

EXHIBIT NO. 1

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6-25-02

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6-11-02

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 6, 2002
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: IGNACIO PESSOA, CITY ATTORNEY *IP*
SUBJECT: SCHOOL BOARD REDISTRICTING ORDINANCE

ISSUE: City Council consideration of an ordinance to implement School Board Redistricting Option No. 1, which was selected by Council as the preferred alternative on May 28, 2002.

RECOMMENDATION: That City Council:

- (1) pass the ordinance on first reading;
- (2) schedule it for public hearing on June 15, 2002, and
- (3) schedule second reading and final passage on June 25, 2002.

BACKGROUND: On February 13, 2002, City Council held a joint work session with the Alexandria School Board and the Alexandria Electoral Board to initiate the process of redrawing the school board election districts in light of the 2000 census data. On March 12, 2002, City Council established a schedule for the redistricting process, as well as public participation procedures. On May 28, 2002, Council held a public hearing and selected one of the 14 alternative redistricting plans under consideration, Option No. 1, as the preferred alternative. The adopted schedule calls for the ordinance which is required to implement Council's decision to be introduced on June 11, public hearing on the ordinance to be held on June 15, and final passage to occur on June 25, 2002.

DISCUSSION: The proposed ordinance implements School Board Redistricting Option No. 1, which was selected as the preferred option by City Council. This Option shifts the James K. Polk Precinct from Election District C into Election District B, and makes no additional changes to the current school board electoral scheme.

The proposed ordinance also specifies that the established school board election district boundaries will not be altered by subsequent changes to voting precincts unless expressly stated in the ordinance making those changes. This provision represents a change from current law, which required that the school board election district boundaries shift with changes in voting precinct boundaries, and is

intended to prevent a repetition of the uncertainty and confusion which surrounded the recent special election in District C.

In addition, the proposed ordinance provides (1) that the new districts will apply in any special election which may be required prior to the next general election in May 2003, and (2) that the change in the district boundaries made by this ordinance will not affect the term of the incumbent members of the school board. These provisions are declaratory of existing law, but are included in the ordinance so as to minimize any questions or concerns as to the effect of the ordinance in either regard.

Lastly, the proposed ordinance will be implemented only after approval by the Attorney General of the United States, as required by Section 5 of the Voting Rights Act of 1965. Approval is anticipated in September 2002. This schedule assures that the ordinance will be in place in sufficient time so that candidates and voters can become aware of the new districts well prior to the May 2003 general election in the City.

I will be pleased to answer any questions concerning these issues as consideration of the ordinance proceeds.

Attachment

cc: Hon. Mark R. Eaton, Chairman
Alexandria City School Board

Donald E. Ledwig, Secretary
Alexandria Electoral Board

Philip Sunderland
City Manager

Michele Evans
Assistant City Manager

Tom Parkins
Registrar of Voters

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6-25-02

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Introduction and first reading: 6/11/2002
Public hearing: 6/15/2002
Second reading and enactment: 6/25/2002

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 12-1-4 (ELECTION OF SCHOOL BOARD MEMBERS; DATE AND MANNER OF ELECTION), of Chapter 1 (SCHOOL DISTRICT AND SCHOOL BOARD), Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of The Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

The proposed ordinance implements School Board Redistricting Option No. 1, which was selected as the preferred option by City Council on May 28, 2002. This Option shifts the James K. Polk Precinct from Election District C into Election District B, and makes no additional changes to the current school board electoral scheme. In addition, the proposed ordinance specifies: (1) that the established election district boundaries will not be altered by subsequent changes to voting precincts unless expressly stated in the ordinance making those changes, (2) that the new districts will apply in any special election which may be required prior to the next general election in May 2003, and (3) that this change in the district boundaries will not affect the term of the incumbent members of the school board. The proposed ordinance will be implemented only after approval by the Attorney General of the United States, as required by Section 5 of the Voting Rights Act of 1965.

Sponsor

Office of the City Attorney

Staff

Ignacio B. Pessoa, City Attorney

Authority

§ 15.10(b), Alexandria City Charter

Estimated Costs of Implementation

None

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

None

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6-25-02

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6-15-02

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 12-1-4 (ELECTION OF SCHOOL BOARD MEMBERS; DATE AND MANNER OF ELECTION), of Chapter 1 (SCHOOL DISTRICT AND SCHOOL BOARD), Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 12-1-4 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. 12-1-4 Election of school board members; date and manner of election.

(a) The election of all nine school board members shall be held on the first Tuesday in May, beginning in May 1994, and on the first Tuesday in May every third year thereafter.

(b) The nine members of the school board shall be elected, in accordance with subsection (c), by the qualified voters residing in the school board election districts. To be eligible to be a candidate for election from a school board election district, an individual must be a resident of the district.

(c) The city shall be divided into three school board election districts, District A, District B and District C. Three school board members shall be elected from and shall represent each such district. The three districts shall be composed of the following precincts (or, as identified in title 2 of this code, "election districts") located within the city, the boundaries of which are described in section 2-2-10.

(i) District A shall be composed of the Lyles Crouch School, City Hall, ~~Amie B. Rose House~~ Ladrey Senior Building, Jefferson Houston School, Fire Department Headquarters, Lee Center, George Washington School, Cora Kelly Center and Mt. Vernon School Recreation Center precincts;

(ii) District B shall be composed of the Maury School, George Mason School, Agudas Achim Congregation, Blessed Sacrament Church, Second Presbyterian Church, Minnie Howard School, Temple Beth El, ~~John Tyler Building~~ Northern Virginia Community College Arts Center and ~~Southern Towers~~ James K. Polk School precincts; and

(iii) District C shall be composed of the ~~James K. Polk~~, Patrick Henry School, Landmark Center Samuel Tucker School, Charles E. Beatley, Jr., Central Library, South Port, Trade Center, William Ramsay School and John Adams School, William Ramsey Recreation Center and South Port precincts.

(d) The boundaries between District A, District B and District C established by the precincts as constituted on June 25, 2002 shall not be changed or amended by subsequent

changes or amendments to the precincts, unless expressly provided in the ordinance adopting such changes or amendments to the precincts.

Section 2. That the school board election districts established by this ordinance shall apply in any special election required to fill a vacancy on the school board which may occur prior to the May 2003 general election, and any such special election shall be conducted in the district which most closely resembles the district from which the member to be replaced was elected.

Section 3. No provision of this ordinance shall operate to affect or curtail the term of any member of the school board in office on June 25, 2002.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage; provided, however, that the changes in the School Board Election Districts herein made shall not be implemented until the changes are first submitted to the Attorney General of the United States and no objection is interposed within 60 days of the submission, as required pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

KERRY J. DONLEY
Mayor

Introduction: 6/11/02
First Reading: 6/11/02
Publication: 6/13/02
Public Hearing: 6/15/02
Second Reading: 6/25/02
Final Passage:

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

ORDINANCE NO. 4263

AN ORDINANCE to amend and reordain Section 12-1-4 (ELECTION OF SCHOOL BOARD MEMBERS; DATE AND MANNER OF ELECTION), of Chapter 1 (SCHOOL DISTRICT AND SCHOOL BOARD), Title 12 (EDUCATION, SOCIAL SERVICES AND WELFARE) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 12-1-4 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. 12-1-4 Election of school board members; date and manner of election.

(a) The election of all nine school board members shall be held on the first Tuesday in May, beginning in May 1994, and on the first Tuesday in May every third year thereafter.

(b) The nine members of the school board shall be elected, in accordance with subsection (c), by the qualified voters residing in the school board election districts. To be eligible to be a candidate for election from a school board election district, an individual must be a resident of the district.

(c) The city shall be divided into three school board election districts, District A, District B and District C. Three school board members shall be elected from and shall represent each such district. The three districts shall be composed of the following precincts (or, as identified in title 2 of this code, "election districts") located within the city, the boundaries of which are described in section 2-2-10.

(i) District A shall be composed of the Lyles Crouch School, City Hall, Ladrey Senior Building, Jefferson Houston School, Fire Department Headquarters, Lee Center, George Washington School, Cora Kelly Center and Mt. Vernon Recreation Center precincts;

(ii) District B shall be composed of the Maury School, George Mason School, Agudas Achim Congregation, Blessed Sacrament Church, Second Presbyterian Church, Minnie Howard School, Temple Beth El, Northern Virginia Community College Arts Center and James K. Polk School precincts; and

(iii) District C shall be composed of the Patrick Henry School, Samuel Tucker School, Charles E. Beatley, Jr., Central Library, John Adams School, William Ramsey Recreation Center and South Port precincts.

(d) The boundaries between District A, District B and District C established by the precincts as constituted on June 25, 2002 shall not be changed or amended by subsequent changes or amendments to the precincts, unless expressly provided in the ordinance adopting such changes or amendments to the precincts.

Section 2. That the school board election districts established by this ordinance shall apply in any special election required to fill a vacancy on the school board which may occur prior to the May 2003 general election, and any such special election shall be conducted in the district which most closely resembles the district from which the member to be replaced was elected.

Section 3. No provision of this ordinance shall operate to affect or curtail the term of any member of the school board in office on June 25, 2002.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage; provided, however, that the changes in the School Board Election Districts herein made shall not be implemented until the changes are first submitted to the Attorney General of the United States and no objection is interposed within 60 days of the submission, as required pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

KERRY J. DONLEY
Mayor

Final Passage: June 25, 2002

**City of Alexandria Website Contact Us - EMail for Beverly Jett
(beverly.jett@ci.alexandria.va.us)**

Time: [Tue Jun 18, 2002 22:23:14] IP Address: [68.49.224.206]

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City: Alexandria
State: VA
Zip: 22301
Email Address: colligans@comcast.net

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6-25-02

Dear Ms. Jett:

I would appreciate it if you could forward the following comments to the Mayor, Vice Mayor and the members of Council, in advance of the June 25 meeting.

Please let me know if you have any questions or need any additional information.

I appreciate your help.

Chris Colligan
202-467-6222 or 703-684-0439

June 18, 2002

TO: Mayor Donley
Vice Mayor Cleveland
Members of City Council

RE: School Board Boundary Redistricting

The Alexandria PTA Council (PTAC) appreciates the opportunity to comment on the Council's action on the re-drawing of the School Board election boundaries.

First of all, we wish to dispel any concerns of the Council that the PTAC's lack of public comment before now reflects a lack of concern about, or interest in, the issue. The PTAC believes that an elected representative School Board is critical to providing the city's children with the best possible education. We have a keen interest in seeing that the process and procedure allows for the election of the best possible School Board.

That being said, we are more than a little concerned that the five-person task force to advise Council on the School Board charter

change (as stated in the minutes of the December 11 regular meeting) -- whose membership included the PTAC, as noted by the Mayor at that meeting -- was never approached or appointed. We believe such a task force would have been invaluable to Council in its deliberations over School Board election matters, including redistricting, and were expecting to have been involved in the discussion through that group.

Comments: The docket of the May 28 meeting indicates that Council has focused on redistricting Option 1 as its choice. The PTAC is committed to election districts that fulfill the City's legal obligation as well as provide equitable representation of the school population. The new boundaries ideally should not be overly disruptive, and should, where possible, preserve school district boundaries.

Although far from perfect, we believe that the three district system is a better alternative to the four district or nine district options. Voter turnout, distribution of population, and the ability to attract candidates across a wide geographic area are all strong arguments for a three-district configuration.

However, the PTAC is concerned that Option 1 creates a configuration heavily weighted to the voters in District B, at the expense of the other two districts. We do not presume to protect or define the "turf" of current Board members (if nothing else this year has taught us that Board members may come and go with unexpected suddenness) but a quick examination of District B as configured in Option 1 shows that it has the potential to dominate the other districts. For instance, the past three chairs of the School Board -- since the institution of elected Boards -- have come from members from this re-drawn District. And voter participation in the current District B is already the largest in the city; adding the usually heavy turnout from the Polk precinct may have an adverse effect on District C turnout.

We believe that almost any of the other three-district Options -- specifically, 3 - 8 -- provide a better mix of precincts with varying turnout, provide more balance citywide, and have the potential to provide the voters with real choice in their representation on the Board. Option 1's main advantage is that it is the most consistent with the current configuration; that does not mean that it will provide the kind of representative School Board that all of us in the city would like to see.

We hope you will review the re-districting options in light of the PTAC's comments and perhaps consider one of the other options in your packet.

Comments respectfully submitted,

Christopher R. Colligan
Member, Executive Committee, Alexandria PTA
Council