


City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 20, 2006

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: ADOPTION OF CITY LEGISLATIVE PACKAGE FOR THE 2007 GENERAL ASSEMBLY SESSION

ISSUE: Adoption of City Legislative Package for the 2007 General Assembly Session.

RECOMMENDATION: That City Council adopt items 1.A through 1.G, 2.A through 2.U, and 3.A through 3.C as positions in the City's Legislative Package for the 2007 General Assembly Session.

1.A. Preservation of Structures in Historic Districts (Charter Change; Councilman Krupicka)

Amend to require that the fair market value of a building in a historic district proposed for demolition is based on the assumption that the historic building will not be moved or demolished—not the value of the property if the structure is demolished and replaced with something else. Add further clarifying amendments to make clear that if a buyer makes a good faith offer to buy and preserve the building, but the owner rejects the offer, the owner will not be entitled to demolish the building or structure; and to define a “good faith” offer as an offer to buy or sell which would be commercially reasonable in an arm's length transaction between a willing buyer and seller, given the nature of the property.

1.B. Requiring Drivers to Stop for Pedestrians at Marked Crosswalks (Councilmen Krupicka and Smedberg; Regional Position)

Require drivers to stop for, not just yield to, pedestrians in any clearly marked crosswalk where the speed limit does not exceed 35 miles per hour.

1.C. Creation of Arts and Cultural Districts (Councilman Krupicka)

Amend §15.2-1129.1 of the Code of Virginia to authorize Alexandria to create an arts and cultural district to increase awareness and support for the arts and culture.

1.D. Requirements for Filings by PACs That Become Newly Active Just Before an Election (Councilman Krupicka)

Require any PAC that makes an indirect contribution to a candidate in the last 10 days before the election (e.g., purchases space in a newspaper to endorse a candidate) to report it to the electoral board by 5 p.m. the following day; if the contribution is made within the 24 hours prior to the election day, require it to be reported on the day prior to the election.

1.E. Funding for the Rehabilitative Services Incentive Fund (Alexandria Commission on Persons with Disabilities)

Appropriate sufficient state funding for the Rehabilitative Services Incentive Fund (RSIF) to restore it to \$912,500 (the same level of funding as in FY 02) annually.

1.F. Condominium Conversions—Sales to Non-profits (Councilman Gaines and Landlord-Tenant Relations Board, supported by Human Rights Commission)

Allow any tenant in a condominium conversion who is disabled or elderly, and eligible for a 3-year lease or lease extension under current law and ordinance, the ability to assign the right to purchase his unit to a government agency, housing authority or nonprofit housing corporation for the purpose of leasing that unit back to the tenant and keeping the unit as affordable housing.

1.G. Monitoring and Enforcement for Opacity Violations with Respect to Air Emissions (Mayor Euille, Councilman Smedberg, and Councilwoman Pepper)

Enact legislation that will make *monitored* exceedences of permitted opacity limits (not just exceedences that are observed during inspections) violations under Virginia law and regulation, as they already are under federal law and regulation.

2. Requests for Legislation to Be Supported

2.A. Statewide Transportation Funding, Including Metro and VRE, and Related Issues (Northern Virginia Regional Position)

Support additional sustainable, long-term state transportation funding, and especially funding for Metro and other transit. In addition, support appropriate transportation planning legislation that will help address congestion and related issues.

2.B. Homestead Exemptions (Mayor Euille and Councilman Gaines)

Support a real estate Homestead Exemption, on a local option basis, granting local elected officials maximum authority to establish fiscal policies specific to their jurisdictions. In addition, ensure that any similar legislation retain the current constitutional requirement for fair market valuation of property; be “local option” only; and be designed so that it is simple to administer and revenue neutral. The City also supports passage of legislation allowing for the establishment of residential and non-residential as separate classifications of property for purposes of taxation.

2.C. Funding to Clean Up the Chesapeake Bay (Vice Mayor Macdonald)

Support any reasonable long-term solution to fund the cleanup of the Chesapeake Bay and its tributaries.

2.D. Smoking in Restaurants (Vice Mayor Macdonald)

Support legislation, if introduced, to give any locality the authority to prohibit smoking in restaurants within its jurisdiction, or otherwise limit smoking in public.

2.E. Water Conservation (Vice Mayor Macdonald)

Support any reasonable legislation that is introduced that will encourage water conservation.

2. F. Payday Lenders (Councilman Krupicka and Councilman Gaines; Human Rights Commission; Consumer Affairs Commission)

Support legislation to prohibit payday loans in Virginia.

2.G. Child Day Care Funding (Councilman Gaines and Regional Position)

Support additional state funding for child day care subsidies.

2.H. Virginia Association of Community Services Boards (Regional Position)

Support the legislative platform of the Virginia Association of Community Services Boards (VACSB), and especially the following priorities:

- A 14 percent increase in mental retardation day support Medicaid waiver reimbursement rates, and an 18 percent differential for Northern Virginia Medicaid services;
- \$2,350,000 for a regional specialized pilot program for geriatric adults with mental illness;
- \$2,160,580 for expansion of the regional discharge program for adults with mental illness; and
- \$2,780,000 for the purchase of services for 7 psychiatric beds from one or more private hospitals in Northern Virginia.

2.I. Red Light Cameras (Councilman Krupicka and Northern Virginia Regional Position)

Support reauthorization and reinstatement of the red light camera program.

2.J. Electric Utility Deregulation (Councilman Krupicka; Consumer Affairs Commission; Northern Virginia Regional Position)

Support any legislative proposals in the 2007 Session or subsequent sessions to ensure that (1) true competitive pricing occurs when the current electric utility rate freeze expires in Virginia; and

(2) Virginia consumers, especially those who are less affluent, do not experience significant rate increases once utilities are allowed to set their own rates.

2.K. Increasing the Minimum Wage--The Virginia Fair Wage Act (Councilman Gaines and Economic Opportunity Commission)

Support legislation to increase the minimum wage in the Commonwealth by \$1 a year for three years, bringing it to \$8.15 in the third year.

2.L. The Virginia Housing Trust Fund (Economic Opportunity Commission)

Support designated funding for a statewide Housing Trust Fund to support affordable housing and other housing needs.

2.M. Human Trafficking (Human Rights Commission)

Support legislation to criminalize human trafficking, and make it a felony to recruit another person for forced labor or sexual activity.

2.N. Base Realignment and Closure Commission (Councilwoman Pepper and Regional Position)

Support additional state funding for localities affected by BRAC funding.

2.O. Increased State Funding for Court System Employees (Northern Virginia Regional Position)

Support additional state funding for magistrates, public defenders, and other court employees.

2.P. Payments to Foster Care Parents (Social Services Advisory Board)

Support additional funding for payments to foster parents.

2.Q. Issues Endorsed by the Alexandria Commission on Aging

Support the legislative platform of the Northern Virginia Aging Network (NVAN), which includes:

- Support for in-home and community-based services to reduce the number of residents requiring nursing home care.
- Funding for intensive older adult mental health services, including a Northern Virginia regional geriatric mental health team.

- Support for a Livable Home Tax Credit for taxpayers who build or purchase a newly constructed residence with accessibility features.
- Money to address continuing challenges, such as transportation for seniors; increases to the nursing home personal needs allowance; and increases to the Assisted Living Auxiliary Grant.

2.R. Affirmation of Marriage Act (Human Rights Commission)

Support legislation to repeal the Affirmation of Marriage Act, passed by the 2004 General Assembly.

2.S. Housing Discrimination Based on Source of Income (Human Rights Commission)

Support legislation that would make it illegal to discriminate in housing based on source of income.

2.T. Mayors Against Illegal Guns (Mayor Euille)

Support any legislative proposals that target illegal guns, and to oppose legislation that would make it easier to traffic in illegal weapons (City staff will identify any specific legislation in this regard).

2.U. Paper Trail for Electronic Voting Machines (Councilmen Krupicka and Gaines)

Direct staff to monitor legislation that would require a paper trail for electronic voting machines, and forward such legislation to Council so that Council may take a position on it.

3. Requests for Legislation to Be Opposed

3.A. Alexandria Jail Federal Prisoner Per Diems

Strongly oppose any efforts to remove the City's exemption from the State's cost recovery requirements for federal jail per diem payments to localities.

3.B. Restrictions on Services to Immigrants and Related Issues (Mayor Euille)

Oppose restrictions on the ways local governments deal with undocumented aliens (each local government should be able to determine the best policy to address its needs), and legislation that would seek to have local law enforcement officials enforce federal immigration laws.

3.C. Undocumented Students (Human Rights Commission)

Oppose any legislative proposals that would restrict access to higher education by undocumented aliens, unless it includes safeguards such as those proposed by Governor Warner for the 2003 legislation (e.g., residency in Virginia during high school and at least 5 years prior to graduation;

graduation from a Virginia high school; ongoing pursuit of permanent residency in the United States; and family payment of Virginia income taxes for at least three years prior to college enrollment).

DISCUSSION: On October 24, staff presented to Council the City's 2007 Legislative Package proposals. On November 14, Council added item 2.U (Paper Trail for Electronic Voting Machines) to this Package. A public hearing on the Package was held on November 18. Several individuals spoke in favor of item 2.U, but no additional items were requested for the Package.

SUMMARY OF PROPOSALS: Attachment 2 consists of a chart summarizing all the proposals under consideration for the 2005 Legislative Package.

ATTACHMENT: Summary Chart entitled "City of Alexandria Legislative Package Proposals" (revised November 20, 2006)

STAFF:
Bernard Caton, Legislative Director

City of Alexandria 2007 Proposed Legislative Package Proposals

1. REQUESTS FOR LEGISLATION TO BE PROPOSED

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- 1.C. Creation of Arts and Cultural Districts
- 1.D. Requirements for Filings by PACs That Become Newly Active Just Before an Election
- 1.E. Funding for the Rehabilitative Services Incentive Fund
- 1.F. Condominium Conversions--Sales to Non-profits
- 1.G. Monitoring and Enforcement for Opacity Violations with Respect to Air Emissions

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- 2.B. Homestead Exemptions
- 2.C. Funding to Clean Up the Chesapeake Bay
- 2.D. Smoking in Restaurants
- 2.E. Water Conservation
- 2. F. Payday Lenders
- 2.G. Child Day Care Funding
- 2.H. Virginia Association of Community Services Boards
- 2.I. Red Light Cameras
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