have a lot of wiggle room.

Bill Gambrell asks if they can integrate with other private cameras, and Bob says that they are leaving themselves open to public-private partnerships. Their design process utilizes the concept of open source architecture. They have tested the partnership already by linking up with a hotel's camera system for an event and it has worked well.

Sylvia Strickland asks Bob and his team to appear before the Human Rights Commission.

Mike says that the behind the scenes planning has grown exponentially since the incident with the Boston Marathon, including federal agencies. The multi-use capability of this system will be a great asset in helping the police during these events.

The question was asked if safeguards were included for hacking, and Bob replies that it is worked out with ComIT.

RAC Strategic Planning Discussion

Billy Almond mentioned using the January 7, 2016 RAC meeting as the Strategic Planning Session and says that Mike Eason has already called Bob Trahan to facilitate.

The OSGA is focusing on capital projects happening in the three main districts in the resort

area (Laskin Gateway District, Central Beach District and Marina District). Hopefully, part of this meeting in January is to prioritize the projects they want to focus on in the 2016 year.

RAC Nominating Committee Discussion

Preston Midgett has agreed to chair the nominating committee again. He needs two volunteers. Bill Gambrell and BJ Baumann volunteer.

Committee Reports

Transportation, Parking, Pedestrian Committee (TPPC)

Preston Midgett reports that they did discuss the camera project at their last meeting.

The boardwalk lighting system project will include 240 poles and lights changed over to LED lighting. They will be similar to those already at 31st Street Park. The start date is set for December 1, 2015 as the poles are arriving in November.

Mark Shea and Mike Perez updated TPPC on the trolleys. As of last week, six were on the street, with 14 total for next year. The warranty on the eight left to arrive will not start until next season. The numbers look good and he will have that information after their next meeting.

They are in their second year of the Pacific Avenue project, which will be much easier than Phase I. There might be some brief lane closures, but there will be at least one lane open during construction.

Planning and Design Review (PDR)

Billy Almond reports that Emily Archer updated committee on the Connector Park Design Guidelines. They categorized streets into A, B and C depending on the type of circulation on the street. The guidelines will be a supplement to the FBC currently under revision.

The 27th Street architects with the Hyatt project gave an update based on PDR's prior comments. They liked the retail commercial piece that is going up in place of the Dairy Queen. They will come back to the next meeting to discuss comments.

Oceanfront Enhancement Committee (OEC)

Jim Davis reported that they had the presentation on the Conflict of Interest.

A representative from BCF updated them on the Visitor Profile emphasizing the millennial population.

They reiterated their 2016 priorities which included the Sense of Arrival, and how to move it to a Phase II using low-cost, high-impact strategies, and have a sub-subcommittee meeting bringing ideas back to OEC.

They discussed The Block project, and have made that one of their priorities. The Block will have their next meeting at Peabody's on October 7 at 2:00pm. Harry McBrien says that they invited the Kassirs, and Bill Gambrell will attend.

Jim says that they will continue to look at how the behavior of certain individuals who may be part of our homeless communities may negatively affect the area. He will be meeting with Dallas Stamper of PIN Ministries to try to develop a strategy where they might revive a concept that they were exposed to earlier with Hope in the Upper Room, where they had the dynamic of peer interaction and influence in order to change the appearance in the eyes of the public. They do not know to what extent they can revive that, but they want to look at it for now.

Resort Investment Committee (RIC)

Billy Almond reported that they also had the presentation on the Conflict of Interest. They also had an update on the TIF fund.

Oceanfront Strategic Growth Area Committee (OSGAC)

Kristina Chastain reported that the OSGAC is focusing on the three gateways in the resort area. At their last meeting, Brian Solis of the SGA, and Mike Tippin of Public Works briefed them on all the current improvements, Pacific Avenue, 29th Street and Winston-Salem Avenue, and how they are funded. There was a little bit of discussion about taking on Norfolk Avenue, but they will discuss that further later.

Emily Archer also presented to them about the Connector Park Guidelines.

G.R.E.E.N. Committee

Laura Habr tells the committee that they spent most of their meetings this summer on the beach with the Beachy Clean sticker project.

They are looking at their next phase of the Beachy Clean program, taking it back from the beach to the storm drains, and are looking for volunteers for the marker project.

The Virginia Department of Health test results indicated a clean beach.

Both the VBCC and the Visitor's Center have been recertified and first-time certified LEED Gold, respectively, for this year.

Laura asks for an endorsement from the Commission that assisting with the storm drain marker program is a good area in which to continue their work. The Commission voices their support.

Economic Development Report

None

Staff Report

Mike Eason says the good news is that they have rescheduled all 16 events that were supposed to have occurred this weekend. The bad news is that it looks like another bad weekend. They are preparing as they normally do for a storm.

Old Business

None

New Business

None

Public Comment

None

Other Business

Billy Almond recommends going to NOAA to check weather events.

Mike Eason mentioned that the State expects mainly a rain event.

John Uhrin confirms that they are on a high tidal rate, so we will wait and see.

Meeting adjourned at 4:18pm.