

EXHIBIT NO. 1

City of Alexandria, Virginia

MEMORANDUM

~~17~~  
~~2-12-02~~

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2-23-02

DATE: FEBRUARY 6, 2002

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER <sup>S</sup>

SUBJECT: AMENDMENT OF THE CITY CODE TO CHANGE THE MEMBERSHIP OF THE ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

**ISSUE:** City Council consideration of an amendment to the City Code to change the membership of the Alexandria Community Criminal Justice Board (CCJB) to reflect a change in the State code.

**RECOMMENDATION:** That City Council approve the ordinance (Attachment I) on first reading and schedule it for public hearing, second reading and final passage on Saturday, February 23. At its September 6, 2001, meeting the CCJB voted to request that its enabling legislation be amended as required by the State code.

**DISCUSSION:** On September 16, 1995, City Council created the Alexandria Community Criminal Justice Board to advise the City on local probation (community-based corrections) and pretrial services programs consistent with the State's Comprehensive Community Corrections Act and Pretrial Services Act (§53.1-180 et. seq. and §19.2-152 et. seq.). Alexandria Criminal Justice Services staff provides these services and programs for the City, as part of the Office of Sheriff.

In its 2001 session, the General Assembly amended the State code section that establishes the composition of the CCJB. The state code now provides that the CCJB shall include a person appointed by City Council to serve as its representative, instead of the current City Code language which specifies that the member be one of the following: a person representing City Council, the city manager, or a deputy or assistant city manager.

**FISCAL IMPACT:** None

**STAFF:** Carol Swinburn, Coordinator, Alexandria Criminal Justice Services

**ATTACHMENT:** Ordinance

Introduction and first reading:  
Public hearing:  
Second reading and enactment:

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~~2-12-02~~ 2-23-02  
2/12/02  
2/23/02  
2/23/02

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 2-4-100 (CREATION, COMPOSITION AND ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD), Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance implements a change in the membership of the Alexandria Community Criminal Justice Board as required by the 2001 General Assembly. The proposed ordinance requires that one of the Board's members must be a person appointed by city council to represent the council on the Board. Previously, this appointment could only be filled by either (i) the city manager or any designee appointed by council, or (ii) a member of city council likewise appointed by council.

Sponsor

Staff

Michele Evans, Assistant City Manager  
Carol Swinburn, Office of the Sheriff  
George McAndrews, Assistant City Attorney

Authority

§ 53.1-183, Code of Virginia (1950), as amended

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

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2-23-02      ~~17~~  
~~2-12-02~~

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 2-4-100 (CREATION, COMPOSITION AND ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD), Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 2-4-100 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 2-4-100      Creation, composition and organization.

(a)      There is hereby established a board to be known as the Alexandria Community Criminal Justice Board.

(b)      The board shall consist of 15 members to be appointed by the city council. The composition of the board shall be as follows:

- (1)      one judge of the Alexandria general district court;
- (2)      one judge of the Alexandria circuit court;
- (3)      one judge of the Alexandria juvenile and domestic relations court;
- (4)      the chief magistrate for the city;
- (5)      the chief of police;
- (6)      the sheriff;
- (7)      the commonwealth's attorney;
- (8)      the administrator of the city's community services board;
- (9)      a local educator;
- (10)     the chief public defender;
- (11)     ~~a member of city council or the city manager, or a deputy or assistant city manager~~ person appointed by city council to serve as its representative;
- (12)     the director of the city's office of adult probation and parole;

- (13) two citizens; and
- (14) the director of the city's court services unit.

(c) Members of the board shall be appointed in the manner prescribed by article A of this chapter; provided, that:

- (1) the member who is a local educator shall be nominated by the superintendent of schools and confirmed by city council; and
- (2) all members of the board, except for the citizen members, shall be exempt from the application requirement set forth in section 2-4-7(c) of this code.

(d) The citizen members and the member who is a local educator shall serve for a term of two years, except in the case of an appointment to fill the unexpired portion of a term.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Introduction: 2/12/02  
 First Reading: 2/12/02  
 Publication: 2/14/02  
 Public Hearing: 2/23/02  
 Second Reading: 2/23/02  
 Final Passage:

N.B. Underlining is not part of the ordinance but denotes material that is new or amended. Strike-outs or dashes are not part of the ordinance but denote material that is being deleted.

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ORDINANCE NO. 4237

AN ORDINANCE to amend and reordain Section 2-4-100 (CREATION, COMPOSITION AND ORGANIZATION) of Article L (ALEXANDRIA COMMUNITY CRIMINAL JUSTICE BOARD), Chapter 4 (COMMITTEES, BOARDS AND COMMISSIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

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- (1)     one judge of the Alexandria general district court;
- (2)     one judge of the Alexandria circuit court;
- (3)     one judge of the Alexandria juvenile and domestic relations court;
- (4)     the chief magistrate for the city;
- (5)     the chief of police;
- (6)     the sheriff;
- (7)     the commonwealth's attorney;
- (8)     the administrator of the city's community services board;
- (9)     a local educator;
- (10)    the chief public defender;
- (11)    a person appointed by city council to serve as its representative;
- (12)    the director of the city's office of adult probation and parole;
- (13)    two citizens; and

(13) two citizens; and

(14) the director of the city's court services unit.

(c) Members of the board shall be appointed in the manner prescribed by article A of this chapter; provided, that:

(1) the member who is a local educator shall be nominated by the superintendent of schools and confirmed by city council; and

(2) all members of the board, except for the citizen members, shall be exempt from the application requirement set forth in section 2-4-7(c) of this code.

(d) The citizen members and the member who is a local educator shall serve for a term of two years, except in the case of an appointment to fill the unexpired portion of a term.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY  
Mayor

Final Passage: February 23, 2002