



Legislative Update for the
Fort Monroe Authority Board of Trustees Meeting
Bay Breeze Conference Center
April 17, 2014

- SB 166 and HB 1180 passed the General Assembly and have been signed by the Governor. The legislation will become effective on July 1, 2014.
- The legislation makes clarifying amendments to the definitions in Section 2.2-2337.
- In Section 2.2-2338, the legislation changes the composition of the FMA Board to delete the Secretary of Veterans Affairs and Homeland Security and add the Lieutenant Governor as a statutory member of the Board.
- In Section 2.2-2339 and 2.2-2341, the legislation clarifies the role of FMA and the City with respect to zoning and land use powers. FMA and the City are engaged in discussions to implement zoning and land use regulation for Fort Monroe in the second half of 2014. Having zoning and land use regulation in place is necessary in order for Fort Monroe to be able to convey real property to private third parties in accordance with the Master Plan and FMA's other governing documents.
- The legislation clarifies in Section 2.2-2340 that FMA can sell real or personal property. FMA has substantial personal property which needs to be sold. Also, in Section 2.2-2340, the legislation makes it clear that violators of the FMA regulations are subject to payment of civil penalties to FMA.
- In Section 2.2-2343, the legislation clarifies that FMA can own and operate utilities and can enter into agreements with public or private utilities for the ownership or operation of such utilities.
- Finally, the legislation ratifies the ownership of the Fort Monroe property being lawfully vested in the Commonwealth, as well as the roads and utilities, for the purpose of facilitating sales of real property to private parties. This language will eliminate potential title issues thereby providing a roadmap for title insurance companies to issue title insurance policies and lenders to lend money for the acquisition of real property by private third parties.