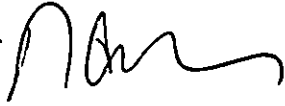


COUNTY OF YORK

MEMORANDUM

DATE: September 30, 2022

TO: York County Board of Supervisors

FROM: Neil A. Morgan, County Administrator 

SUBJECT: Bipartisan Infrastructure Law

At the September 6th Board meeting, the Board inquired about last year's Bipartisan Infrastructure Law and how the County can take advantage of available funding. Staff have researched and compiled the following information for the Board's review.

The Bipartisan Infrastructure Law passed Congress and was signed by the President last November. The law will invest over \$1 trillion dollars in the nation's infrastructure over the next decade and funds have been distributed to various federal departments and agencies. Funding will be delivered through formula funds to state, local, and tribal governments, as well as through competitive solicitations. Available funding is largely separated into 4 categories: Transportation; Climate, Energy, and the Environment; Broadband; and Other Programs. These funds will support new and existing programs, such as investments and improvements to roads and bridges, internet, water, public transit, electric vehicles and charging stations, clean energy and power, airports and ports, resilience, and legacy pollution cleanup.

Virginia can expect to receive billions of dollars and as of July 2022, Virginia has already received \$2.7 billion, covering 69 projects. Locally announced projects include:

- City of Norfolk Coastal Storm Risk Management – \$249 million
 - Funds will initiate the first construction contract of the project, which will help reduce and manage flooding for major portions of the city through a system of surge barriers, tidal gates, floodwalls, levees, pump stations, and non-structural measures. Funding was awarded through the U.S. Army Corps of Engineers.
- Widening of the Norfolk Harbor – \$223 million
 - Funds will improve navigation and expand capacity by deepening and widening the harbor's shipping channels. Funding was awarded through the U.S. Army Corps of Engineers.
- Norfolk International Airport – \$33 million and Newport News/Williamsburg Airport – \$10 million
 - Funds can be invested in runways, taxiways, safety and sustainability projects, as well as terminal, airport-transit connections and roadway projects. Funding was awarded through the Federal Aviation Administration.
- Lynnhaven Inlet – \$2.5 million
 - Funds will be used for dredging maintenance. Funding was awarded through the U.S. Army Corps of Engineers.

- Advanced Technology Institute (Virginia Beach) – \$175,000 and Tidewater Community College – \$102,000
 - Funds can be used to expand the number of CDL holders possessing operator safety training, to assist current or former members of the military (including National Guard and reservists) and their spouses with opportunity to enter the trucking industry and to extend grant opportunities to candidates from underserved communities.
 - Funding is from the Federal Motor Carrier Safety Administration (FMCSA) as part of the Commercial Motor Vehicle Operator Safety Training (CMVOST) Grant Program.
- Transportation District Commission of Hampton Roads – \$135,000
 - Funds will be used for the construction of ferry boats and ferry terminal facilities. Funding was provided by the U.S. Department of Transportation and allocated by VDOT.

Attached is fact sheet detailing additional funding for Virginia which includes investments in highway formula funding, clean and safe water, public transportation options, electric vehicle charging stations, infrastructure resilience, and legacy pollution cleanup. Project funding can range from preliminary studies and design to actual constructions costs.

There are a few active transportation programs from the Law that are potentially well-suited for the County:

- Increased funding to Transportation Alternatives Set-Aside (TASA) which provides funds to build pedestrian and bicycle facilities, improve access to public transportation, create safe routes to schools, and create trail projects that serve a transportation.
- Congestion Mitigation and Air Quality (CMAQ) programs, which are allocated by states and Metropolitan Planning Organizations.
- New funding for Safe Streets and Roads for All Grant Program for localities to design and implement of a comprehensive safety action plan.
- Active Transportation Infrastructure Investment Program. This will invest \$5 billion over 5 years to connect walking and bicycling infrastructure within and between communities. Funding has not yet been allocated for dispersion.
- Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant funding has significantly increased, which is used to modernize infrastructure to be more safe, accessible, and sustainable.
- It was also recently announced that the National Electric Vehicle Infrastructure (NEVI) Formula Program has started to approve Electric Vehicle Infrastructure Deployment Plans from State Departments of Transportation. NEVI allows states to utilize \$5 billion over 5 years to build and upgrade electric charging stations. Other approved uses can be for workforce development, charging station signage, data sharing activities, and related mapping analysis and activities.

Local governments can apply for funding and grants through both federal and state agencies, depending on the project. Some funding is only available to states and some matching funds may be required. All funding opportunities can publically be found at Build.gov or Grants.gov.

With this knowledge, I have directed staff to review the CIP and available funding options and identify potential funding opportunities that adhere to the County's strategic priorities. Initial review of grant criteria shows an emphasis on community engagement and a focus on underserved communities. The most likely available funding that the County can take advantage of include funds for sidewalks/pedestrian safety, electric vehicle charging stations, bikeways, and Local and Regional Project Assistance Grants. I also believe that the way the County will most obviously benefit from these new federal funds will be the acceleration of transportation grant awards that are already pending with VDOT, including Smart Scale and Revenue Sharing Projects.

While staff identify funding opportunities, County residents are already able to take advantage of one specific program without any involvement from the County. The federal government's Affordable Connectivity Program allows eligible households to cut their internet bill by \$30 per month. This program mostly serves lower income households, but an estimated 1,006,000 Virginian households are eligible. This information and eligibility criteria has been shared with Community Services and Social Services.

Please let me know if you have any questions.

Smith/3432

Attachment:

- Bipartisan Infrastructure Law Information – Virginia – July 2022

Bipartisan Infrastructure Law Information

Virginia Fact Sheet – July 2022

As of July 2022, Virginia has received \$2.7 billion in Bipartisan Infrastructure Law funding to cover 69 projects. In 2022, Virginia will receive \$2 billion for transportation to invest in roads, bridges, public transit, ports and airports, and over \$120 million for clean water. Below is a breakdown of the announced funding.

3 Main Categories of Funding:

- **Transportation**
 - Roads, Bridges, Major Projects
 - Public Transportation
 - Airports
 - Ports and Waterways
 - Safety
 - Electric Vehicles
- **Climate, Energy, and the Environment**
 - Clean Energy and Power
 - Water
 - Resilience
 - Environmental Remediation (includes superfund sites)
- **Broadband**

Roads/Bridges:

- Virginia is expected to receive approximately \$7.6 billion over five years in federal funding for highways and bridges. To date, Virginia has been allocated \$1.3 billion in highway formula funding and \$115 million in dedicated funding for bridges in 2022.

Internet:

- Virginia will receive a minimum allocation of at least \$100 million to help ensure high-speed internet coverage across the state. Also, 1,006,000 households in Virginia are eligible for the Affordable Connectivity Program, which cuts internet bills by up to \$30 per month and provides a one-time \$100 discount off a connected device.

Water:

- To date, approximately \$126 million is available in fiscal year 2022 to provide clean and safe water across the state. Of this funding, \$46 million is dedicated to lead pipe and service line replacement, with another \$29 million for safe drinking water investments that can also support lead pipe replacement in fiscal year 2022.

Public Transit:

- Virginia would expect to receive more than \$1.2 billion over five years based on formula funding. To date, Virginia has been allocated \$232 million to improve public transportation options across the state in fiscal year 2022.

Electric Vehicles:

- Through the National Electric Vehicle Infrastructure Program alone, Virginia should expect to receive more than \$106 million in formula funding over five years to support the expansion of electric vehicle charging in the state. To date, Virginia has been allocated \$15.7 million in 2022, pending the approval of the state's Electric Vehicle Charging Plan.

Clean Energy and Power:

- To date, approximately \$65 million has been allocated to Virginia in 2022 for weatherization and \$5.5 million to help prevent outages and make the power grid more resilient in 2022.

Airports and Ports:

- To date, Virginia has received more than \$127 million in 2022 for airports and \$189 million in 2022 for ports.

Resilience:

- To date, approximately \$417 million has been allocated to Virginia for infrastructure resilience against extreme weather events and other hazards like cyberattacks.

Legacy Pollution Cleanup:

- To date, more than \$22 million has been allocated to Virginia in 2022 for legacy pollution cleanup, such as capping orphaned oil and gas wells and reclaiming abandoned mine lands. Funds will be used to cleanup Superfund and brownfield sites.

**County of York
General Registrar
MEMORANDUM**

Date: September 29, 2022
To: Neil Morgan, County Administrator
From: Walter T. Latham, Jr., General Registrar / Director of Elections
Subject: November 2022 Election Status Update

Summary

Each county and city in Virginia has a bipartisan Electoral Board. The York County Electoral Board and the Registrar's Office work closely together to ensure that every election is carried out in accordance with law and that elections are accessible, transparent, and efficient. Because of the vigilance with which the Electoral Board and the Registrar's Office carry out our procedures, we have confidence that elections in the county are carried out with integrity.

Preparations for the November 2022 election have been ongoing for months. Earlier this year, as a part of the decennial redistricting process, the Registrar's Office implemented new districts and precincts in order to ensure that voters' information was correct for this upcoming election.

The Electoral Board and the Registrar's Office have also been scheduling staff for early voting, proofing ballots for accuracy, determining the number of ballots needed, scheduling election officials to work at the polling places, and carrying out logic and accuracy testing of our voting machines. "Logic and accuracy testing" is a type of pre-election audit of the voting machines to ensure that they are counting votes as the voter intended. Machines are not used until they have been tested for accuracy.

In addition, the Electoral Board and the Registrar's Office have been preparing to implementing same-day voter registration and reporting absentee results by precinct, which are two major changes in Virginia election law this year.

As a reminder, the election field has also been designated as "critical infrastructure" by the U.S. Department of Homeland Security. The Commonwealth of Virginia has adopted security protocols for election-related information technology, and the Electoral Board and Registrar have been working closely with Tim Wyatt, the county's Director of Information Technology, on reviewing these protocols.

Office Staffing

With the implementation of early voting, the Registrar's Office has had to schedule more staff to assist with pre-Election Day voting. This is especially the case with two office locations, which have proven to be popular with voters. Each office requires 5-8 staff people daily. The Registrar's Office has largely recruited for these positions from our pool of election officials, as those workers have experience from working on Election Day.

Ballots

In August the Electoral Board and the Registrar's Office began the process of proofing our ballots for correct spelling, sizing, typeface, and the order of offices and candidates on the ballot. We also determined how many ballots to order to ensure that there will be a sufficient number. Once the ballots have been proofed locally and by the Department of Elections, and we have submitted our ballot order to our printer, the ballots are printed and delivered to our office. The Registrar's Office then inventories them to ensure that York County has received the number ordered. The ballots are stored in a secure environment.

Election Officials

The Secretary of the Electoral Board schedules the election officials who will work on Election Day, and she is planning for thirteen officers of election to staff each polling place for the upcoming election. This number ensures that there will be enough staff at each polling place to carry out all of the processes required by Virginia law in a timely, efficient, and secure way.

Logic and Accuracy Testing

Logic and accuracy testing was recently completed on all of the machines that the Electoral Board plans to use for early voting, absentee voting by mail, and at the polls on Election Day. A test deck of ballots was completed under the direction of the Electoral Board and then run through the machines to ensure that the voting machines count ballots as they are marked.

The ballot-marking machine that is used for voters with disabilities must also pass logic and accuracy testing. While it does not count ballots—it is only a ballot-marking device that produces a printed ballot that can go through the tabulating machine—it still must be tested for accuracy to ensure it marks the ballot as the voter intended.

Every machine must pass logic and accuracy testing before it is used to count ballots.

Virginia Election Law Changes Being Implemented for the November 2022 Election

There are two major changes to Virginia's election laws that will be implemented this fall for the first time.

1. Precinct-level reporting of absentee ballots. All absentee results must now be reported not only as a total but also be allocated back to each precinct. This will lead to greater transparency in how voters in each precinct collectively voted. We do not track how individual voters have voted. However, this change in the law also requires that York County have a unique ballot for each precinct in the county. Each voter must then receive the correct ballot for his or her precinct when voting in person or by mail. This takes additional time and comes with a higher risk of human error. However, the Registrar's Office has made staff aware of the importance of ensuring that each voter receives the correct ballot so that results can be reported accurately.
2. Same-day voter registration. The state still maintains a voter registration deadline. This year it is October 17, 2022. However, there is now a procedure for voters to register and cast a vote if they miss this deadline. After October 17, if voters need to update their voter registration address or register to vote, they will have the option of completing a voter registration form and then casting a provisional ballot. Once their voter registration application has been reviewed, the Electoral Board will consider their provisional ballot after the election.

Conclusion

The Electoral Board and the Registrar's Office continue to make preparations, and we take care to ensure that elections in York County continue to meet the high standards that the citizens and voters expect and deserve.