

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Special Meeting
Monday, May 6, 2002 - - 7:30 p.m.**

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Swearingen, Director of Management and Budget and Members of his Staff; Ms. Smith-Page, Acting Director of Real Estate Assessments; Ms. O'Regan, Director of Human Services; Public Information Officer Gordon; Ms. Federico, Director of Historic Alexandria; Legislative Director Caton; Mr. Ransom, Special Assistant to the City Manager; Mr. Neckel, Director of Finance; Health Director Konigsberg; Mr. Skrabak, Division Chief, Environmental Quality; Mr. Howard, Director of Personnel Services; Ms. Davis, Director of Housing; Mr. Baier, Director of Transportation and Environmental Services; City Engineer Baker; Fire Chief Hawkins; Mr. McCobb, Deputy Director of Transportation and Environmental Services; Code Enforcement Director Dahlberg; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of Planning and Zoning; Mr. Kincannon, Deputy Director of Recreation, Parks and Cultural Activities; Mr. Cole, Director of Information and Technology Services; Library Director O'Brien; Dr. Claiborn, Director of Mental Health, Mental Retardation and Substance Abuse; Ms. Boyd, Director of Office of Citizen Assistance; Police Chief Samarra; Deputy Police Chief Baker, and Lieutenant Uzzell, Police Department.

Recorded by: Mrs. Beverly I. Jett, CMC, City Clerk and Clerk of Council.

It was noted that there was a Work Session at 6:30 p.m. in the Council Workroom to go through the Final FY 2003 Add/Delete List. Assistant City Manager Jinks walked the Members of City Council through the add/delete list. Members of City Council made comments and Assistant City Manager Jinks and City Manager Sunderland participated in the discussion.

The Work Session was concluded at 7:40 p.m.

(A copy of Budget Memo #51: Final FY 2003 Add/Delete List dated May 3, 2002, is on file in the office of the City Clerk and Clerk of Council and incorporated herewith as part of the record by reference.)

OPENING

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

(It was noted that a Notice of this Special Meeting had been previously served upon each Member of Council pursuant to a provision of the City Charter, a copy of the Notice certified by each Member of Council present being on file in the office of the City Clerk and Clerk of Council.)

2. Consideration of The Proposed Annual Operating Budget for FY 2003 (including Schools) and The Proposed Capital Improvements Program for FY 2003-2008 (including the School CIP). (#2 4/8/02; #12 3/12/02)

(Communications received on this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 2; 5/6/02, and is incorporated herewith as part of this record by reference.

A copy of the Final 2003 Add/Delete list is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 2; 5/6/02, and is incorporated herewith as part of this record by reference.

A copy of Budget Memo #36, dated April 23, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 2; 5/6/02, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Manager's proposed budget with the following amendments: The amendments would include the items on the add/delete list starting with the revenue adjustments 2 through 8; a decrease in the real estate property tax rate to \$1.08; amendment regarding city parking increasing revenues of \$17,000; approve the COLA and in-step as proposed; items 11 through 16 (should acknowledge that the COLA of 2.5% for City Council aides is subject to Council's favorable changes to the requisite regulations) which have no fiscal impact; add \$397,000 to Alexandria City Public Schools to fund an added salary step increase; add \$56,000 for vocational education; add \$20,000 to the Arlandria Health Clinic; add \$120,000 for continuation of the DASH About; \$35,000 for the arts grant program; and add \$80,000 for the Child Care Fee Subsidy; further, add \$15,000 for King St. Gardens irrigation; add \$25,000 for the initiation of a public arts program; add \$30,000 to the Campagna Center after-school program; add \$200,000 for the construction of a skateboard park; and to offset these increases and the tax rate reduction, the Council makes the following designations -- \$350,000 savings from health care benefits; \$768,020 from the state aid contingency established by the Manager; net revenue adjustments, and Fund Balance appropriation.

Further, the Council makes the following designations in Contingent Reserves -- \$50,000 for closed captioning of City Council meetings; \$50,000 for the new development review process; and \$33,000 for expansion of the Senior Taxi program. The Council also designates \$731,980 to be used to offset state cuts in funding as outlined in Budget Memo #36.

Finally, with these amendments, the Council approves a FY 2003 Operating budget with expenditures of \$373,171,224, and revenues of \$363,354,600, and an appropriation from the Fund Balance of \$9,816,624. The FY 2003 Operating budget also includes a General Fund appropriation for the schools in the amount of \$115,329,680. The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

Mayor Donley made one small clarification relative to the Council designation of the funds that were set aside to cover State budget cuts, he believed the figure Councilman Euille said was \$730,980, and it should be \$731,980, and this is just an arithmetic error. Staff indicated that is correct, and Councilman Euille agreed. The motion reflects the correct figure of \$731,980.

The Mayor and Members of Council made comments with respect to the FY 2003 budget and thanked the City Manager and staff for a job well done.

It was noted that although the Duncan Library Renovation monies have been added to the FY 2003 budget, because of other priorities that the City staff is under, there might be a possibility that it may have to be put off for awhile, but the money is there for it. The process has been speeded up but staff may not be able to get to it as quickly as it would like.

City Manager Sunderland provided kudos to the Budget staff and commended them for doing an outstanding job.

WHEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council adopted the FY 2003 to FY 2008 Capital Improvement Program budget with the following changes: as Vice Mayor Cleveland had noted, we are going to provide \$1,250,000 for the Duncan Library expansion previously budgeted for the Market Square Garage and allocate \$1,250,000 for Market Square Garage in FY 2004 (this is no new cost), but it's just a program change to advance the project; additionally, Council added \$200,000 for the skateboard park in the FY 2003 year of the CIP budget. The voting was as follows:

Euille	"aye"	Eberwein	"aye"
Cleveland	"aye"	Pepper	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

3. Second Reading and Final Passage on AN ORDINANCE to establish real estate and personal property tax rates for calendar year 2002. (#3 4/8/02; #17 3/26/02) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated March 19, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 5/6/02, and is incorporated herewith as part of this record by reference.)

The real property tax rate was reduced to \$1.08. The personal property tax rate remained at \$4.75.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, the Ordinance was finally passed upon its Second Reading and Final Passage, **as amended, with a change in the real estate tax rate to \$1.08 in Sec. 3-1-181 and Sec. 3-2-223 of the proposed ordinance, and the personal property tax rate remained at \$4.75.** The voting was as follows:

Euille	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Speck	"aye"
		Woodson	"aye"

The ordinance finally passed, as amended, reads as follows:

ORDINANCE NO. 4248

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, as amended.

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 2002 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 \$1.08 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 2002 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 2002 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 2002 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 \$1.08 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 2002 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 2002 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 2002 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 2002 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 upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction:	03/26/02
First Reading:	03/26/02
Publication:	03/28/02
Public Hearing:	04/08/02
Second Reading:	05/06/02
Final Passage:	05/06/02

New Business Item No. 1: Vice Mayor Cleveland announced that he would not be able to be present at the May 14, 2002 Regular Meeting as his wife will be graduating from Northern Virginia Community College that evening. He requested that City Council defer consideration of the Windmill Hill Park item to a later date.

Mayor Donley stated that Council will defer Windmill Hill Park from May 14, at the request of Vice Mayor Cleveland. On May 14, City Council will discuss how the matter will be brought up. This discussion will occur during the Council schedule docket item that evening to determine when Council will consider this.

Councilwoman Eberwein noted that she will not be present for the last meeting in June and would like that to be taken into consideration also.

EXECUTIVE SESSION

4. Consideration of The Convening of an Executive Session, pursuant to Section 2.2-3711(A)(3) of the Virginia Code, to discuss the acquisition of real property for a public purpose.

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 8:15 p.m., City Council convened in executive session at this time, to be held jointly with the Board of Commissioners of the Alexandria Redevelopment and Housing Authority, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, for the purpose of considering the acquisition of real property for a public housing use, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public bodies. The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

THEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried unanimously, at 9:00 p.m., City Council reconvened its meeting of this date which was recessed for the purpose of conducting an executive session, and there was discussion on the proposed schedule and tasks for off-site selection process. The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

WHEREUPON, upon motion by Councilwoman Woodson, seconded by Vice Mayor Cleveland and carried on a unanimous ROLL-CALL vote, City Council adopted the resolution pertaining to the executive session. The voting was as follows:

Woodson	"aye"	Eberwein	"aye"
Cleveland	"aye"	Euille	"aye"
Donley	"aye"	Pepper	"aye"
	Speck	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2026

WHEREAS, the Alexandria City Council has this 6th day of May 2002, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Woodson, seconded by Councilwoman Pepper and carried unanimously, at 9:31 p.m., the Special Meeting of Monday, May 6, 2002, was adjourned. The voting was as follows:

Woodson	"aye"	Cleveland	"aye"
Pepper	"aye"	Eberwein	"aye"
Donley	"aye"	Euille	"aye"
		Speck	"aye"

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APPROVED BY:

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KERRY J. DONLEY	MAYOR

ATTEST:

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Beverly I. Jett, CMC	City Clerk