

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA**

**Special Meeting  
Monday, May 3, 2004 - - 7:30 p.m.**

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Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Ms. Evans, Assistant City Manager; Mr. Pessoa, City Attorney; Mr. Jinks, Assistant City Manager; Ms. Fogarty, Director of Planning and Zoning; Police Lieutenant Uzzell; Mr. Johnson, Budget Director; Mr. Kincannon, Director of Parks, Recreation and Cultural Activities; Ms. Boyd, Citizen Assistance; Mr. Baier, Transportation and Environmental Services Director; Ms. Gordon, Public Information Officer; Mr. Neckel, Finance Director; Ms. Federico, Director of Historic Alexandria; Ms. Moore, Acting Deputy Director of Management and Budget; Ms. Taylor, Budget Analyst; Ms. Murphy, Budget Analyst; Ms. Padron, Budget Analyst; Ms. Douglas, Budget Analyst; Mr. Doku, Budget Analyst; Mr. Coleman, Budget Analyst; Ms. Smith-Page, Real Estate Director; Mr. Mandley, Director of General Services; Mr. Geiling, Deputy Director of Capital Projects, General Services; and Ms. Davis, Director of Housing.

Recorded By: Jackie M. Henderson, City Clerk and Clerk of Council.

**OPENING**

1. Calling the Roll.

The Meeting was called to order by Mayor Euille, and the City Clerk called the Roll; all Members of City Council were present.

2. Consideration of the Proposed Annual Operating Budget for FY 2005 (including Schools) and the Proposed Capital Improvements Program for FY 2005-2010 (including the School CIP.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council adopted the proposed operating budget of expenditure levels of \$432,850,876 and revenue levels of \$428,516,876, with the following amendments to the City Manager's Proposed Budget: The first group of

amendments are Revenue Adjustments, as follows: Reduction in Appropriation from Fund Balance as proposed by City Manager (pursuant to Res. No. 2088), Decreased \$1,787,000; Real Property Tax Revenues (reflecting an additional 1 cent reduction in the tax rate to \$0.995), Decreased \$2,296,000; Appropriation from Fund Balance of additional FY 2005 revenues (requires five votes pursuant to Res. No. 2088), Increased \$1,787,000; Appropriation from Fund Balance from City Manager's designation for Public Safety Overhires (requires 5 votes pursuant to Res. No. 2088), Increased \$509,000; Business License Tax Revenue, Increased \$1,600,000; Personal Property Tax Revenue, Increased \$300,000; Transient Lodging Tax Revenue, Increased \$300,000; Restaurant Meals Tax Revenue, Increased \$300,000; Intergovernmental Revenue, Increased \$300,000; Local Sales Tax Revenue, Increased \$100,000; Motor Vehicle License Tax Revenue, Increased \$50,000; Other Miscellaneous Tax Revenue, Decreased \$500,000; Utility Tax Revenue, Decreased \$400,000; Real Property Tax Revenue (due to increased cost of Elderly and Disabled Tax Relief Program), Decreased \$200,000; and Fines and Forfeitures, Decreased \$63,000. Expenditure Adjustments: Sheriff and ERT retirement income plan (to correct budgeting error), Decrease \$200,000; Campagna Kids Program, Increase \$152,000; WMATA operating subsidies, Increase \$48,000; Tree Maintenance, Increase \$65,000; Gateway Landscaping and Maintenance and Street Trash Cans, Increase \$35,000; Pedestrian and Bicycling Alternative Transportation Coordinator, Increase \$74,000; Increase Affordable Home Ownership Protection Program Income Limit to \$61,000, Increase \$245,000; Burke Library Books, Increase \$50,000; Alexandria Commission for the Arts, Increase \$25,000; Sister Cities, Increase \$10,000; USS Alexandria, Increase \$5,000; Senior Taxi Fare Equalization, Increase \$5,000; Companion Aides for Elderly, Increase \$100,000; Land Use and Zoning Education and Seminars, Increase \$10,000; Regional Street Smart Pedestrian and Bike Safety Program, Increase \$5,000; Summer Youth Employment, Increase \$25,000; Service Audits and Benchmark Studies, Increase \$350,000; Sign Plan Coordinator, Decrease \$70,000; Cash Capital Contribution to CIP, Decrease \$424,000; and Transfer to the Alexandria City Public Schools, Decrease \$2,000,000. Further, the motion makes the following changes in the Contingent Reserves: ACPS Education Contingent funded by reduction in appropriation to ACPS, Increase \$2,000,000; Increase in Undesignated Contingent funded by decrease in cash capital appropriation for CIP, Increase \$190,000; and Net change in contingent reserves due to all other added items or deletions, Decrease of \$748,000. Further, the motion includes the following designations in the Contingent Reserves: \$2,000,000 for Education Aid Contingent; \$15,000 for Public Safety and Emergency Preparedness; \$300,000 for a loan to the Tenant and Workers Support Committee; \$25,000 for home health aides for ARHA Ladrey House; \$50,000 for grant for Lee-Fendall House Repairs; and \$40,000 for Code Enforcement Staff. (These designations are made understanding that further Council action is required prior to appropriation.) Further, the motion includes the following change in the Fund Balance designations: \$509,000 from fund balance designated for Public Safety Overhires for appropriation. Further, the motion includes: Approval of a COLA of 2.0 percent COLA for City employees, including the City Manager, City Attorney, City Clerk, and for City Council Aides and the Mayor's Aides; Approval of merit step increases for all eligible employees; Approval of an increase of employer share of health care benefits; Approval of an increase in funding

for the City Supplemental Retirement Plan; and Approval of an increase in funding for the employer share of the Virginia Retirement System. The proposed amendments result in an appropriation from Fund Balance in the amount of \$4,334,000. The elements of the motion result in a real property tax rate of \$0.995, with \$0.01 being designated for the cash capital contribution to the capital projects fund for Open Space, and personal property tax rate of \$4.75. She further moved the adoption of the proposed FY 2005 to FY 2010 Capital Improvement Program of \$302,599,029 in total, with \$75,650,407 in FY 2005; \$60,051,888 in FY 2006; \$44,297,400 in FY 2007; \$86,248,838 in FY 2008; \$18,868,515 in FY 2009; and \$17,481,981 in FY 2010, with the following changes to the City Manager's proposed Capital Improvement Program: Use of CIP funds designated for Open Space to provide an Open Space Coordinator overhire position for 3 years (est. FY 2005 cost of \$75,000); Increase in cash capital for Playground Renovations and Drainage Improvements as follows: \$100,000 per year from FY 2005 through FY 2010; Decrease in cash capital for the Residential Sign Program as follows: \$24,000 in FY 2005, \$36,000 per year from FY 2006 through FY 2010; Decrease in cash capital for the Coordinated Sign and Wayfinding System as follows: \$300,000 in FY 2005; Decrease in cash capital for Athletic Field Lighting Improvements as follows: \$200,000 per year from FY 2005 through FY 2010; Decrease in cash capital for the Wilkes St. Tunnel Restoration Study as follows: \$40,000 in FY 2005; and Decrease in cash capital for the Revenue Collection Management System as follows: \$150,000 in FY 2005.

Mayor Euille noted that Council received three proposals to deal with open space concerns - from Councilmembers Krupicka and Smedberg for \$10 million in additional open space funds via selling bonds, from Councilman Gaines for \$15 million, and from Councilman Macdonald for \$25 million. He noted that the entire Council is committed to meeting the open space needs city-wide; however, in order to move forward with the City's open space acquisition plan which, in recommendation form, will be before the City Council later this month and June, it is Council's intention to issue open space bonds at the time of the City's next bond issue which is expected to occur in the first half of calendar year 2005. The precise amount of bonds will be determined in the fall of calendar year 2004 after an open space acquisition plan has been formally approved by Council and sound acquisition cost estimates have been developed. It is Council's intention to issue these bonds in an amount of \$10 million or more, said amount being sufficient to enable the Council both to quickly move forward on some open space acquisition priorities and to create a reserve fund that can be used in the future to pursue unforeseen acquisition opportunities soon after they arise. These bonds, which will be included in the City's next bond issue, will be financed with a portion of the revenue that will be derived annually from the 1-cent on the real estate tax rate which is dedicated to open space.

The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"

Woodson "aye"

3. Second Reading and Final Passage of an Ordinance to Establish the Real Estate and Personal Property Tax Rates for Calendar Year 2004. (#18, 4/13/04, #14, 4/17/04) **(ROLL-CALL VOTE)**

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Krupicka and carried unanimously, Council moved an amendment in the nature of a substitute to set the City's 2004 real property tax rate at \$0.995 (99 1/2 cents) on each \$100 of assessed value, a reduction of \$0.04 (4 cents) from the 2003 rate. Personal property tax rates are unchanged from 2003. The sum of \$0.01 (one cent) on each \$100 of assessed value, out of the \$0.995 (99 1/2 cents) real property tax rate, continues to be dedicated to the Open Space Trust Fund Account. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Krupicka	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Krupicka and carried unanimously by roll-call vote, Council moved final passage of the ordinance as amended. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Krupicka	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

**ORDINANCE NO. 4347**

AN ORDINANCE to amend and reordain Section 3-2-181 (LEVIED; AMOUNT) of Division 1 (REAL ESTATE), and Section 3-2-221 (LEVIED ON TANGIBLE PERSONAL PROPERTY OTHER THAN MOBILE HOMES, AUTOMOBILES, TRUCKS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTOR VEHICLES WITH SPECIALLY DESIGNED EQUIPMENT FOR USE BY THE HANDICAPPED, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT), Section 3-2-222 (LEVIED ON MACHINERY AND TOOLS USED IN MINING OR MANUFACTURING BUSINESS; AMOUNT), Section 3-2-223 (LEVIED ON MOBILE HOMES; AMOUNT) and Section 3-2-224 (LEVIED ON AUTOMOBILES, TRUCKS, TRAILERS, SEMI-TRAILERS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS), all of

Article M (LEVY AND COLLECTION OF PROPERTY TAXES), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-181 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. 3-2-181 Levied; amount.

There shall be levied and collected for the calendar year 2004 on all real estate located within the territorial boundaries of the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$.995 on each \$100 of the assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 2. That Section 3-2-221 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. 3-2-221 Levied on tangible personal property other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed equipment for use by the handicapped, motorcycles, campers and other recreational vehicles, boats and boat trailers; amount.

There shall be levied and collected for the calendar year 2004 on all tangible personal property, other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially designed equipment for use by the handicapped, motorcycles, campers and other recreational vehicles, boats and trailers, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$4.75 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 3. That Section 3-2-222 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. 3-2-222 Levied on machinery and tools used in mining or manufacturing business; amount.

There shall be levied and collected for the calendar year 2004 on all machinery and tools used in a mining or manufacturing business taxable on capital and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$4.50 on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 4. That Section 3-2-223 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. 3-2-223 Levied on mobile homes; amount.

There shall be levied and collected for the calendar year 2004 on all vehicles without motor power, used or designed to be used as mobile homes as defined in section 46.2-100 of the Code of Virginia, owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs within the city and subject to taxation for city purposes under the constitution and laws of this state and city, a tax of \$.995 on each \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 5. That Section 3-2-224 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. 3-2-224 Levied on automobiles, trucks, trailers, semi-trailers, antique motor vehicles, taxicabs, motorcycles, campers and other recreational vehicles, boats and trailers; amount.

(a) Except as provided in subsections (b), (c) and (d), there shall be levied and collected for the calendar year 2004 on all automobiles, trucks, trailers, semi-trailers, antique motor vehicles (as defined in section 46.2-100 of the Code of Virginia, 1950, as amended, which may be used for general transportation purposes as provided in subsection C of section 46.2-730 of the Code of Virginia, 1950, as amended), taxicabs, motorcycles, campers and other recreational vehicles, boats and boat trailers owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs for taxation in the city, a tax of \$4.75 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(b) There shall be levied on and collected for the calendar year 2004 on all automobiles, trucks, trailers and semi-trailers with a gross vehicle weight of 10,000 pounds or more which are used to transport property for hire by a motor carrier

engaged in interstate commerce, and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$4.50 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(c) There shall be levied on and collected for the calendar year 2004 on all automobiles and trucks which are equipped with specially designed equipment for use by the handicapped and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$3.55 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(d) There shall be levied on and collected for the calendar year 2004 on all privately owned pleasure boats and watercraft, which are used for recreational purposes only, and are owned or held by residents or citizens of the city, or are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$.01 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

Section 6. That this ordinance shall become effective January 1, 2004, *nunc pro tunc*.

4. Second Reading and Final Passage of an Ordinance to Increase the Sewer Line Maintenance Charge Imposed by Section 5-6-26 of the City Code. (#19, 4/13/04, #15, 4/17/04) **(ROLL-CALL VOTE)**

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Councilman Macdonald and carried unanimously by roll-call vote, City Council finally passed the ordinance to increase the sewer line maintenance charge to increase the charge to \$0.60 (60 cents) for every 1,000 gallons of water supplied per quarter from the current \$0.40 (40 cents.) The voting was as follows:

Gaines	"aye"	Pepper	"aye"
Macdonald	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4348

AN ORDINANCE to amend and reordain Section 5-6-26 (SEWER LINE MAINTENANCE CHARGE IMPOSED; PROVISIONS FOR COLLECTION; LIENS

AND CESSATION OF WATER SERVICE FOR DELINQUENT CHARGES) of Article B (SEWAGE DISPOSAL AND DRAINS), Chapter 6 (WATER AND SEWER), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-26 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained as follows:

Sec. 5-6-26 Sewer line maintenance charge imposed; provisions for collection; liens and cessation of water service for delinquent charges.

(a) There is hereby imposed, upon all parcels of real estate from which sewerage is discharged into lines maintained by the city, a sewer line maintenance charge of \$1.20 per quarter or \$0.60 for every 1,000 gallons of water supplied per quarter to such parcel by the Virginia-American Water Company, whichever is the greater sum; provided, that if the charge for water supplied to any parcel is billed on a monthly basis, the sewer line maintenance charge imposed on the parcel shall be \$0.40 per month or \$0.60 for every 1,000 gallons of water supplied per month to such parcel, whichever is greater; and provided, further, that for any parcel of real estate having more than one meter for the measurement of water consumption attributable to that parcel, one or more of which meters measures only water which will not be discharged into the sanitary sewer lines of the city, that parcel shall be charged as provided herein on the total water consumption attributable to that parcel after subtracting the amount of water not discharged into the sanitary sewer lines of the city.

(b) For the purpose of this article, bills shall be considered monthly bills if submitted 12 times per year for periods of approximately one month each and quarterly bills if submitted four times per year for periods of approximately three months each.

(c) The sewer line maintenance charge shall in every case be collected by the Virginia-American Water Company from the owner, lessee or tenant of each parcel, or some or all of them, and remitted by the water company to the city in such manner and on such terms as shall be agreed upon by the water company and the city council, consistent with the provisions of this section. In the event any such charges are unpaid 30 days after the date they are billed by the water company as hereinabove provided, interest shall at that time begin to accrue thereon at the rate of one percent per month, and the owner, lessee or tenant, as the case may be, of the parcel of real estate on which the charge was imposed shall, until such charges shall be paid with interest to the date of payment, cease to dispose of sewage or industrial waste originating from or on such real estate by discharge thereof directly or indirectly into the sewer line maintained by the city, and if such owner, lessee or tenant shall not cease disposal within two months thereafter, the water company shall cease supplying water thereto unless the Director of the Alexandria Health Department shall certify that the shutting

off of the water will endanger the health of the occupants of the premises or the health of others. Such charges and interest thereon shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes.

Section 2. That this ordinance shall become effective on July 1, 2004.

- 5. Consideration of a Resolution Increasing the Annual Fee, Assessed Under Section 5-1-34 of the City Code, for the City's Collection and Disposal of Solid Waste, Yard Debris and Recyclable Material from \$185 to \$205. (ROLL-CALL VOTE)

WHEREUPON, upon motion by Councilman Macdonald, seconded by Councilman Gaines and carried unanimously by roll-call vote, City Council adopted the resolution to increase the residential refuse fee by \$20, from \$185 per household to \$205 per household, to continue the City's policy of 100 percent cost recovery of the full cost of residential refuse collection and disposal. The voting was as follows:

Macdonald "aye" Pepper "aye"  
Gaines "aye" Krupicka "aye"  
Euille "aye" Smedberg "aye"  
Woodson "aye"

The resolution reads as follows:

RESOLUTION NO. 2104

WHEREAS, under § 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

WHEREAS, under City Code § 5-1-34(a), City Council is required from time to time, to set by resolution the annual fee that is to be paid by the owners of "required user property," as defined in § 5-1-2 (12b) of the City Code, for the City's collection and disposal of solid waste, ashes and yard debris from their properties during the fiscal year; and

WHEREAS, in Resolution No. 1915, adopted May 5, 1999, City Council set the annual fee for such collection and disposal services at \$185.00; and

WHEREAS, City Council has now determined that it is necessary and desirable to increase the annual fee for such collection and disposal services to \$205.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA

- 1. That, beginning in fiscal year 2005, the annual charge for the collection and disposal of solid waste, ashes and yard debris from required user properties shall be \$205.00 per household, with each single-family, two-family and row dwelling in the City,

and each separate dwelling unit in a building or structure in the City that contains four or fewer dwelling units, constituting a "household."

2. That the annual fee established in Section 1 above shall apply to collection and disposal services provided by the City during fiscal year 2005 and, unless and until revised by the City Council, to such services provided during subsequent fiscal years.

3. That Resolution No. 1915 is hereby repealed

4. That this resolution shall be effective on the date and at the time of adoption.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, at 8:37 p.m., the Special Meeting of Monday, May 3, 2004, was adjourned. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson		"aye"

**APPROVED BY:**

\_\_\_\_\_  
**WILLIAM D EUILLE**

\_\_\_\_\_  
**MAYOR**

ATTEST:

\_\_\_\_\_  
Jackie M. Henderson

\_\_\_\_\_  
City Clerk

***This docket is subject to change.***

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***Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council.***

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***Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 838-4500 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.***

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