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City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 19, 2008  
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
FROM: JAMES K. HARTMANN, CITY MANAGER   
SUBJECT: REPORT FROM THE COUNCIL COMMITTEE ON BOARDS AND COMMISSIONS

**ISSUE:** Receipt of the Report from the Committee on Boards and Commissions.

**RECOMMENDATION:** That City Council receive the report and request the Executive Secretary for Boards and Commissions to distribute the docket item to all boards and commissions for review and comment.

**BACKGROUND:** In January, Council established a committee to review the City's general requirements for board and commission appointments, term limits, and determine whether efficiencies could be made by combining groups with similar mission statements and sunsetting those whose mission had been completed (Attachment 1). At the February 12 meeting, Council asked the Committee to also review the residency waiver policy for board and commission appointments. The Committee members are Vice Mayor Redella S. Pepper, Council Member Timothy B. Lovain, Deputy City Manager Michele Evans, and Executive Secretary for Boards and Commissions Rose Williams Boyd.

**DISCUSSION:** The Committee's recommendations follow.

**Proposed Recommendations of a General Nature:**

1. References Section on the Personal Data Form completed by all applications for appointment to a board or commission should be amended to read:
 

"Please list names and addresses of four references that you have contacted, know your qualifications for the position, and support your application." Copy of current form is attached (Attachment 2).

Rationale: This addresses the concern that several persons listed as references in the past were unaware of the fact that they had been listed as a reference and did not necessarily support the appointment of the applicant.
2. Codify all standing committees created via resolution or docket item and task forces that have become ongoing groups. These groups are listed below.

- Gang Prevention Community Task Force
- Beautification Commission
- Local Emergency Planning Committee
- Park and Recreation Commission

Rationale: Section 2-4-4 (a) of the City Code requires that all standing committees be established by City ordinance.

3. Require annual reports to be submitted, that include a statement of specific goals for the coming year, since the City Code requires such a report, at the time the Annual Attendance Reports are due to ensure that every group submits.

Rationale: The submission of annual reports by boards and commissions will allow the City Council to review the activities of the groups and determine whether they can be sunset or are duplicating the efforts of another group.

4. The Committee does not recommend a change to the current residency waiver policy at this time.

Rationale: Many business owners/managers and others involved in City activities do not reside in Alexandria. All initial appointments involving non-residents will be docketed as a contested appointment, and Council can decide whether it wishes to grant a residency waiver.

5. Unopposed non-resident incumbents and City staff in designated position appointments should be docketed as uncontested appointments.

Rationale: Once Council has granted a residency waiver, there is an assumption that the waiver will be granted on subsequent occasions for incumbents. Many City employees are appointed based on federal/state/local statutory requirements and must be appointed to the position.

6. Groups that meet on a monthly basis should determine whether they can meet on a bi-monthly or quarterly basis.

Rationale: This will eliminate unnecessary meetings and decrease the amount of staff time devoted to board and commission meetings.

#### **Boards, Commissions and Committees Mission Review Recommendations:**

1. Groups that have completed their tasks and can be abolished
  - Ad Hoc Task Force to Review New Police Facility Sites
  - Ad Hoc Transportation Policy and Program Task Force

- Potomac Yard Fire Station and Affordable Housing Task Force
- Transportation Safety Commission

2. Groups that need to be studied further before a decision can be made

- Beautification Commission – The Committee recommends that the role of this group be expanded to deal with the beautification of City portals and tie this effort in to the City’s overall marketing efforts.
- Commission on Information Technology – Committee recommends that the mission statement of the group be rewritten to reflect 21st century technology with the City using this group as a sounding board for new technologies. The Committee also recommends that the IT Commission discuss whether and to what extent telecommunications issues and complaints stay with the IT Commission or be transferred to the Consumer Affairs Commission. The IT Commission’s recommendation(s) should be reviewed by the Consumer Affairs Commission before submission to the City Council.
- Alexandria Economic Development Partnership Board - The Economic Sustainability Report recommends that no City Council member or staff person should serve on the AEDP Board. AEDP is reviewing its structure and will be reporting to the Council in the fall.
- Commission on HIV/AIDS - The membership of this group should be restructured by broadening the positions (it appears that there are too many designated positions that are currently unfilled) and reducing its size.
- Fair Housing Testing Program Advisory Committee and Affordable Housing Advisory Committee should be combined for better efficiency of operations.

**Term Limits:**

- The Committee recommends that unless specified by federal, state or City legislation, after serving 10 consecutive years on any board, commission or committee, at the expiration of the current term, the incumbent would not be eligible for immediate reappointment to that group, but can apply for the next vacancy. Any incumbents as of the effective date of the ordinance would be eligible for at least one more consecutive term. This limitation would not apply to the groups listed below or to organizational designees in designated positions, elected officials and their designees, and City staff.

The following groups have policy-making and/or regulatory authority and the Committee and the City Attorney will study whether there are legal obstacles to imposing term limits on these groups.

1. Planning Commission
2. Board of Architectural Review (both panels)
3. Board of Real Estate Assessments
4. Board of Zoning Appeals
5. Community Services Board (already has term limits)
6. Sanitation Authority
7. Building Code Board of Appeals

**ATTACHMENTS:**

Attachment 1. Listing of All Boards and Commissions

Attachment 2. Personal Data Form

**STAFF:**

Rose Williams Boyd, Executive Secretary for Boards and Commissions

Michele Evans, Deputy City Manager

City of Alexandria  
Boards, Commissions and Committees

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Ad Hoc Task Force to Review New Police Facility Sites</b> The Task Force will review the two potential sites for the new Police Department facility and any other sites that have not already been reviewed, and make recommendations to City Council.	6/22/04	Resolution 2110	6	Michele Evans, City Manager's Office	No
<b>Ad Hoc Transportation Policy and Program Task Force</b> The Task Force's function is to guide and facilitate preparation of an updated and revised transportation element of the City Master Plan and completion of other components of the City's Comprehensive Transportation Policy and Program project.	5/12/04	Resolution 2106	7	Rich Baier, Department of T&ES	No
<b>Affordable Housing Advisory Committee</b> The Committee advises City Council on issues regarding the maintenance and promotion of affordable housing, makes recommendations for policies governing the expenditures of the City's Housing Trust Fund monies, and oversees the administration of the Trust Fund.	2/20/93	Docket Item	17	Mildrilyn Davis, Office of Housing	No
<b>Alexandria Gang Prevention Community Task Force</b> The Task Force will receive briefings on the status of gang suppression, prevention and intervention programs and activities in the City and assist in informing and educating the community about the gang suppression, prevention and intervention programs and activities.	12/14/04	Resolution 2128	17	Michael Mackey, Court Service Office	No
<b>Alexandria Housing Development Corporation Board of Directors</b> The mission of the organization is to produce and preserve affordable housing, primarily, but not limited to, multi-family rental housing.	6/28/05	Docket Item	8	Mildrilyn Davis, Office of Housing	No

5

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Alexandria Marketing Committee</b> The purpose of the Committee is to foster public/private cooperation and coordination among multiple businesses and organizations to promote Alexandria as a destination for visiting, shopping, dining, and doing business; to leverage public dollars with private investment, and to bring increased revenues to the City. The Committee shall administer the marketing fund established by City Council and may make grants from such monies as may be available therein.	10/13/07	Ordinance 4500	7	Jeanne Bonds, City Manager's Office	No
<b>Alexandria Woodrow Wilson Bridge Neighborhood Task Force</b> The Task Force will assess construction impacts associated with the Woodrow Wilson Bridge project and advocate mitigation efforts on behalf of the affected neighborhoods and residents.	6/27/00	Resolution 1976	12	Rich Baier, Department of T&ES	No
<b>Alexandria-Caen Sister City Committee</b> The Committee is responsible for coordinating projects and facilitating the sister city relationship between the Cities of Alexandria and Caen, France.	11/13/90	Docket Memo	17	Rose Boyd, Citizen Assistance Office	No
<b>Alexandria-Gyumri Sister City Committee</b> The Committee was established to identify Alexandria organizations and citizens in the private sector that can assist Gyumri (formerly Leninakan) reconstruction efforts. The Committee also coordinates and implements the exchange programs pursuant to the sister city agreement between the Cities of Alexandria and Gyumri, Armenia	3/27/90	Resolution 1445	18	Rose Boyd, Citizen Assistance Office	No

9



Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Budget and Fiscal Affairs Advisory Committee</b> The Budget and Fiscal Affairs Advisory Committee advises and supports the City Council by examining the City's budget procedures and processes; and recommends ways of improving that process, including participation by the public.	7/2/85	Resolution 1129	13	Eric Eisenger, Office of Management and Budget	No
<b>Building Code Board of Appeals</b> The Building Code Board of Appeals hears appeals concerning building and mechanical inspections, decisions, both in matters of interpretation of the code and granting modifications to the code.	6/14/80	Ordinance 2489	5	John Catlett, Fire/Code Enforcement Bureau	No
<b>Carr/Norfolk Southern (Cartyle) Design Review Board</b> The Board will review the architectural proposals for buildings within the project area and approve the final design of each building to be constructed on the blocks or portions thereof. They may also approve minor changes sought by applicant to the design guidelines applicable to the blocks or portions thereof.	5/22/90	Docket Memo	5	Rich Josephson, Department of Planning and Zoning	No
<b>Citizen Corps Council</b> The Citizen Corps Council is responsible for creating opportunities for individuals to volunteer to help their communities prepare for and respond to emergencies by bringing together local leaders, citizen volunteers and the network of first responder organizations, such as public safety departments, EMS, Health, and Transportation and Environmental Services. The Citizen Corps Council will also encourage Alexandrians to prepare their families, their neighborhoods, and their communities and offer, where appropriate, assistance to the emergency response agencies.	3/12/05	Ordinance 4382	15	Kim Purcell, Fire/Code Enforcement Bureau	No

8

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>COG Chesapeake Bay Policy Committee</b> The COG Chesapeake Bay Policy Committee is to recommend, advocate and coordinate Bay Program policy on behalf of the membership. In particular, the Committee is charged with developing and coordinating a means for local governments in the region to influence the development of future Bay Program policies.			1		N/A
<b>COG Environment and Public Works Directors Committee</b> The Committee addresses wastewater, drinking water, recycling and solid waste, pollution prevention, energy management and certain air quality and non-point source management issues.			1		N/A
<b>COG Metropolitan Development Policy Committee</b>	2/12/91	Council Action	1		N/A
<b>Commission for the Arts</b> The Commission for the Arts supports the development and expansion of the arts in Alexandria and serves as an advisory body. The Commission serves as the single funding source for all activities concerning the arts which are not conducted as part of a regularly scheduled City program. It seeks national, state and private support on behalf of the arts in Alexandria.	9/11/84	Resolution 1038	15	Cheryl Anne Colton, Department of Recreation	No
<b>Commission for Women</b> The Commission for Women provides guidance and advise to eliminate discrimination because of sex; encourages equal opportunity for women in employment, recreational opportunities and facilities, health services, housing, education, government, community services and credit; recommends legislation and policy changes; receives complaints of discrimination; and conducts educational programs.	6/27/74	Ordinance 1959	15	Lisa Baker, Office on Women	No

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Commission on Aging</b> The Commission on Aging serves as the principal advocate for issues relating to aging and promotes the implementation of the Older Americans Act and other age-pertinent laws and policies in Alexandria and the Commonwealth of Virginia. The Commission advances programs and services that address the needs of older Alexandrians, especially for (but not exclusively) low-income citizens.	9/27/71	Resolution 62	21	Debbie Luddington, Department of Human Services	Yes
<b>Commission on Employment</b> The Commission on Employment is responsible for developing a City-wide plan for employment services that reflects the goals of linking existing City employment and training programs with employment and training programs operated by the City school system and with the economic development program operated by the Alexandria Chamber of Commerce in cooperation with City Council.	1/12/82	Resolution 832	13	Dennis McKinney, Department of Human Services	Yes
<b>Commission on HIV/AIDS</b> The Commission advises City Council in the formulation and implementation of public policy on the treatment of AIDS and prevention of the spread of HIV, promotes citizen participation in the formulation of such policy, provides Council and the public with current information regarding AIDS and HIV, and promotes educational programs on AIDS/HIV awareness, treatment and prevention.	5/13/00	Ordinance 4134	27	Nechelle Terrell, Health Department	No

10

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<p><b>Commission on Information Technology</b>            The Commission will review annually the City Manager's proposed information technology plan and make recommendations to and advise the City government in the formulation and implementation of information and telecommunications policy, and promote citizen participation in the formulation of such policy.</p>	10/25/97	Ordinance 3953	15	Mark Jinks, City Manager's Office Rose Boyd, Citizen Assistance Office	No
<p><b>Commission on Persons With Disabilities</b>            The Commission on Persons With Disabilities researches programs and legislation relating to the physically and mentally handicapped; and advises City Council and members of the community about these programs and laws. It also serves as a forum for the disabled.</p>	11/9/82	Resolution 907	17	Mike Hatfield, Office of Human Rights	Yes
<p><b>Community Criminal Justice Board</b>            The Community Criminal Justice Board will provide for the purchase, development and operation of community programs, services and facilities for use by the courts in diverting offenders from local correctional facility placements; assist community agencies and organizations in establishing and modifying programs and services for offenders based on local needs and resources; monitor and evaluate community programs, services and facilities to determine their impact on local offenders; and develop and amend a community corrections plan for the city based on Virginia Department of Criminal Justice Services guidelines and standards.</p>	9/16/95	Ordinance 3821	19	David Ward, Office of Sheriff	Yes

12

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Community Policy and Management Team</b> The Community Policy and Management Team is responsible for managing the cooperative effort to serve the needs of troubled and at-risk youths and their families, and to maximize the use of state and city resources that are designated for this purpose in the City.	11/14/92	Ordinance 3601	10	Dawnel White, Department of Human Services	Yes
<b>Community Services Board</b> The Community Services Board has responsibility for policy and budget direction, project development, and program oversight for all mental health, mental retardation and substance abuse services. The Board is also charged with the responsibility for the development and implementation of a human rights policy for local programs providing services to the mentally ill, mentally retarded and substance abusers.	3/25/69	Ordinance 1556	16	Will Thompson, Dept. of MHMR&SA	Yes
<b>Consumer Affairs Commission</b> The Consumer Affairs Commission reviews and analyzes consumer protection policies and regulations and makes recommendations to appropriate agencies for improved consumer relations.	1/22/74	Resolution 282	11	Jacqueline Levy, Consumer Affairs Office	No
<b>Convention and Visitors Association Board of Governors</b> The Convention and Visitors Association will promote the facilities, restaurants, attractions, retail businesses and event of the City in order to maximize tax revenues and to share the unique heritage of the City with visitors. Members of the ACVA Board of Governors must be members of the Convention and Visitors Association.	10/23/62	Resolution	15	Stephanie Brown, ACVA	No

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>District Home Board</b> The District Home Board is responsible for overseeing the operation of two homes for individuals who are aged, infirmed and indigent. The homes, which are located in Manassas and Warrenton, take individuals who are referred by social service agencies from five Northern Virginia jurisdictions.	2/15/26	Resolution	2		Yes
<b>Early Childhood Commission</b> The Early Childhood Commission is responsible for developing an early childhood development plan for the City that includes funding recommendations; monitoring the coordination of activities required to implement the plan; and preparing annual reports on the status of early childhood development programs in the City.	9/16/89	Ordinance 3399	25	Carol Farrell, Department of Human Services Cathy David, City Public Schools	No
<b>Eisenhower East Design Review Board</b> The purpose of the Eisenhower East Design Review Board is to review applications under the ordinance, within CDD No. 2 (Eisenhower Avenue Metro) and CDD No 11 (South Carlyle), and for properties in CDD No 1 (Duke Street) on which development is governed by any special use permit which authorizes or requires design review by the Carr/Norfolk Southern (Carlyle) Design Review Board.	4/22/06	Ordinance 4442	5	Faroll Hamer, Department of Planning and Zoning	No
<b>Emergency Medical Services Council</b> The Emergency Medical Services Council will advise City Council with respect to the provision of training to emergency rescue technicians, the acquisition of therapeutic and record-keeping equipment, the provision of a medical communications network, applications to various grant sources, disaster planning, and such other matters as the City Council may refer to the Council.	11/27/73	Resolution 262	16	Vince Whitmore, Fire Department	No

13

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Environmental Policy Commission</b> The Environmental Policy Commission studies and makes recommendations on the environmental impact of various projects and program initiatives in the City of Alexandria.	1/13/70	Resolution	13	Bill Skrabak, Department of T&ES	No
<b>Fair Housing Testing Program Advisory Committee</b> The Fair Housing Testing Program Advisory Committee works with the City staff to formulate a Fair Housing policy and establish program guidelines to implement the policy.	6/23/87	Docket Memo	13	Mildrilyn Davis, Office of Housing	No
<b>George Washington Birthday Celebration Committee</b> The George Washington Birthday Celebration Committee is responsible for the planning and carrying out of the City's annual George Washington Birthday celebration.	1/8/74	Council Action/Oral	19	Kirk Kincannon, Department of Recreation	No
<b>Health Systems Agency of Northern Virginia</b> The Health Systems Agency of Northern Virginia Board of Directors is responsible for health planning and resources development in the Counties of Arlington, Fairfax, Loudoun and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park. HSA was established for the purpose of restraining health care cost increases, preventing unnecessary duplication of services, and promoting needed services.	May 1976		3		N/A
<b>Historic Alexandria Resources Commission</b> The Historic Alexandria Resources Commission advises the City in the preservation of historic sites and buildings, artifacts, and records from loss or deterioration; and promotes citizen and tourist use of historic sites and the Torpedo Factory Art Center.	6/22/82	Ordinance 2708	26	Lance Mallamo, Office of Historic Alexandria	No

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<b>Historical Restoration and Preservation Commission</b> The Historical Restoration and Preservation Commission was empowered by the Virginia General Assembly in 1962 to preserve historic architecture in the City.	6/28/66	Ordinance 1391	9	Lance Mallamo, Office of Historic Alexandria	Yes
<b>Industrial Development Authority</b> The Industrial Development Authority promotes industry and develops trade by encouraging manufacturing, industrial, government and commercial enterprises to locate or remain in the City.	9/8/70	Ordinance 1671	7	Mark Jinks, City Manager's Office	Yes
<b>Juvenile Detention Commission</b> The Juvenile Detention Commission was established to implement the findings and recommendations of the Ward Report in order to provide the best methods for temporary detention care for delinquent children.	7/30/56	Joint Resolution	2		Yes
<b>Landlord-Tenant Relations Board</b> The Landlord-Tenant Relations Board conciliates landlord-tenant complaints, and recommends and reports to City Council on legislation and policy in landlord-tenant relations.	10/26/71	Ordinance 1726	9	Melodie Baron, Office of Housing	No
<b>Law Library Board of Directors</b> The Law Library Board maintains and operates a law library for the education and benefit of its members, the judiciary, local governmental bodies and staff, the Legal Aid Society, and practicing attorneys residing in the City. The Board also acquires, protects, and maintains books, journals, treatises, and periodicals which are necessary and related to the law.	6/17/80		9	Christine Hall, Law Library	Yes

15

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Library Board</b> The Library Board is an independent board which oversees library services in the City.	7/15/46	Legal Agreement	7	Rose Dawson, Library	Yes
<b>Local Emergency Planning Committee</b> The Local Emergency Planning Committee is responsible for devising and distributing emergency plans aimed at addressing chemical hazards; completing emergency plans which includes an identification of facilities subject to SARA requirements; a listing of methods and procedures to respond to a release of hazardous chemicals; the appointment of community and facility emergency coordinators; procedures of notification of hazardous chemicals release; an outline of the methods for determining the occurrence of a release and the sites and populations affected; a description of the facilities within the community and their emergency equipment; evacuation plans; training programs and alternative traffic routes to prepare for an emergency response; and responding to citizen requests for information.	2/9/88	Docket Memo	10	Charles McRorie, Fire Department	Yes
<b>Marketing Coordinating Council</b> The purpose of the Council is to foster public/private cooperation and coordination among multiple businesses and organizations to promote Alexandria as a destination for visiting, shopping, dining and doing business; to leverage public dollars with private investment, and to bring increased revenues to the City. The Council shall advise applicants for marketing fund grants; advise the City Council, in consultation with the members of the Alexandria Marketing Committee, as to the marketing fund guidelines; advise the Marketing Committee as to grant applications, and nominate members of the Marketing Committee.	10/13/07	Ordinance 4500			No

16

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<p><b>Martin Luther King, Jr. Committee</b>            The Martin Luther King, Jr. Committee will prepare a request for proposal for a memorial to Dr. King that meets the criteria, objectives, and/or principles established by the Committee; review and obtain public input on the submissions in response to the RFP in accord with the City's public art policy, and select and recommend to City Council one of the memorial designs for placement in Market Square; and raise funds for the design, production and placement of the memorial and the interactive display at the Black History Resource Center.</p>	10/9/01	Docket Memo	15	Rose Boyd, Citizen Assistance Office	No
<p><b>Metropolitan Washington Council of Governments</b>            The Metropolitan Washington Council of Governments works toward solutions for regional problems such as growth, transportation, affordable housing, air pollution, water supply, water quality, economic development and crime. It serves as a regional planning organization for the 16 area governments which are members.</p>			1		N/A
<p><b>Northern Virginia Community College Board</b>            The Northern Virginia Community College Board provides policy direction for the college. The Board serves as a communication channel between the college and the nine local political subdivisions in the Northern Virginia area. The Board provides policy direction in the areas of curriculum, community services, facilities, auxiliary enterprises, and budgets. The Board is advisory to the State Board for Community Colleges.</p>			1		N/A

17

81

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<p><b>Northern Virginia Regional Commission</b> The Northern Virginia Regional Commission promotes the orderly and efficient development of the physical, social and economic elements of the District. The Commission may plan, encourage and assist local governments to plan for the future improvement of the district.</p>			3		N/A
<p><b>Northern Virginia Regional Park Authority</b> The Park Authority works to acquire, develop, operate and preserve the regional parks of Northern Virginia. It represents three counties and three cities in Northern Virginia—Fairfax County, Arlington County, Loudoun County, and the Cities of Falls Church, Fairfax and Alexandria.</p>			2		N/A
<p><b>Northern Virginia Transportation Commission</b> The Commission coordinates all public mass transit services within the Northern Virginia Transportation District and encourages the fair and effective operation of transit services. The Commission also develops a plan for the integrated provision of improved transportation services while maintaining an effective transportation systems management capacity. Both federal and state transit assistance is received and allocated by the Commission.</p>			2	Jim Maslanka, Department of T&ES	N/A
<p><b>Occoquan Basin Committee</b> The Occoquan Basin Committee is responsible for working out agreements concerning nonpoint pollution among all the jurisdictions which drain into or use water from the Occoquan River.</p>			2	Rich Baier, Department of T&ES	Yes

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<b>Park and Recreation Commission</b> The Park and Recreation Commission advises City Council on all matters relating to parkland, recreation, and culture; and participates in planning recreational activities and services through its advice to Council and the Department of Recreation, Parks and Cultural Activities. The Commission also sponsors an awards program for service to the community.	6/5/62	Resolution	11	William Chesley, Department of Recreation	No
<b>Planning Commission</b> The Planning Commission prepares and adopts a master plan for the City, including a comprehensive zoning plan providing for the regulation and restriction of the land, buildings and structures in the respective zones.	1958	City Charter	7	Faroli Hamer, Department of Planning and Zoning	Yes
<b>Potomac Yard Design Advisory Committee</b> The Committee will review applications for preliminary development plan approvals for compliance with the Potomac Yard Urban Design Guidelines, and make recommendations to the Planning Commission and City Council for their consideration.	12/18/04	Ordinance 4370	9	Rich Josephson, Department of Planning and Zoning	No
<b>Potomac Yard Fire Station &amp; Affordable Housing Task Force</b> The Task Force will determine the pros and cons of relocating the fire suppression units from Fire Station 202 in Del Ray to the new Potomac Yard development and the concept of including affordable housing in the building. They will solicit public input from the community about the relocation of the fire suppression unit and establishment of affordable housing units on the same site and report back to the Planning Commission and City Council with their findings and recommendations.	6/13/06	Resolution 2188	11	John North, Fire Department	No

19

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<b>Public Health Advisory Commission</b> The Public Health Advisory Commission provides information about and evaluation of health-related matters and investigates specific health problems.	6/24/75	Resolution 401	13	Dean Bryant, Health Department	No
<b>Public Records Advisory Commission</b> The Commission provides advice and guidance to the City Records Administrator on records management matters and implementation of the records program in the City. The Commission is composed of professional archivists, records managers, historians, research specialist, and citizens.	2/25/75	Ordinance 2004	7	Jackie Cohan, Office of Historic Alexandria	No
<b>Real Estate Assessments Review Board</b> The Board of Review of Real Estate Assessments shall have and may exercise the power to revise, correct and amend any assessments of real estate made by the City Assessor.	1956	City Charter	5	Cynthia Smith-Page, Office of Real Estate Assessments	Yes
<b>Redevelopment and Housing Authority</b> The Redevelopment and Housing Authority provides public housing for lower-income families in accordance with state and federal statutes and regulations of the U.S. Department of Housing and Urban Development. A political subdivision of the State of Virginia, ARHA does not receive any City funding; however, its nine Commissioners are appointed by the City Council.	1950	Code of VA Sec. 36-11	9	Roy Priest, ARHA	Yes
<b>Regional Sanitary Advisory Board</b>			1		N/A

20

21

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<b>Sanitation Authority</b> The Sanitation Authority was created under the Virginia Water and Sewer Authority Act and is responsible for raising its own funds by selling revenue bonds and charging users for service. Its purpose is to treat sewage waste from the City and its responsibilities include construction, operation, maintenance and improvement of the sewage system. The system serves Alexandria and some neighboring areas of Fairfax County.	12/20/52	Ordinance 7600	5	Rich Baier, Department of T&ES	Yes
<b>Sister Cities Committee</b> The Sister Cities Committee develops, encourages and promotes educational and cultural exchanges between the Cities of Dundee, Scotland; Helsingborg, Sweden; Caen, France; Gyumri, Armenia and the City of Alexandria; and coordinates activities within the City relating to these exchanges.	4/12/66	Ordinance 1378	17	Rose Boyd, Citizen Assistance Office	Yes
<b>Smoke Control Appeal Board</b> The Smoke Control Appeal Board exists to hear appeals from decisions made under the Smoke Control Section of the City Code.			2		N/A
<b>Social Services Advisory Board</b> The Social Services Advisory Board interests itself in all matters pertaining to the social welfare of the people of the City, monitors the formulation and implementation of social welfare programs in the City, and advises City officials on public welfare and day care issues.	9/22/81	Ordinance 2615	13	Suzanne Chis, Department of Human Services	Yes

22

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Traffic and Parking Board</b> The Traffic and Parking Board investigates, studies and analyzes traffic and parking problems within the City; devises plans, methods and means to control and relieve parking and traffic congestion; and has jurisdiction over taxicabs and their owners/operators.	2/23/54	Ordinance 812	7	Robert Garbacz, Department of T&ES	No
<b>Transportation Safety Commission</b> The Transportation Safety Commission is responsible for recommending plans to formulate a transportation safety program for the City and conducting periodic reviews of its impact.	11/12/68	Ordinance 1515	10	Robert Garbacz, Department of T&ES	No
<b>Urban Design Advisory Committee</b> The Urban Design Advisory Committee reviews site plan applications and special use permits for compliance with the Old Town North urban design guidelines.	1992	Zoning Code Sec. 6-500	5	Rich Josephson, Department of Planning and Zoning	
<b>USS Alexandria Liaison Committee</b> The Committee is responsible for maintaining a strong long-term relationship between the crew and families of the USS Alexandria and the citizens of Alexandria, including but not limited to sponsorship of visits to Alexandria by the crew and their families; and providing on-going financial support to the submarine's crew.	1/25/92	Ordinance 3556	5		No

Name of Board & Mission Statement	Date Established	How Established	Number of Members	Principal Staff Person	Required by Legislation or Program Mandate*
<b>Virginia Paving Community Liaison Committee</b> The functions of the Committee will include receiving progress and compliance reports on a variety of issues involving Virginia Paving and assisting in the dissemination of timely and accurate information to a wider stakeholder community.	11/28/06	Special Use Permit	11	Rich Josephson, Department of Planning and Zoning	No
<b>Waterfront Committee</b> The Waterfront Committee was established to study the issues relating to the Alexandria Waterfront and make recommendations to City Council.	5/23/89	Ordinance 3382	15	Roger Blakeley, Department of Recreation	No
<b>Youth Policy Commission</b> The Youth Policy Commission will submit an annual report on the Commission's vision for youth and make recommendations to City Council on youth-related issues and on City policy for youth; analyze the outcome of youth programs and services measured against indicators of youth well-being; make recommendations regarding City funding for youth programs and services; and coordinate responses from and among appropriate City and non-City organizations to emerging and existing issues affecting the City's youth. This Commission is also designated and authorized to act as the City's Youth Services Citizen Board.	6/26/79	Resolution 695	21	Ron Frazier, Department of Human Services	Yes

23



CITY OF  
*Alexandria*  
VIRGINIA

**PERSONAL DATA RECORD FORM FOR APPLICANTS TO  
CITY BOARDS, COMMISSIONS, COMMITTEES, AND AUTHORITIES**

All appointments to City Boards and Commissions are made by the City Council through the Executive Secretary for Boards and Commissions. Please complete this application in its entirety, return it to the Office of Citizen Assistance, and your application will be forwarded to the City Council. Please fill in all applicable blanks on the form. If additional space is needed to answer any of the questions, add the necessary pages to this form. Incomplete applications will not be forwarded to City Council. All applicants are encouraged to contact the Council members and introduce themselves.

APPLICATIONS MUST BE TYPEWRITTEN OR PRINTED VERY CLEARLY WITH A BLACK FELT PEN.

Name of Board, Commission, Committee or Authority \_\_\_\_\_ Type of Position \_\_\_\_\_

Name: \_\_\_\_\_  
(Last) (First) (Middle)

Home Address: \_\_\_\_\_  
(Zip)

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Do you now live in the City of Alexandria? Yes  No  If yes, how long? \_\_\_\_\_

Have you ever served the City of Alexandria in any capacity? Yes  No

If yes, please explain: \_\_\_\_\_

Statement of Interest/Why You Should Be Appointed (attach additional pages): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Have you applied for a position on a City Board, Commission, Committee or Authority in the last six months? Yes  No

If yes, please state the names of the boards for which you have applied:

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---

Are you currently a member of a City Board, Commission, Committee or Authority? Yes  No

If yes, please list the board: \_\_\_\_\_

How many terms have you served on this board? \_\_\_\_\_

If you have served more than two consecutive terms on this board, please state the specific qualifications you possess which merit consideration for continued service:

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Are you now paid by the City of Alexandria? Yes  No

If yes, please state your department, job title, and describe your duties:

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---

Do any of your immediate relatives or business associates now serve the City of Alexandria in any capacity? Yes  No

If yes, please explain: \_\_\_\_\_

---

**ATTENDANCE REQUIREMENTS:** Sec. 2-4-7 of the City Code requires appointees to attend at least 75% of the yearly committee meetings. Absences may be excused because of personal illness or serious illness of members of the immediate family, death of a family member, unscheduled or unforeseen business trips, and emergency work assignments only. All other absences are recorded as unexcused.

In light of the above, will you be able to attend at least 75% of the regular meetings of the board to which you may be appointed? Yes  No

If applicable, will you comply with the provisions of the City's conflict of interest requirements in City Ordinance 2867? Yes  No

25





## SUPPLEMENTAL QUESTIONS

Applicants for the PLANNING COMMISSION and BOARD OF ZONING APPEALS, please complete the following question:

Are you a citizen of the United States? Yes  No

.....

Applicants for the BOARD OF ARCHITECTURAL REVIEW, please complete the following question:

Have you been a resident of the City of Alexandria for at least one year? Yes  No

.....

Applicants for the BOARD OF REVIEW OF REAL ESTATE ASSESSMENTS, please complete the following question:

Do you own real property in the City of Alexandria? Yes  No

.....

Applicants for the BUDGET AND FISCAL AFFAIRS ADVISORY COMMITTEE, please complete the following questions:

Are you a resident of and residing in the City of Alexandria and will continue to do so during the term of appointment? Yes  No

Are you an officer or director of any organization that receives appropriations or grants through the City of Alexandria? Yes  No

.....

Applicants for the COMMUNITY SERVICES BOARD, please complete the following questions:

Have you been a resident of the City of Alexandria for at least one year? Yes  No

Are you a consumer (former direct recipient of public or private mental health, mental retardation, or substance abuse treatment or rehabilitation) or immediate family member of a consumer or a principal care giver who is not paid? Yes  No

Are you a consumer receiving services? Yes  No

Are you an employee or board member of an organization which receives funding from any Community Services Board? Yes  No

.....

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

\_\_\_\_\_  
*Signature of Applicant*

27

\_\_\_\_\_  
*Date*

5  
10-18-08



**Kathleen Pepper**  
<jennifer.barker@alexandriava.gov>

09/30/2008 10:28 AM

Please respond to  
Kathleen Pepper  
<jennifer.barker@alexandriava.gov>

To william.euille@alexandriava.gov, timothylovain@aol.com,  
councilmangaines@aol.com, council@krupicka.com,  
delpepper@aol.com, paulcsmedberg@aol.com,  
cc  
bcc  
Subject COA Contact Us: Comments Re: Brd & Comm Ann Rprt  
Deadlines &Term Limits

**Time: [Tue Sep 30, 2008 10:28:39] IP Address: [206.113.148.2]**

**Issue Type:** Mayor, Vice Mayor, and Council Members  
**First Name:** Kathleen  
**Last Name:** Pepper  
**Street Address:** Alexandria Archaeological Commission  
Alexandria Archaeology Museum  
105 N.  
Union Street, #327  
**City:** Alexandria  
**State:** VA  
**Zip:** 22314  
**Phone:** 703-838-4399  
**Email Address:** jennifer.barker@alexandriava.gov  
**Subject:** Comments Re: Brd & Comm Ann Rprt Deadlines &Term Limits  
This is being sent by Jennifer Barker, Secretary of Alexandria Archaeology,  
for Kathleen Pepper, Chair of AAC  
September 30, 2008

Mayor  
William Euille and City Council  
City Hall  
301 King Street, Room  
2300  
Alexandria, VA 22314  
Dear Mayor Euille and City Council

members:

The Alexandria Archaeological Commission (AAC) has reviewed the  
recommendations made by the Council Committee on Boards and Commissions in

its June 19, 2008, report to you. We have the following comments regarding the annual report submission deadlines for each Board and Commission and the proposals for term limits for members of Boards and Commissions.

The

AAC does not support the recommendation for term limits for members of Boards and Commissions, as presently drafted. First, the proposal does not affect all Boards and Commissions equally as seven Boards and Commissions are explicitly exempt from the requirement, including some which have the longest serving members and the least turnover, such as the Board of Architectural Review. Members who represent private organizations or societies are also excluded from the term limits since each must nominate one of its own members for a Board or Commission position. The result of these two categories of exemptions is that only persons who have "At-Large" or Planning District I, II, or III, positions on some, but not all, Board or Commission are subject to term limits. This does not seem to adequately address the apparent problem of long-term incumbency on Boards and Commissions.

Second, the term limits recommendation does not address the issue of unfilled vacancies. If an incumbent is prohibited by term limits from applying for a vacancy but no one else applies, then that position is vacant until either someone eventually applies or the term expires so that the now-former incumbent can again apply. This leaves a Board or Commission short-handed. Depending upon the size of the Board or Commission and the number of vacancies, this can adversely affect the ability of that Board or Commission to effectively fulfill its mission. The AAC recommends that an exemption be permitted, at the request of the Board or Commission, for positions that have vacancies for which the outstanding incumbent is still interested.

**Comments:**

Third, the proposal for term limits does not clearly address how term limits come into play in situations where an incumbent was an organizational designee but changed to an "At-Large" or Planning District representative or changed from an

"At-Large" to a Planning District  
representative or changed

from one Planning District representative to another Planning District

representative. If an organizational designee served at least 10

consecutive years in a designated  
position but then sought to be

appointed to an "At-Large" or Planning District representative

position, would that person be ineligible since he or she had already

served 10 consecutive years? What if a member moved from Old Town to the

West End but had served at least 10 consecutive years as the representative

from Planning District I but now sought to be the representative from

Planning District III or a member "At-Large"? Are the term limits

to be applied to a person or to a position?

The AAC recommends

acceptance of the annual report deadline. The AAC does not support the term

limits provision, as drafted, but recommends further consideration of the

term limits issue. We appreciate the opportunity to respond to this

proposal.

Sincerely,

S. Kathleen Pepper, Chair  
Alexandria

Archaeological Commission

jeb

**Attachment:** c1b2a3e7cd8a577de53deddce89d1335.doc



c1b2a3e7cd8a577de53deddce89d1335.doc

September 30, 2008

Mayor William Eiuille and City Council  
City Hall  
301 King Street, Room 2300  
Alexandria, VA 22314

Dear Mayor Euille and City Council members:

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representative or changed from one Planning District representative to another Planning District representative. If an organizational designee served at least 10 consecutive years in a designated position but then sought to be appointed to an "At-Large" or Planning District representative position, would that person be ineligible since he or she had already served 10 consecutive years? What if a member moved from Old Town to the West End but had served at least 10 consecutive years as the representative from Planning District I but now to sought to be the representative from Planning District III or a member "At-Large"? Are the term limits to be applied to a person or to a position?

The AAC recommends acceptance of the annual report deadline. The AAC does not support the term limits provision, as drafted, but recommends further consideration of the term limits issue. We appreciate the opportunity to respond to this proposal.

Sincerely,

S. Kathleen Pepper, Chair  
Alexandria Archaeological Commission

jeb

5  
10-18-08



*Alexandria Archaeological Commission*  
*America's First Archaeological Commission*



September 30, 2008

Mayor William Eiuille and City Council  
City Hall  
301 King Street, Room 2300  
Alexandria, VA 22314

Dear Mayor Euille and City Council members:

The Alexandria Archaeological Commission (AAC) has reviewed the recommendations made by the Council Committee on Boards and Commissions in its June 19, 2008, report to you. We have the following comments regarding the annual report submission deadlines for each Board and Commission and the proposals for term limits for members of Boards and Commissions.

The AAC does not support the recommendation for term limits for members of Boards and Commissions, as presently drafted. First, the proposal does not affect all Boards and Commissions equally as seven Boards and Commissions are explicitly exempt from the requirement, including some which have the longest serving members and the least turnover, such as the Board of Architectural Review. Members who represent private organizations or societies are also excluded from the term limits since each must nominate one of its own members for a Board or Commission position. The result of these two categories of exemptions is that only persons who have "At-Large" or Planning District I, II, or III, positions on some, but not all, Board or Commission are subject to term limits. This does not seem to adequately address the apparent problem of long-term incumbency on Boards and Commissions.

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Third, the proposal for term limits does not clearly address how term limits come into play in situations where an incumbent was an organizational designee but changed to an "At-Large" or Planning District representative or changed from an "At-Large" to a Planning District

*Alexandria Archaeology Museum 105 North Union Street Alexandria, Virginia 22314*  
*703/838-4399 Fax 703/838-6491*

representative or changed from one Planning District representative to another Planning District representative. If an organizational designee served at least 10 consecutive years in a designated position but then sought to be appointed to an "At-Large" or Planning District representative position, would that person be ineligible since he or she had already served 10 consecutive years? What if a member moved from Old Town to the West End but had served at least 10 consecutive years as the representative from Planning District I but now to sought to be the representative from Planning District III or a member "At-Large"? Are the term limits to be applied to a person or to a position?

The AAC recommends acceptance of the annual report deadline. The AAC does not support the term limits provision, as drafted, but recommends further consideration of the term limits issue. We appreciate the opportunity to respond to this proposal.

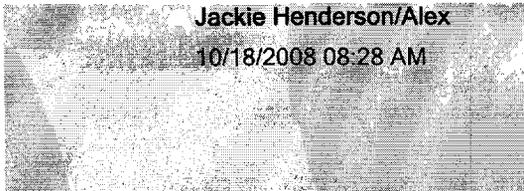
Sincerely,

A handwritten signature in cursive script that reads "Kathleen Pepper". The signature is written in black ink and includes a stylized flourish at the end.

S. Kathleen Pepper, Chair  
Alexandria Archaeological Commission

jeb

5  
10-18-08



Jackie Henderson/Alex

10/18/2008 08:28 AM

To Gloria Sitton/Alex@Alex  
cc  
bcc  
Subject Fw: Comments on Report of Council Committee on Boards and Commissions

----- Forwarded by Jackie Henderson/Alex on 10/18/2008 08:27 AM -----

Rose Boyd/Alex

10/17/2008 05:50 PM

To "Mary Catherine Gibbs" <mcg.hcgk@verizon.net>  
cc Lisa.Baker@alexandriava.gov, william.euille@alexandriava.gov, delpepper@aol.com, councilmangaines@aol.com, rob@krupicka.com, timothylovain@aol.com, paulcsmedberg@aol.com, justin.wilson@alexandriava.gov, Jackie Henderson/Alex@Alex, Michele Evans/Alex@Alex  
Subject Re: Comments on Report of Council Committee on Boards and Commissions

Thanks. I'm forwarding to the Council and City Clerk for the record.  
"Mary Catherine Gibbs" <mcg.hcgk@verizon.net>



"Mary Catherine Gibbs"

<mcg.hcgk@verizon.net>

10/17/2008 01:25 PM

To <Rose.Boyd@alexandriava.gov>  
cc <Lisa.Baker@alexandriava.gov>  
Subject Comments on Report of Council Committee on Boards and Commissions

Rose, I know the public hearing is tomorrow, but since we didn't vote on our comments until this week, here are the comments from the Commission for Women.

Thanks so much, Mary Catherine

Hart, Calley, Gibbs & Karp, P.C.  
307 N. Washington Street  
Alexandria, VA 22314  
(703) 836-5757 (phone)

NOTICE: Unless otherwise specified, the contents of this transmission are strictly confidential. They may involve privileged attorney-client communications or work product and are intended to be received by the recipient(s) specified above, and no one else. The receipt, appropriation, or use

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MEMORANDUMtoRoseBoyd.doc

MEMORANDUM

TO: Rose Williams Boyd, Executive Secretary  
Boards and Commissions  
FROM: Mary Catherine Gibbs, Chair  
Commission for Women  
RE: Report from the Council Committee on Boards and Commissions  
DATE: October 18, 2008

---

The Report from the Council Committee on Boards and Commissions was distributed to all the members of the Commission for Women at our meeting on September 9<sup>th</sup> and at our meeting on October 14<sup>th</sup>, the Commission for Women voted to make the following comments on the Recommendations in the Report:

**Proposed Recommendations of a General Nature.**

1. References Section on the Personal Data Form completed by all applications for appointment to a board or commission should be amended to read:

"Please list names and addresses of four references that you have contacted, know your qualifications for the position, and support your application." Copy of current form is attached (Attachment 2).

Rationale: This addresses the concern that several persons listed as references in the past were unaware of the fact that they had been listed as a reference and did not necessarily support the appointment of the applicant.

**Comment: Agreed.**

2. Codify all standing committees created via resolution or docket item and task forces that have become ongoing groups. These groups are listed below.

- Gang Prevention Community Task Force
- Beautification Commission
- Local Emergency Planning Committee
- Park and Recreation Commission

Rationale: Section 2-4-4 (a) of the City Code requires that all standing committees be established by City ordinance.

**Comment: Agreed.**

3. Require annual reports to be submitted, that include a statement of specific goals for the coming year, since the City Code requires such a report, at the time the Annual Attendance Reports are due to ensure that every group submits.

Rationale: The submission of annual reports by boards and commissions will allow the City Council to review the activities of the groups and determine whether they can be sunset or are duplicating the efforts of another group.

**Comment: Agreed.**

4. The Committee does not recommend a change to the current residency waiver policy at this time.

Rationale: Many business owners/managers and others involved in City activities do not reside in Alexandria. All initial appointments involving non-residents will be docketed as a contested appointment, and Council can decide whether it wishes to grant a residency waiver.

**Comment: Agreed.**

5. Unopposed non-resident incumbents and City staff in designated position appointments should be docketed as uncontested appointments.

Rationale: Once Council has granted a residency waiver, there is an assumption that the waiver will be granted on subsequent occasions for incumbents. Many City employees are appointed based on federal/state/local statutory requirements and must be appointed to the position.

**Comment: Agreed.**

6. Groups that meet on a monthly basis should determine whether they can meet on a bimonthly or quarterly basis.

Rationale: This will eliminate unnecessary meetings and decrease the amount of staff time devoted to board and commission meetings.

**Comment: While understanding the rationale behind this recommendation, the Commission would comment that whether or not a commission needs to meet on a less regular basis may be an indication of whether or not that commission needs to be eliminated.**

## **Boards, Commissions and Committees Mission Review Recommendations:**

1. Groups that have completed their tasks and can be abolished

- Ad Hoc Task Force to Review New Police Facility Sites
  - Ad Hoc Transportation Policy and Program Task Force
  - Potomac Yard Fire Station and Affordable Housing Task Force
- Transportation Safety Commission

**Comment: Agreed.**

2. Groups that need to be studied further before a decision can be made

- Beautification Commission – The Committee recommends that the role of this group be expanded to deal with the beautification of City portals and tie this effort in to the City's overall marketing efforts.
- Commission on Information Technology – Committee recommends that the mission statement of the group be rewritten to reflect 21st century technology with the City using this group as a sounding board for new technologies. The Committee also recommends that the IT Commission discuss whether and to what extent telecommunications issues and complaints stay with the IT Commission or be transferred to the Consumer Affairs Commission. The IT Commission's recommendation(s) should be reviewed by the Consumer Affairs Commission before submission to the City Council.
- Alexandria Economic Development Partnership Board - The Economic Sustainability Report recommends that no City Council member or staff person should serve on the AEDP Board. AEDP is reviewing its structure and will be reporting to the Council in the fall.
- Commission on HIV/AIDS - The membership of this group should be restructured by broadening the positions (it appears that there are too many designated positions that are currently unfilled) and reducing its size.

- Fair Housing Testing Program Advisory Committee and Affordable Housing Advisory Committee should be combined for better efficiency of operations.

Term Limits:

The Committee recommends that unless specified by federal, state or City legislation, after serving 10 consecutive years on any board, commission or committee, at the expiration of the current term, the incumbent would not be eligible for immediate reappointment to that group, but can apply for the next vacancy. Any incumbents as of the effective date of the ordinance would be eligible for at least one more consecutive term. This limitation would not apply to the groups listed below or to organizational designees in designated positions, elected officials and their designees, and City staff.

**Comment: While not formally objecting to this recommendation, the Commission for Women questions whether this will address the problem it seeks to solve. Could the same purpose be accomplished by a more in depth reappointment process, possibly by requiring the chair of each commission to certify the level of participation of each member applying for reappointment, could council take more of a role in reappointment such that it doesn't act like a rubber stamp?**

**More importantly, the Commission believes that unless State Code specifically prohibits terms limits for certain Boards, no Boards should be exempt from this requirement if it is adopted. And finally, the Commission discussed whether this should apply throughout all levels of elected or appointed positions in the City.**

10-18-08

Jackie Henderson/Alex

10/18/2008 08:27 AM

To Gloria Sitton/Alex@Alex

cc

bcc

Subject Fw: Term limits for regulatory boards and commissions,  
Docket Item 5, October 18, 2008

----- Forwarded by Jackie Henderson/Alex on 10/18/2008 08:26 AM -----

Ignacio Pessoa/Alex

10/17/2008 11:00 PM

To wmeuille@wdeuille.com, alexvamayor@aol.com,  
delpepper@aol.com, Councilmangaines@aol.com,  
rob@krupicka.com, smedbergpc@aol.com,  
timothylovain@aol.com, Justin Wilson/Alex@ALEXcc Jim Hartmann/Alex@Alex, Michele Evans/Alex@Alex, Mark  
Jinks/Alex@Alex, Rose Boyd/Alex@Alex, Jackie  
Henderson/Alex@AlexSubject Term limits for regulatory boards and commissions, Docket  
Item 5, October 18, 2008

Several members have asked whether the City Council can, by ordinance, establish mandatory term limits for the seven regulatory boards and commissions identified as such in the report from the Council Committee on Boards and Commissions. The answer to that question depends on the specific provisions of state law, either in the City's Charter or in the Virginia Code, which govern the establishment of each board and provide for the qualifications of the members thereof. Below is a summary of the relevant provisions for each board.

1. **Planning Commission.** The City's Planning Commission is established by Section 9.02 of the City Charter, and this provision is self-executing, i.e., no action or ordinance by council is required or contemplated. Section 9.02 establishes the qualifications for appointment of the members of the Commission by Council, and does not include any term limit. Thus, I would conclude that **Council cannot impose *de jure* term limits** on the members of the Planning Commission. Nonetheless, Council could by policy decline to reappoint incumbent members who have served for 10 or more consecutive years.

2. **Boards of Architectural Review.** The BARs are established pursuant to City Charter Section 9.09(j), and this provision is not self-executing. Thus, in order to establish the BARs, Council must adopt an ordinance, specifying, among other things, the number of and qualifications for BAR members, as well as "standards, rules, regulations and procedures for the operation of any such boards of architectural review." Thus, I would conclude that **Council can impose *de jure* term limits** on BAR members.

3. **Board of Real Estate Assessments.** The Board of Real Estate Assessments, otherwise known as the Board of Equalization, is established by Section 4.08(j) of the City Charter, and that section is self-executing. Section 4.09(j) provides for a five member board, three of whom are appointed by the Circuit Court and two by Council,

and established the qualifications for board members. No provision for term limits is include, and I thus conclude that **Council lacks the authority to impose de jure limits**, but can, as with the planning Commission, establish a policy not to reappoint members who have met the 10 years service mark.

4. **Board of Zoning Appeals.** The BZA is established by Section 9.14 of the Charter, and this section is self-executing. Section 9.14 establishes the qualifications for appointment of the members of the BZA by Council, and does not include any term limit. Thus, I would conclude that **Council cannot impose de jure term limits** on the members of the BZA. Again, however, Council could by policy decline to reappoint incumbent members who have served for 10 or more consecutive years.

5. **Community Services Board.** This Board is established pursuant to Virginia Code Section 37.2-501, and Section 37.2-502 provides in pertinent part that "No person shall be eligible to serve more than three full terms." Thus **the CSB is subject to term limits** at this time.

6. **Sanitation Authority.** The Alexandria Sanitation Authority was established pursuant to the Virginia Water and Waste Authorities Act, now codified as Virginia Code 15.2-5100, *et seq.* Section 15.2-5113(A) provides in pertinent part that "The board members of an authority shall be selected in the manner and for the terms provided by the agreement or ordinance or resolution or concurrent ordinances or resolutions creating the authority. " In addition, Section 15.2-5110 provides that the Council can cause the Articles of Incorporation of the Authority to be amended at any time. Thus, I conclude that the **City Council has the authority to establish de jure term limits** for the ASA Board members.

7. **Building Code Board of Appeals.** This Board is established pursuant to Virginia Code Section 36-105, which provides in pertinent part that there shall be "a local board of Building Code appeals whose composition, duties and responsibilities shall be prescribed in the [Uniform Statewide] Building Code." Section 119.2 of the USBC provides that "members may be reappointed." Thus I would conclude that **Council does not have the authority to add de jure term limits** for members of the Building Code Board of Appeals. Again, however, Council could by policy decline to reappoint incumbent members who have served for 10 or more consecutive years.

I will be pleased to answer any additional questions as they may arise.

Ignacio