

*City of Alexandria, Virginia*

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**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

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**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

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

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, ~~Annie 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:  
Public Hearing:  
Second Reading:  
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.

28-34  
6-11-02

- CITY SEAL -

Public Hearing will be held by the City Council of the City of Alexandria, Virginia, in the Council Chamber, City Hall, City of Alexandria, Virginia, on Saturday, June 15, 2002, at 9:30 a.m., or as soon thereafter as may be heard on the hereinafter described ordinances.

TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain section 3-2-82 (PROCESSING FEE FOR ENCROACHMENTS) of Article G (FEE FOR PROCESSING REQUESTS FOR VACATION OF PUBLIC RIGHTS AND REQUESTS FOR ENCROACHMENTS AND CHARGE FOR COMMERCIAL ENCROACHMENTS), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT), of The Code of the City of Alexandria, Virginia, 1981, as amended.  
The proposed ordinance increases the fee for processing requests for encroachments from \$100 to \$150.

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TITLE OF ORDINANCE

AN ORDINANCE to amend Division 1 (GENERAL PROVISION) of Article B (SEWAGE DISPOSAL AND DRAINS), Chapter 6 (WATER AND SEWER), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS).  
The proposed ordinance increases the sanitary sewer connection fees charged for new construction.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 5-7-31 (DEFINITIONS), Section 5-7-33.1 (RUNNING AT LARGE PROHIBITED IN PUBLIC PARKS OR PLAYGROUNDS; OWNERS NOT TO LET DOGS RUN AT LARGE IN PUBLIC PARKS OR PLAYGROUNDS; KEEPING DOGS UNDER PHYSICAL RESTRAINT IN PUBLIC PARKS OR PLAYGROUNDS), and Section 5-7-35 (KEEPING DOGS UNDER PHYSICAL RESTRAINT) of Article C (DOGS AND OTHER ANIMALS), Chapter 7 (ANIMALS AND FOWL) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), and to amend and reordain Section 6-1-2.2 (SAME--DOG EXERCISE AREAS; DESIGNATION BY CITY MANAGER; PROHIBITED CONDUCT) of Chapter 1 (GENERAL PROVISIONS) of Title 6 (PARKS, RECREATION AND CULTURAL ACTIVITIES), all of The Code of the City of Alexandria, Virginia, 1981, as amended.

The proposed ordinance clarifies the city's animal control regulations to provide that, except in a dog exercise area, or on private property with the consent of the owner, a dog must be kept on a leash held by a responsible person physically capable of restraining the dog.

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TITLE OF ORDINANCE

AN ORDINANCE to amend and reordain Section 9-12-95 (INFORMATION TO BE DISPLAYED ON OUTSIDE OF VEHICLE) of Division 4 (EQUIPMENT, MAINTENANCE AND USE OF VEHICLES), and subsection (a)(2) of Section 9-12-132 (AMOUNT OF FARE TO BE CHARGED) of Division 6 (FARES), all of Article A (TAXICABS AND FOR-HIRE VEHICLES), Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE), Title 9 (LICENSING AND REGULATION) of The Code of the City of Alexandria, Virginia, 1981, as amended. The proposed ordinance eliminates the requirement that the name of the owner/driver of a taxicab be displayed on the exterior of the vehicle, and provides that children under 5 years of age ride without additional charge. Current law is 12 years.

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TITLE OF ORDINANCE

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 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.

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TITLE OF ORDINANCE

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia, and for the payment of municipal expenditures by providing supplemental appropriations of amounts required to defray certain expenditures and liabilities of the city for fiscal year 2002, which began on the first day of July 2001 and ends on the thirtieth day of June 2002.

The proposed ordinance appropriates supplemental funds for the operation of city government in fiscal year 2002.

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TITLE OF ORDINANCE

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia, for the payment of interest and principal on the city debt and other municipal expenditures and expenses, and for other purposes, for the fiscal year beginning on the first day of July 2002 and ending on the thirtieth day of June 2003.

The proposed ordinance appropriates funds for the operation of the city government in fiscal year 2003.

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THE PUBLIC IS ADVISED THAT AMENDMENTS OR ADDITIONS MAY BE MADE TO PROPOSED ORDINANCES WITHOUT FURTHER PUBLICATION. IT IS RECOMMENDED THAT PERSONS INTERESTED IN ANY OF THESE ORDINANCES OBTAIN FREE FULL-TEXT COPIES FROM THE CITY CLERK AT CITY HALL. BEVERLY I. JETT, CMC, CITY CLERK

To be published in the:

Northern Virginia Journal on Thursday, June 13, 2002  
Alexandria Gazette Packet on Thursday, June 13, 2002