



COMMONWEALTH OF VIRGINIA

HOUSE OF DELEGATES
RICHMOND

KELLY K. CONVIRS-FOWLER

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TWENTY-FIRST DISTRICT

COMMITTEE ASSIGNMENTS:
PRIVILEGES AND ELECTIONS (CHAIR)
GENERAL LAWS
COMMUNICATIONS, TECHNOLOGY
AND INNOVATION

February 10, 2021

Dear Members of the Virginia Beach City Council,

I want to take this opportunity to address the comments made about HB 2198 and HB 1890 in the letter from the Mayor and Vice Mayor from January 28, 2021. The Chief patron of HB1890, Delegate Marcia Price, has also provided a response which I have included. I agree with the sentiments of the Mayor and Vice Mayor that the citizens of the Commonwealth are best served when their elected officials work together. Our country is in need of unity and civility, and that starts with the elected officials.

The Mayor and Vice Mayor have both publicly stated that I should have consulted or collaborated with the city in advance on HB2198. This characterization is simply not true. According to the Virginia Constitution, the specific role of the General Assembly in terms of local government, is to make general laws pertaining to organization, government, powers, etc. Although collaboration is not required, stakeholder feedback and perspective are valued and necessary during the legislative process.

HB2198 does not target Virginia Beach or any specific locality. When this bill passes, there could be a few localities that may need to adjust their voting systems based on the legislation. This bill is applicable to all localities, as it is provided for in general law and is not considered special legislation. Furthermore, this bill only clarifies who is considered a 'qualified voter' in a district, this is a procedural change with the election system. Only those who live in the district would be considered qualified voters. Everything will remain the same for City Council seats and their districts.

I would like to also address a false statement that I testified as a witness "supporting the effort to invalidate the City's election system." To be specific, I was subpoenaed by the City of Virginia Beach and called to testify by the plaintiff. I was called as a witness based on my experience running for election and re-election in Virginia Beach. While testifying in this case, I started looking further into district voting and who is qualified to vote for district representatives. Upon review, the issue is quite clear that the law needs to clarify that only residents in the district can vote for a district representative.

Additionally, I was troubled by some of the comments I heard at the City Council meeting last week during the discussion about the referenced bills. A false narrative was portrayed that I somehow overstepped my role as a legislator by not seeking city approval for my bills. Mayor

Dyer accused me of being arrogant. The Vice Mayor commented on this topic, reiterating that he had not been consulted about these bills. He went on to describe a time when the City Council and the Delegation would collaborate and meet more often and there was a suggestive comment that perhaps I did not like the open meeting requirements. The message that I am somehow responsible for the lack of communication is not accurate or appropriate. In contrast, I have reached out to the entire City Council on many occasions and both the Mayor and Vice Mayor were unresponsive every time.

If one wants to oppose the bill, simply oppose the bill, but character attacks are unnecessary. Perhaps in the past, the local elected officials have made their deals ahead of time or through some sort of collaboration deal with legislators. To reiterate, there is no requirement in the Virginia Constitution to get approval from localities on legislation that pertains to general law. Most importantly, I work for the constituents of the 21st District; not any locality, party, or elected official.

I do appreciate the councilmembers who have reached out or responded to my email last week, regardless of their stance. I am always available to collaborate on any matter at the state level. When we work together, our constituents reap the benefits.

Yours in service,

A handwritten signature in black ink, appearing to read 'Kelly K. Convirs-Fowler', with a stylized, flowing script.

Kelly K. Convirs-Fowler
Member, House of Delegates
21st District

Attachments: Response from Chief Patron of HB1890

CC:

Virginia Beach General Assembly Delegation
Virginia Beach City Manager Patrick Duhaney
Virginia Beach Legislative Liaison Debra Bryan