EXHIBIT NO.

City of Alexandria, Virginia

MEMORANDUM

4-24-03

4-29-03

DATE:

MARCH 17, 2003

TO:

THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM:

PHILIP SUNDERLAND, CITY MANAGERS

SUBJECT:

PROPOSED REAL AND PERSONAL PROPERTY TAX RATES ORDINANCE

FOR CALENDAR YEAR 2003 (FISCAL YEAR 2004)

<u>ISSUE</u>: Proposed Real and Personal Property Tax Rates Ordinance for Calendar Year 2003 (Fiscal Year 2004).

RECOMMENDATION: That City Council:

- (1) Introduce the ordinance to establish the real and personal property tax rates for calendar year 2003 and pass it on first reading: and
- (2) Set it for public hearing on Tuesday, April 22, and for second reading and final passage on Tuesday, April 29.

<u>DISCUSSION</u>: Under the requirements of the Virginia Code, City Council must annually establish a real property tax rate and personal property tax rates for the calendar year (even if the rates do not change from the prior calendar year). The Virginia Code also establishes certain advertising and public hearing requirements prior to the adoption of these property tax rates. Given these advertising and public hearing requirements of the State Code, the following schedule for calendar year 2003 (FY 2004) is proposed:

March 25:

Introduction of tax ordinance

April 2:

Public hearing on the budget

April 22:

Public hearing on the effective real property tax increase and property tax

rates ordinance

April 29:

Final adoption of the budget and tax ordinance

It should be noted that the State Code requires a separate public hearing on the proposed real property tax rate in certain circumstances. Under the Code, when increased assessments will increase real estate taxes (at the current tax rate) by more than 1% over the prior year's taxes, then in order to levy a tax rate above an "effective tax rate," a special "notice of proposed real property tax increase" must be placed in a local newspaper of general circulation. Excluding new construction, the calculation of the "effective tax rate" - - i.e., the rate which would produce the

same amount of real estate tax revenue in CY 2003 as in CY 2002 -- equates to a 92.8 cent tax rate. We propose that the separate hearing on this effective tax rate increase be held on Tuesday, April 22, with the special notice of the hearing date placed in the Alexandria Journal and the Alexandria Gazette Packet prior to that hearing.

The state also requires the City to publish information on the fiscal impact of tax exempt properties. For 2003, the total estimated value of taxable and non-taxable locally and non-locally assessed real property within the City is \$21.9 billion, with \$0.7 billion as the estimate of the value of non-governmental tax exempt property, \$1.9 billion as the estimate of the value of governmental tax exempt property, and \$19.3 billion as the value of taxable property. The state also requires the City to publish the estimated amount of forgone annual real estate taxes from non-governmental tax exempt property. This is estimated at \$7.3 million at the proposed tax rate of \$1.05.

The attached ordinance reflects the City's proposed real and personal property tax rates. The FY 2004 Proposed Operating Budget reflects a proposed decrease in the real property tax rate from \$1.08 per \$100 of assessed value to \$1.05 per \$100 of assessed value.

The FY 2004 Proposed Operating budget reflects no change to the various personal property tax rates (\$4.75 per \$100 of assessed value for tangible personal property, \$3.55 per \$100 of assessed value for vehicles with specially designed equipment for use by the physically disabled, \$4.50 per \$100 of assessed value for machinery and tools used in mining or manufacturing businesses, and \$0.01 per \$100 of assessed value for privately owned boats and watercraft that are used for recreational purposes only).

The real and personal property tax rates that are approved by City Council for public hearing and final consideration are the highest tax rates that the Council may consider and adopt (without revoting the proposed rates and then readvertising and holding a new hearing). By state law, Council could adopt the rates approved for public hearing, or could adopt lower tax rates.

FISCAL IMPACT: The value of three cents on the real property for FY 2004 is estimated at \$8.6 million. This represents the sum of the value of three cents for the June 2003 (\$2.8 million), November 2003 (\$2.8 million), and June 2004 (\$3.0 million) real estate tax payments. This three payment date fiscal impact assumes that the real property tax rate that is applied to calendar year 2003 is also applied to at least the first real property tax payment in CY 2004, which occurs at the end of the FY 2004 budget that City Council now has under consideration. The value of one cent on the tangible personal property tax rate is \$0.1 million.

ATTACHMENT: Ordinance

STAFF: Mark Jinks, Assistant City Manager
Kendel Taylor, Office of Management and Budget

AttACHMENT

03/25/03 03/25/03 04/22/03 04/29/03

Introduction and first reading: Public hearing: Second reading and enactment:

INFORMATION ON PROPOSED ORDINANCE

Title

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.

Summary

The proposed ordinance sets the city's 2003 tax rates for real property and tangible personal property.

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Sponsor

Staff

Mark Jinks, Assistant City Manager Carol Moore, Acting Deputy Director of Management and Budget Kendel Taylor, Budget Analyst Steven L. Rosenberg, Senior Assistant City Attorney

Authority

Article X, § 4, Virginia Constitution § 2.02(a)(1), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any) None

None was a sum a self to specify a companion of the configuration of the

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ORDINANCE NO.

3-25-03 429-03

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 20022003 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 \$1.081.05 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 20022003 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

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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 20022003 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 20022003 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 \$1.081.05 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 $\frac{20022003}{2002000}$ 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

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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 20022003 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 $\frac{20022003}{2002003}$ 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 20022003 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:

3/25/03

First Reading:

3/25/03

Publication:

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Public Hearing:

3/27/03

Second Reading:

Final Passage:

N.B. Underlining is not part of the ordinance but denotes material that is new or amended.

Strike-outs or dashes are not part of the ordinance but denote material that is being deleted.

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3-4-29-03

Introduction and first reading: Public hearing: Second reading and enactment: 03/25/03 04/22/03 04/29/03

INFORMATION ON PROPOSED SUBSTITUTE ORDINANCE

Title

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 MÁNUFACTURING BUSINESS; AMOUNT), Section 3-2-223 (LEVIED ON MOBILE HOMES; AMOUNT) and Section 3-2-224 (LEVIÉD 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, and to further amend the said Title 3 by adding to Chapter 1 (GENERAL PROVISIONS) thereof a new Section 3-1-2 (OPEN SPACE TRUST FUND ACCOUNT).

Summary

The proposed ordinance sets the city's 2003 tax rates for real property and tangible personal property. The substitute ordinance sets the 2003 real property tax rate at \$1.03 on each \$100 of assessed value, a reduction of \$0.05 from the 2002 rate. Personal property tax rates are unchanged from 2002. In addition, the substitute ordinance establishes The City of Alexandria Open Space Trust Fund Account, and designates the sum of \$0.01 on each \$100 of assessed value, out of the \$1.03 real property tax rate for 2003, and out of the rate to be established in future years, to fund the Open Space Trust Find Account. Under the City Charter, all funds collected in 2003 and in future years subject to this designation must be used exclusively for the acquisition and improvement of new open space parks in the City.

Sponsor

Staff

Mark Jinks, Assistant City Manager Daniel A. Neckel, Director of Finance Carol Moore, Acting Deputy Director of Management and Budget Kendel Taylor, Budget Analyst Ignacio B. Pessoa, City Attorney

Authority

Article X, § 4, Virginia Constitution §§ 2.02(a)(1), 6.15 Alexandria City Charter

Estimated Costs of Implementation

None

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

None

1 AMENDMENT IN THE NATURE OF A SUBSTITUTE 2 ORDINANCE NO. 3 4 AN ORDINANCE to amend and reordain Section 3-2-181 (LEVIED; AMOUNT) of Division 1 5 (REAL ESTATE), and Section 3-2-221 (LEVIED ON TANGIBLE PERSONAL 6 PROPERTY OTHER THAN MOBILE HOMES, AUTOMOBILES, TRUCKS, ANTIQUE 7 MOTOR VEHICLES, TAXICABS, MOTOR VEHICLES WITH SPECIALLY DESIGNED 8 EQUIPMENT FOR USE BY THE HANDICAPPED, MOTORCYCLES, CAMPERS AND 9 OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT), Section 10 3-2-222 (LEVIED ON MACHINERY AND TOOLS USED IN MINING OR 11 MANUFACTURING BUSINESS; AMOUNT), Section 3-2-223 (LEVIED ON MOBILE 12 HOMES; AMOUNT) and Section 3-2-224 (LEVIED ON AUTOMOBILES, TRUCKS, 13 TRAILERS, SEMI-TRAILERS, ANTIQUE MOTOR VEHICLES, TAXICABS, 14 MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS 15 AND TRAILERS: AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND 16 MACHINERY AND TOOLS), all of Article M (LEVY AND COLLECTION OF 17 PROPERTY TAXES), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND 18 PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended, and 19 to further amend the said Title 3 by adding to Chapter 1 (GENERAL PROVISIONS) thereof 20 a new Section 3-1-2 (OPEN SPACE TRUST FUND ACCOUNT). 21 22 THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS: 23 24 Section 1. That Section 3-2-181 of The Code of the City of Alexandria, Virginia, 25 1981, as amended, be, and the same hereby is, amended and reordained to read as follows: 26 27 28 Sec. 3-2-181 Levied; amount. 29 30 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 31 constitution and laws of this state and city, a tax of \$1.08 1.05 1.03 on each \$100 of the assessed 32 value thereof, for the support of the city government, for the payment of principal and interest of 33 the city debt and for other municipal expenses and purposes. 34 35 Section 2. That Section 3-2-221 of The Code of the City of Alexandria, Virginia, 36 37 1981, as amended, be, and the same hereby is, amended and reordained to read as follows: 38 39 Sec. 3-2-221 Levied on tangible personal property other than mobile homes, automobiles, trucks, antique motor vehicles, taxicabs, motor vehicles with specially 40 41 designed equipment for use by the handicapped, motorcycles, campers and 42 other recreational vehicles, boats and boat trailers; amount. 43 44 There shall be levied and collected for the calendar year 20022003 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

45 46 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 $\frac{20022003}{2003}$ 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 20022003 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 \$1.081.05 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 20022003 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 20022003 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 20022003 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 $\frac{2002}{2003}$ 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 Title 3, Chapter 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new Section 3-1-2, to read as follows:

[The following is all new language.]

Section 3-1-2 Open Space Trust Fund Account.

(a) Establishment of account. There is hereby established for the City of Alexandria a permanent account within the Capital Projects Fund to be known and designated as The City of Alexandria Open Space Trust Fund Account, which Account shall be accounted for and maintained separate and apart from all other accounts maintained by the City of Alexandria.

(b) Funding of account. There is hereby assigned and appropriated to such Account, from January 1, 2003 until June 30, 2003, and for the fiscal year commencing July 1, 2003 and in each succeeding fiscal year, from the tax on real estate levied pursuant to section 3-2-181 of this

each succeeding fiscal year, from the tax on real estate levied pursuant to section 3-2-181 of this code, in addition to all other appropriations made to such Account, if any, the sum of \$0.01 on each \$100 of the assessed value of all real estate subject to such tax. (c) Expenditures from account. Notwithstanding any contrary provision of law, appropriations from the said Account shall be authorized and made exclusively to finance permanent open space public improvements included in the capital budget. Unexpended appropriations to such Account shall not lapse or expire at the end of the fiscal year in which made, irrespective of whether such appropriations were encumbered within such fiscal year. (d) Open space public improvements defined. As used in this section, permanent open space public improvements means land acquired by the City in fee or by perpetual easement, and dedicated to outdoor recreational and park uses, whether active, passive or natural resource area, for the use of the general public, together with accessory buildings and structures incidental and subordinate to the outdoor recreational and park uses of such acquired land. Section 7. That this ordinance shall become effective January 1, 2004. KERRY J. DONLEY Mayor 3/25/03 Introduction: First Reading: 3/25/03 Publication: Public Hearing: Second Reading: Final Passage:

ORDINANCE NO. 4296

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, and to further amend the said Title 3 by adding to Chapter 1 (GENERAL PROVISIONS) thereof a new Section 3-1-2 (OPEN SPACE TRUST FUND ACCOUNT).

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 2003 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 1.035 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 2003 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 2003 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 2003 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 \$1.035 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 2003 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 2003 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 2003 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 2003 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 Title 3, Chapter 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new Section 3-1-2, to read as follows:

Section 3-1-2 Open Space Trust Fund Account.

- (a) Establishment of account. There is hereby established for the City of Alexandria a permanent account within the Capital Projects Fund to be known and designated as The City of Alexandria Open Space Trust Fund Account, which Account shall be accounted for and maintained separate and apart from all other accounts maintained by the City of Alexandria.
- (b) Funding of account. There is hereby assigned and appropriated to such Account, from January 1, 2003 until June 30, 2003, and for the fiscal year commencing July 1, 2003 and in each succeeding fiscal year, from the tax on real estate levied pursuant to section 3-2-181 of this code, in addition to all other appropriations made to such Account, if any, the sum of \$0.01 on each \$100 of the assessed value of all real estate subject to such tax.

- (c) Expenditures from account. Notwithstanding any contrary provision of law, appropriations from the said Account shall be authorized and made exclusively to finance permanent open space public improvements included in the capital budget. Unexpended appropriations to such Account shall not lapse or expire at the end of the fiscal year in which made, irrespective of whether such appropriations were encumbered within such fiscal year.
- (d) Open space public improvements defined. As used in this section, permanent open space public improvements means land acquired by the City in fee or by perpetual easement, and dedicated to outdoor recreational and park uses, whether active, passive or natural resource area, for the use of the general public, together with accessory buildings and structures incidental and subordinate to the outdoor recreational and park uses of such acquired land.

Section 7. That this ordinance shall become effective January 1, 2003.

KERRY J. DONLEY Mayor

Final Passage:

April 29, 2003

EXHIBIT NO. 2

Historic Alexandria Resources Commission



Box 178, City Hall Alexandria, Virginia 22313 (703) 838-4554



4-29.03

April 23, 2003

Mayor Kerry J. Donley Members of City Council City Hall 301 King Street Alexandria, VA 22314

Dear Mayor Donley and City Council Members:

The Historic Alexandria Resources Commission (HARC) was recently requested to comment on a proposal to raise and set aside funds for the acquisition of additional open space. There is inadequate open space in the city, particularly the historic districts. HARC strongly supports the use of public funds for the acquisition of additional open space and recommends that the city seek sources for such funding.

Sincerely yours,

Aleber S. Masterson, Yr. Chair

cc: Phil Sunderland, City Manager Sandra Whitmore, Director, Recreation & Parks



<u>3</u> 4-29.03

Dear Mayor and Members of City Council,

This is written to express Sabra's and my support for the City's budget

proposals especially the real estate property tax set aside for the Open Space fund and for updating the real estate property tax for seniors and persons with disabilities.

Keep up the great work.

Chet and Sabra

Chet And Sabra Avery 16 East Linden Street Alexandria, Virginia 22301 Tel 703 549-4617

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City of Alexandria, Virginia





P. O. Box 178 Alexandria, Virginia 22313

4-29.03

April 24, 2003

Honorable Mayor Kerry Donley and Members of City Council Suite 2300, City Hall 301 King Street Alexandria, VA 22314

Re: Funding Open Space Acquisition in Alexandria

Dear Mayor Donley and Members of Council:

At the April 21, 2003 Environmental Policy Commission (EPC) meeting, the EPC approved the attached resolution on Funding Open Space Acquisition in Alexandria.

Sincerely,

Cindy Chambers

Chair, Environmental Policy Commission

Attachment

CC:

Phil Sunderland, City Manager

Rich Baier, Director, Transportation and Environmental Services Sandra Whitmore, Director, Parks, Recreation and Cultural Activities

Eileen Fogarty, Director, Planning and Zoning

EPC Members

Funding Open Space Acquisition in Alexandria

Alexandria Environmental Policy Commission Resolution Approved on April 21, 2003

- Whereas, the 1998 Alexandria Quality of Life Summit identified open space as the highest priority issue among Alexandrians and subsequently, the City implemented an effort to draft an Open Space amendment to the Master Plan to address past open space planning inadequacies and future open space goals, and
- Whereas, Councilman David Speck has proposed to earmark \$0.01 of every \$100 of assessed personal property value to generate funds for open space acquisition.
- Therefore Be It Resolved, as a first step towards fulfilling the City's open space needs as identified in the draft Strategic Master Plan for Open Space, Parks and Recreation, that the Environmental Policy Commission strongly encourages the Planning Commission and the City Council to formally and permanently enact this proposal beginning with the fiscal year 2004 budget.

Cindy Chambers

Chair, Environmental Policy Commission

Sent to ce, com, OMB -



"WGD" <irishwh@starpower.net

To: "Beverly Jett" <beverly.jett@ci.alexandria.va.us>

cc:

Subject: Property Tax Recommendation

04/02/03 10:34 AM

AVERAGE VALUATION OVER 5 YEARS

When valuations rise 10% or more in one year for a class of property. This makes taxation orderly and anticipated, rather than shocking. Taxation should be on firm value, rather than spikes, with neither the taxpayer, nor the government gouging the other on the wings of a capricious market.

Wm. G. Deckelman 3363 Martha Custis Drive Alexandria VA 22302-2117 PF 4/2/03

Sent to CC, Con Budget PF 4/2/03



To: Bill Cleveland <billclev@comcast.net>, Kerry Donley <mayoralx@aol.com>, Claire Eberwein <eberweincouncil@comcast.net>, Bill Euille <wmeuille@wdeuille.com>, Del Pepper <delpepper@aol.com>, David Speck <dspeck@aol.com>, Joyce Woodson

cc: Beverly Jett < beverly.jett@ci.alexandria.va.us >
Subject: Budget Hearing - Open Space Funding - CORRECTED COPY

<council@ioycewoodson.net>

Mayor and City Council

I am generally supportive of having tax funds available to purchase open space for future needs and to supplement open space that may be obtained in other ways or funded from other public or private grant sources. My preference would be to finance through bonds since the benefits accrue over a long period, but realize bond funding may be problematic because of the need to keep a lid on the total in order to maintain our bond ratings. I also realize that the discussion proposal does not generate nearly enough revenue to meet the goals of the open space study, and if adopted, would create a whole new dynamic of how to allocate funds in a fair way realizing severe shortage of funds.

I don't favor the "add back" approach on the tax rate. Better to include as a recognized need in the total funding needed. I also generally do not favor ear-marking revenues to apply to a specific function, although do not object to user charges when appropriate.

I think the people of Alexandria cherish their open space and will look favorably on obtaining more for the future. Also I believe we are ready to accept the reality that it will cost us to have it. While I have expressed my preferences as to how to fund it, please understand that I will support any reasonable plan to obtain it.

Joseph S. Bennett 5022B Barbour Drive 22304

Do you Yahoo!?

Yahoo! Tax Center - File online, calculators, forms, and more http://platinum.yahoo.com

Sent to CC, Coo Bulget PF 4/2/03



Judith Lowe <judylowe36@comcas t.net> To: Beverly Jett

beverly.jett@ci.alexandria.va.us>

cc:

Subject: Open Space Proposal

04/01/03 02:32 PM

Dear City Clerk,

I will not be able to come and testify at the Public Hearing for the budget, but please consider my email. I am soundly in favor of the proposal to add 1¢ to the tax rate to fund open space initiatives.

I am not, however, in favor of delaying the long anticipated expansion of Duncan Library in order to come up with a plan to use the adjacent space as open space. This space, next to Duncan, is not very desirable and the entrance to Mount Vernon School is not going to be hidden. It is amazing that this lot is all of a sudden an attractive open space because in reality, it floods in the middle and is usually filled with dog droppings that the owner has not retrieved. We have been waiting TOO LONG for the Duncan expansion.

Judy Utterback Lowe 703.548.1713 703.608.2165 (c) judylowe36@comcast.net Outgoing email is certified virus-free





Dave delaChevrotiere < DaveDela@comcast.n

et>

cc: <parkfairfax.uoa@erols.com>, <parkfairfax@aol.com> Subject: tax rates

04/01/03 01:58 PM

Dear Beverly,

I am unfortuately not going to be able to attend Wednesday's meeting due to a work conference taking me out of town, but I need to express my concern in the increase in property values for the Park Fairfax Community. As a home owner here, I am looking at a substantial increase in taxes, which will cause my escrow payments to grow much larger than I had planned for. The sad thing is that in many cases people might not be in the predicament to assume this increase in escrow, causing them to possibly have to look for a different neighborhood to live in. Please consider this plea to levy a fair increase in value to the homowners here. A 43% increase in assesment seems very very high and unjust.

Thank you for your time, and best regards.

Dave delaChevrotiere 1631 Ripon Place Alexandria, VA 22302





"Jane Knowlton" <iknowlton@fs.fed.us To: beverly.jett@ci.alexandria.va.us

Subject: Parkfairfax resident opposed to real estate prop tax increase

03/31/03 11:21 AM

To Alexandria City Mayor and Members of Council at City Hall

I would like to oppose any increases in real estate taxes for Parkfairfax. We pay a significant condo fee alone on top of our real estate taxes and many of the services which other city residents pay for with their taxes, we pay again in our condo fees. Many of us are on fixed incomes, we have many older residents who already pay increased amounts for prescription drugs, we have many families struggling to make ends meet. We pay one of the largest condo fees in the area and use many community volunteers to help keep our community strong. Additional real estate taxes on this property are not warranted for our community. Please consider our views during the upcoming hearings on this issue. Thank you for your consideration.

Jane Knowlton 1622 Ripon Place Alexandria, Va 22302



Sent to CC, Como, Berlingt #50 PF 412103



"lou shine" <mari@erols.com> 03/29/03 05:13 PM To: <beverly.jett@ci.alexandria.va.us>
Subject: tax relief

Dear Ms. Jett:

The 43% jump up in asssessed values here at Parkfairfax is patently unfair. The condominiums are at least 60 years old, electric wiring and pipes are failing, there is no central air or heat. In short, assessed values should be declining or at the very least, steady.

Services provided by the City of Alexandria to Parkfairfax are minimal. We plow most of the streets, tend to the landscape and trees, dispose of leaves, pay high fees for water and sewage, receive no protection from rate hikes from the only cable company the City has licensed. The City obviously has a cash cow here at Parkfairfax,

My wife and I are long ago retired, hovering just above and below 80 years, barely making do on a fixed income. For your information, here are the annual property tax payments for the past few years:

2000 96,300 @ 1.110 \$1068.93 2001 109,900@ 1.110 1219.80 2002 134,100 @ 1.08` 1448.28 2003 189,400 @ 1.05 2988.70 As is obvious, in four years the tax bill has almost tripled.

UNFAIR!!!!!!!

Louis & Mari Shine 1638 Mt. Eagle Place Alexandria, VA 22302



Sent to CC, Bulget #50 PF 4/2/03



David Harris david.harris@wap.org

03/29/03 11:20 AM

To: <mayoralx@aol.com>, <billclev@comcast.net>,

<eberweincouncil@comcast.net>, <wmeuille@wdeuille.com>,

<delpepper@aol.com>, <dspeck@aol.com>,

<council@joycewoodson.net>,

beverly.jett@ci.alexandria.va.us>

Subject: Property tax increase!

I read that the average value of a condominium in Alexandria rose 31% since last year, and the average value of a Parkfairfax condominium rose 43%. Without my adding any improvements, the assessment on my Parkfairfax condominium increased by more than 60% from last year!

If you decrease the tax rate from 1.08% of assessed value to 1.05%, my tax will still increase by \$518.40, or 56% from last year.

I am a single male over 65 years of age; my gross salary last year was some \$22,000, with my federal adjusted gross income being a little more than \$20,000. My Parkfairfax condominium is my first home purchase and I expect it will be my last. I moved in just over three years ago, and I could not afford to buy it at all at today's prices. I still have to pay for trash collection and other services in my monthly condominium fee, since the city does not provide those services to us.

I hope you can find some way to ameliorate the impact of this tax increase; does the city really need 56% more from me this year than last?



PF 4/2/03



"Karen R. Taylor"
<taylorkr@earthlink.ne

To: <beverly.jett@ci.alexandria.va.us>
Subject: condo assessments

03/28/03 04:41 PM

To whom it may concern:

I am concerned about the proposed 31% condominium tax assessment increases. Why are the tax increases proposed for citizens like me living in condos in Alexandria? I am living in a condo because it is all I can afford as a educator in this area. During my first years of teaching I had to live in the outer suburbs and commute through long hours of traffic to work. I was very blessed to be left some inheritance without which I would never have been able to afford to own even a condo in this area. I know other teachers who still commute into work through hours of traffic. In contrast some of my friends who are teachers in other areas can afford houses.

The price of housing in this area is too costly already. I support any measure that will elevated the cost of housing in this area including tax rate relief.

Sincerely, Karen R.Taylor



Sout to CC, CM, OMB

304 East Spring Street

Alexandria, Virginia 22301 March 25, 2003

Mayor Kerry Donley and City Council members City Hall Alexandria, Virginia 22314

Dear Mayor Donley and Council members:

I support the currrent proposal for a one-cent increase in the tax rate to buy land for open space. This is a very modest proposal. It would cost only \$40 a year over five years for the owner of a home assessed at \$400,000.

The money raised, however, would still be insufficient to meet the open space needs of our growing population. The new Strategic Master Plan for Open Space, Parks and Recreation estimates that we will need to spend \$50 million to buy land for parks, athletic fields, trails, recreation facilities, and so on. If we don't begin to spend money now, it will cost us much more later on, and many of our options may be precluded.

Although I support this proposal, I would prefer that land purchases be funded with bonds. Citizens in many states and municipalities across the United States, including Arlington, have approved bond referendums in recent years that have increased funding for open space.

In Alexandria, there is a core group that strongly favors greater open space investments. Witness the large turnout at the Environmental Quality of Life Summit a few years ago, and the subsequent extensive citizen participation in the process that lead to the Strategic Plan. We need to build on this support by educating the large majority of citizens who have not read or even heard of the Strategic Plan. Because of the important impact that high-quality open space has on our city's livability, I suggest that Council direct the Department of Parks, Recreation and Cultural Activities to put together a summary of the Strategic Plan, including the rationale for it and the challenges of implementing it, and mail it to every city household. This should be done prior to the Council hearing on the plan.

Sincerely,



LE MATOR AND MEMBERS OF THE CITY COUNCIL

SUNDERLAND, CITY MANAGER

City of Alexandria, Virginia

ALEXANDRIA, VA

MEMORANDUM

2003 APR 22 P 2: 16

DATE:

APRIL 22, 2003

TO:

PHIL SUNDERLAND, CITY MANAGER

FROM:

AIMEE VOSPER, LANDSCAPE ARCHITECT SUPERVISO

SUBJECT:

AREA PARKLAND

This is the map information we have for you per Councilwoman Joyce Woodson's request. If you need more info, please contact us.

Thank you.

cc: Sandra Whitmore, Director, RP &CA Kirk Kincannon, Deputy Director, RP&CA



"Councilwoman Joyce Woodson" <council@joycewoodso Subject: open space</pre> n.net>

To: "SAndra Whitmore" <sandra.whitmore@ci.alexandria.va.us>cc: "Phil Sunderland" <phil.sunderland@ci.alexandria.va.us>

04/19/2003 09:58 PM Please respond to council

Do you know the amount of open space that the immediate area surrounding Alexandria (Fairfax County) has to offer? I am speaking of parkland like the riverfront, Huntley Meadows, etc. If you have a map, or the statistics, I would like to know this information (and I presume other members of council, too). The distance to these amenities would also be helpful.

Thank you very much.

Joyce