

EXHIBIT NO. 1

3(c)
5-13-08

May 9, 2008

Attached are the minutes of the May 5 Special City Council meeting.

The ordinance on page 4 (Ord. No. 4530) is not yet available, but I didn't want to delay sending the minutes out. I will insert Ordinance 4530 as soon as it is available.

Jackie

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Special Meeting
Monday, May 5, 2008 - - 7:00 p.m.**

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Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Timothy B. Lovain, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Ms. Harris, Communications Officer, City Manager's Office; Mr. Mason, Special Assistant to the City Manager, City Manager's Office; Mr. Caton, Legislative Director; Mr. Howard, Director, Personnel; Mr. Baier, Director, Transportation and Environmental Services; Fire Chief Thiel; Ms. Hamer, Director, Planning and Zoning; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Police Captain Ogden; Police Chief Baker; Ms. Boyd, Director, Citizen Assistance; Ms. Triggs, Director, Finance Department; Mr. Clark, Treasurer, Finance Department; Mr. Johnson, Director, Office of Management and Budget; Mr. Routt, Office of Management and Budget; Ms. Taylor, Office of Management and Budget; Mr. Doku, Office of Management and Budget; Mr. Eisinger, Office of Management and Budget; Ms. Murphy, Office of Management and Budget; Ms. Salerno, Office of Management and Budget; Mr. Stewart, Office of Management and Budget; Ms. Wheel, Office of Management and Budget; Ms. Davis, Director, Office of Housing; Mr. Herway, Director, Information Technology; Ms. Collins, Director, Human Services and Assistant City Manager; Ms. Smith-Page, Director, Real Estate Assessments; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council

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City Council held a work session prior to the start of the meeting on the add/delete of the budget.

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OPENING

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll; all the members of Council were present.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

2. Consideration of the Proposed Annual Operating Budget for FY 2009 (including Schools) and the Proposed Capital Improvements Program for FY 2009-2014 (including the Schools CIP.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously, City Council moved adoption of the annual general fund operating budget for FY 2009 of \$541,978,347, with the following amendments to the City Manager's Proposed Budget. The details of each amendment are described in the May 2, 2008, memo from the City Manager accompanying docket item #2 "FY 2009 Budget Adoption – Draft of Tentative Actions for Monday Night:"

- Net technical expenditure adjustments of \$94,924
- City Manager Budget Reallocations resulting in a net decrease of \$24,867
- A total increase in City and School compensation of \$3,116,628
- Other expenditure increases (net of decreases) of \$4,000,657
- Revenue Re-estimates reflecting a net decrease of \$4,428,263 and
- Changes in tax and fee rates and new revenues producing an increase of \$11,615,606.
- The total increase in expenditures compared to the City Manager's Proposed Budget is \$7,187,342, including a decrease in cash capital funding of the FY 2009 – 2014 Capital Improvement Program of \$847,338 and an increase in Contingent Reserves of \$616,218.

The FY 2009 operating budget requires an appropriation from Fund Balance of \$4,600,000, as proposed in the City Manager's Budget, and an increase in the real property tax rate of one and one half cents, from \$0.83 to \$0.845.

Authorized the City Manager to make technical adjustments to each Departmental Budget and the Non-Departmental Budget to reflect the allocation of the compensation adjustments related to retiree life insurance and city-wide compensation. The details of these adjustments will be presented for approval by City Council in the context of the FY 2009 Appropriations Ordinance in June.

The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
Wilson	"aye"		

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council also moved adoption of the proposed FY 2009 to FY 2014 Capital Improvement Program of \$456,101,177 in total and \$396,865,457 in local funding, with \$98,261,468 in total and \$67,554,933 in local funding in FY 2009, \$81,044,711 in total and \$71,321,274 in local funding in FY 2010, \$93,652,990 in total and \$88,951,553 in local funding in FY 2011, \$64,266,755 in total and \$59,565,318 in local funding in FY 2012, \$63,543,275 in total and \$58,841,838 in local funding in FY 2013, \$55,331,979 in total and \$50,630,542 in local funding in FY 2014. The detailed changes for the FY 2009 CIP are described in docket item # 2. The detailed changes for FY 2010 through FY 2014 are described in budget memo # 127. The voting on the motion was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

ORDINANCES AND RESOLUTIONS

3. Second Reading and Final Passage of an Ordinance to Establish the General Real Estate and Personal Property Tax Rates for Calendar Year 2008 and to Conform the City Code to the Amendments to the Personal Property Tax Relief Act of 1998 Which Were Made by the General Assembly in 2006. (#28.1, 3/11/08, #5.1, 3/15/08, #22, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 3; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg and seconded by Councilman Krupicka and carried unanimously by roll-call vote, City Council moved final passage of an ordinance to set the City's 2008 real property tax rate at \$0.845 (84 ½ cents) on each \$100 of assessed value, an increase of \$0.015 (one and ½ cents) from the 2007 rate. Personal property tax rates remain unchanged from 2007. The sum of \$0.01 (one cent) on each \$100 of assessed value of the \$0.845 (84 ½ cents) real property tax rate, continues to be dedicated to the Open Space Trust Fund Account. In

addition, the sum of 1.0% (one percent) on each \$100 of assessed value, out of the \$0.845 (84 1/2 cents) real property tax rate, will be dedicated for affordable housing purposes, beginning July 1, 2008.

The voting on the motion was as follows:

Smedberg	"aye"	Pepper	"aye"
Krupicka	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

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Later in the meeting, City Attorney Pessoa asked City Council to reconsider the above motion, as there was an error in the motion.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Pepper and carried unanimously, City Council moved reconsideration of the motion. The voting was as follows:

Smedberg	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Krupicka and carried unanimously by roll-call vote, City Council moved final passage of an ordinance to set the City's 2008 real property tax rate at \$0.845 (84 ½ cents) on each \$100 of assessed value, an increase of \$0.015 (one and ½ cents) from the 2007 rate. Personal property tax rates remain unchanged from 2007. The sum of \$0.01 (one cent) on each \$100 of assessed value of the \$0.845 (84 ½ cents) real property tax rate, continues to be dedicated for affordable housing purposes, beginning July 1, 2008. In addition, the sum of 1.0% (one percent) of real property tax revenue will be dedicated to the Open Space Trust Fund.

The voting on the motion was as follows:

Smedberg	"aye"	Pepper	"aye"
Krupicka	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"
	Wilson	"aye"	

The ordinance reads as follows:

(ORD. 4530)

4. Second Reading and Final Passage of an Ordinance to Establish the Additional Real Estate Tax Rate for Commercial and Industrial Property for Calendar Year 2008. (#28.2, 3/11/08, #5.2, 3/15/08, #23, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 17, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 4; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously, City Council moved to pass by indefinitely the additional increase to the Real Estate Tax Rate for Commercial and Industrial Property for Calendar Year 2008. Commercial and Industrial Property in the City will be taxed at the same rate of \$0.845 (84 ½ cents) per \$100 of assessed value as all residential property. The voting was as follows:

Smedberg	"aye"	Pepper	"aye"
Wilson	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Lovain	"aye"	

5. Second Reading and Final Passage of an Ordinance to Increase the City's Transient Lodging Tax from 5.5 to 7.5 Percent. (#20, 4/8/08, #24, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 3, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 5; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 5; 5/5/08,

and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council amended the ordinance and passed the ordinance to increase the City's transient lodging tax from 5.5 percent to 6.5 percent, as well as continue the \$1 per night levy. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4531

AN ORDINANCE to amend and reordain Section 3-2-142 (LEVY AND RATE) of Article K (TRANSIENT LODGING TAX), 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 3-2-142 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. 3-2-142 Levy and rate.

In addition to any other tax imposed by law, there is hereby imposed and levied on each and every transient, (i) a tax equivalent to ~~five and one-half~~ six and one half percent of the total amount paid for room rental by or for such transient to a hotel, and (ii) a tax of \$1 for each day (or portion thereof) of lodging for which room rental is paid by or for such transient to a hotel; provided, that the total tax under clause (ii) for a day (or portion thereof) of lodging in a single unit of lodging shall not exceed \$1 and, where more than one transient occupies a single unit of lodging for a day (or portion thereof) and room rental is paid by or for more than one transient, then each such transient shall be liable for a pro rata share of the \$1 tax.

Section 2. That this ordinance shall become effective on July 1, 2008.

6. Second Reading and Final Passage of an Ordinance to Increase the City's Meals Tax From 3 to 4 Percent. (#21, 4/8/08, #25, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 3, 2008, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 6; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 6; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council passed the ordinance to increase the City's restaurant meals tax from 3 to 4 percent. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4532

AN ORDINANCE to amend and reordain Section 3-2-242 (AMOUNT AND LEVY OF TAX) of Article N (TAX ON MEALS SOLD BY RESTAURANTS), 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 3-2-242 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. 3-2-242 Amount and levy of tax.

There is hereby imposed and levied by the city, upon every purchaser of a meal, in addition to all other taxes, fees and charges of every kind now or hereafter imposed by law, a tax upon each and every meal sold in the city in or from a restaurant, whether prepared in the restaurant or not and whether consumed on the premises or not, based upon the amount charged the purchaser by the seller for the meal, at the rate of ~~three percent (3%)~~ four percent (4%) of the total charge.

Section 2. That this ordinance shall become effective on July 1, 2008.

7. Second Reading and Final Passage of an Ordinance to Increase the Threshold For Paying the Revenue-based Retail Gross Receipts Tax From \$100,000 to \$1,000,000. (#22, 4/8/08, #26, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 3, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 7; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 7; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council moved to pass by indefinitely the ordinance to change the threshold for revenue-based retail gross receipts tax. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

8. Second Reading and Final Passage of an Ordinance to Restrict Eligibility For Affordable Homeownership Preservation Program Grants. (#23, 4/8/08, #27, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 8; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 8; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed the substitute ordinance to extend the Affordable Homeownership Preservation Grant Program to December 31, 2008, with a limit on participation to those who received grants in 2007, and whose maximum household income is \$72,000 or less. The voting was as follows:

Lovain	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Wilson	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4533

AN ORDINANCE to amend and reordain Sections 3-2-173 (SAME—ELIGIBILITY, RESTRICTIONS GENERALLY) by adding a new subsection (9) and to amend Section 3-2-179 (SUNSET DATE) of Division 2 (AFFORDABLE HOMEOWNERSHIP PRESERVATION PROGRAM) of Article L (REAL ESTATE TAX RELIEF) of Chapter 2 (TAXATION) of 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 Division 2 (Affordable Homeownership Preservation Program) of Article L (Real Estate Tax Relief) of Chapter 2 (Taxation) of Title 3 (Finance, Taxation and Procurement) of the Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is, amended by enacting amended Sections 3-2-173 and 3-2-179 to read as follows:

Sec. 3-2-173 Same--eligibility, restrictions generally.

A grant under this division in any taxable year shall be subject to the following restrictions and conditions:

(1) The household income of the applicant shall not exceed ~~\$100,000~~ \$72,000.

(2) The assessed value of the real estate owned by the applicant shall not exceed \$527,000.

(3) The net combined financial worth of an applicant shall not exceed \$50,000.

(4) The applicant and/or the applicant's spouse shall own at least 50 percent interest in the real estate.

(5) As of January 1 of the taxable year, the applicant must occupy the real

estate for which the grant is sought as his or her sole residence and must be expected to so occupy the real estate throughout the year; provided, that an applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration.

(6) An applicant shall file the affidavit or written statement required by section 3-2-175 no later than September 1 of the taxable year.

(7) An applicant for a grant provided under this division shall not participate in the real estate tax exemption or deferral program for the elderly or permanently and totally disabled provided under division 1 of this article, and no grant shall be applied to real estate taxes on property subject to such exemption or deferral program.

(8) An applicant for a grant provided under this division shall not be delinquent on any portion of the real estate taxes to which the grant is to be applied.

(9) An applicant must have received a grant under this provision for calendar year 2007.

Sec. 3-2-179 Sunset date.

No grant pursuant to section 3-2-172 shall be permitted in any taxable year which commences after December 31, 2007 8.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage and shall apply to taxable year 2008 and subsequent taxable years.

Section 3. That Subsection (d) of Section 3-2-176.1, and Subsection (d) of Section 3-2-176.2, be, and the same hereby are, repealed.

9. Second Reading and Final Passage of an Ordinance to Increase Ambulance Service Fees. (#24, 4/8/08, #28, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 9; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 9; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council passed

the ordinance to increase Ambulance Service Fees as follows: a \$100 increase in Basic Life Support to \$400; a \$100 increase in Advance Life Support Level 1, to \$500, and a \$125 increase in Advanced Life Support Level 2, to \$675. The voting was as follows:

Lovain	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Wilson	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4534

AN ORDINANCE to amend and reordain Section 3-2-131 (IMPOSITIONS, EXCEPTIONS) of Article J (SERVICE CHARGE FOR CITY AMBULANCE SERVICE), 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 Sec. 3-2-131 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. 3-2-131 Imposition; exceptions.

(a) The following words and phrases, when used in this section, shall have the meanings set out below:

(1) Basic Life Support (BLS): Medical treatment rendered to, or procedures performed upon, a patient as defined by the "National Emergency Medicine Services Education and Practice Blueprint" for the medic B basic (EMT-Basic).

(2) Advanced Life Support, Level 1 (ALS-1): Medical treatment rendered to, or procedures performed upon, a patient beyond the scope of an EMT-Basic level, as defined by the National Emergency Medicine Services Education and Practice Blueprint.

(3) Advanced Life Support, Level 2 (ALS-2): Advanced life support treatment rendered to a patient that includes one or more of the following medical procedures:

- (A) defibrillation/cardioversion,
- (B) endotracheal intubation,

- (C) cardiac pacing,
- (D) chest decompression,
- (E) intraosseous line, or
- (F) the administration of three or more medications.

(4) Ground Transport Mileage (GTM): Distance traveled, measured in statute miles, from the location of the incident to a hospital or other facility to which a patient is transported.

(b) Except as hereinafter provided, there is hereby imposed a service charge of ~~\$300~~ \$400 per BLS transport, ~~\$400~~ \$500 per ALS-1 transport, ~~\$550~~ \$675 per ALS-2 transport, plus a GTM charge of ~~\$7.50~~ \$10.00 per mile, on each person who is transported by ambulance service by the emergency medical services division of the City of Alexandria Fire Department. The funds received shall be paid into the general fund of the city to aid in defraying the cost of providing such service.

(c) No charge shall be imposed on persons in the following instances:

(1) Persons in the custody of the police department or the office of the sheriff of the city;

(2) Persons determined to be medically indigent according to (i) the eligibility determination made by the hospital to which the person is transported, or (ii) Level A of the income level scales established by the health department of the city for the purpose of determining eligibility for health services;

(3) Victims of violent crime, as identified by the commonwealth's attorney for the city;

(4) Persons affected by fire, flood, storm, natural or man-made calamity or disaster, or by widespread public disturbance or disorder when an emergency rescue vehicle of the city responds as a matter of policy without call;

(5) City of Alexandria employees who become ill or are injured during working hours while carrying out work-related duties; or

(6) Children 18 years of age or younger who require emergency medical service and transport while attending school or a school-related activity.

Section 2. That this ordinance shall be effective July 1, 2008.

10. Second Reading and Final Passage of an Ordinance to Increase Parking Meter Fees. (#25, 4/8/08, #29, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10;

5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 10; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 10; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council passed the ordinance to increase Parking Meter Fees in parking meter zones 1 and 2. The Parking Meter Zone 1 rate will increase 25 cents per hour to a rate of \$1.00 per hour, and the Parking Meter Zone 2 rate will increase 50 cents per hour to \$1.00 per hour. The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson		"aye"

The ordinance reads as follows:

ORDINANCE NO. 4535

AN ORDINANCE to amend and reordain Section 5-8-93 (PARKING METERS; HOURS AND DAYS OF OPERATION; MAXIMUM TIME LIMITS; RATES) of Division 1 (PARKING METER ZONES), Article G (PARKING METERS), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sec. 5-8-93 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. 5-8-93	Parking meters; hours and days of operation; maximum time limits; rates.
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(a) (1) The parking meters in zones 1 and 2, established by section 5-8-92 of this code, shall be operated every day of the week except Sundays and legal state holidays, and the daily hours of operation of the meters shall be determined by resolution of the city council; provided, that, within the area bounded on the north by the north side of Princess Street, on the west by a line 10 feet to the east of and running parallel to the east side of Washington Street, on the south by the south side of Wolfe Street and on the east by the Potomac River, meters which permit a maximum of two hours of parking shall be in operation from 8:00 a.m. until 7:00 p.m.

(2) The parking meters in zone 3 established by section 5-8-92 of this code shall be operated every day of the week except Saturdays, Sundays and state legal holidays, and the daily hours of operation of the meters shall be determined by resolution of the city council.

(b) The maximum time limit for parking in any space in parking meter zones 1, 2 and 3 shall be set forth on the meter for that space, and shall be 20 minutes, two hours or, in zones 1 and 3 only, four hours.

(c) In parking meter zones 1, 2 and 3, the rate shall be \$1.00 per hour, payable in such increments as provided at the applicable meter or pay station.

(d) As used in the article, the phrase parking meter shall be deemed to include a parking pay station for multiple parking spaces, and all provisions applicable to parking meters shall apply to parking pay stations, *mutatis mutandis*. _

~~In parking meter zone 1, the parking rates shall be as follows:~~

- ~~(1) on meters with a maximum time limit of 20 minutes, \$0.25 for 20 minutes.~~
- ~~(2) on meters with a maximum time limit of two hours, \$0.15 for any 12-minute period.~~
- ~~(3) on meters with a maximum time limit of four hours, \$0.25 for any 20-minute period.~~

~~(d) In parking meter zone 2, the parking rates shall be as follows:~~

- ~~(1) on meters with a maximum time limit of 20 minutes, \$0.10 for 20 minutes.~~
- ~~(2) on meters with a maximum time limit of two hours \$0.10 for any 12-minute period.~~

~~(e) In parking meter zone 3, the parking rates shall be as follows:~~

- ~~(1) on meters with a maximum time limit of 20 minutes, \$0.35 for 20 minutes.~~
- ~~(2) on meters with a maximum time limit of two hours, \$0.20 for any 12-minute period.~~
- ~~(3) on meters with a maximum time limit of four hours, \$0.25 for any 15-minute period.~~

Section 2. That this ordinance shall be effective July 1, 2008.

11. Second Reading and Final Passage of an Ordinance to Increase Sewer Connection Fees. (#26, 4/8/08, #30, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 4, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 11; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously by roll-call vote, City Council passed the ordinance to increase sanitary sewer connection fees by 3.6 percent, from \$7,092 to \$7,432. By approving this ordinance, it also authorized the increase of the sewer connection fee by the rate of inflation as measured by the Bureau of Labor Statistics CPI-U for the Washington Baltimore metropolitan area for the Fiscal Years 2010 and FY 2011. The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

The ordinance reads as follows:

ORDINANCE NO. 4536

AN ORDINANCE to amend and reordain Section 5-6-25.1 (SEWER CONNECTION PERMITS AND SERVICE FEES; CONSTRUCTION COSTS; CONSTRUCTING SEWERS BY OWNERS RATHER THAN CITY; ADDITIONAL CONNECTIONS), of Division 1 (GENERAL PROVISION), 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.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-6-25.1 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended to read as follows:

Sec. 5-6-25.1 Sewer connection permits and service fees; construction costs; constructing sewers by owners rather than city; additional connections.

(a) Any person who is required, or who desires, to provide a connection for sewer service from his property, through any sewer constructed by or belonging to the city or any sewer serving the area annexed to the city in 1952, but belonging to a county, by direct connection at a city sewer main, trunk or lateral, shall, before starting to make such connection, apply to the director for a permit to make the connection, and the director shall issue a permit for the sewer connection when and after the person shall have paid to the department of finance the sum hereinafter provided.

(1) For each single family dwelling, townhouse dwelling, or townhouse type dwelling irrespective of classification for other purposes, or for each dwelling unit in a two-family dwelling, the amount of \$6,684.

(2) For each multifamily dwelling, an amount equal to the product of the number of dwelling units in the multifamily dwelling, multiplied by \$3,342.

For each nonresidential property, an amount determined in accordance with the following fee schedule based on the size of each water meter which serves such nonresidential property:

Meter Size (inches)	Max. Capacity (GPM)	3/4" Meter Equiv.	Fee
3/4 or smaller	30	1.00	\$6,684 <u>\$7,432</u>
1	50	1.67	\$11,200 <u>\$12,411</u>
1½	100	3.33	\$22,300 <u>\$24,749</u>
2	160	5.33	\$35,600 <u>\$39,613</u>
3	320	10.76	\$71,900 <u>\$79,968</u>
4	500	16.67	\$111,400 <u>\$123,891</u>
6	1000	33.33	\$222,800 <u>\$247,709</u>
8	1600	53.33	\$356,500 <u>\$396,349</u>

10	2300	76.67	\$512,500 \$569,811
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(4) For each mixed use property, where such property includes both residential and nonresidential uses, an amount equal to the sum of the fee determined for the residential portion of such property, in accordance with this section, plus the fee determined for the nonresidential portion of such property, in accordance with this section; provided, however, if the residential portion and nonresidential portion of such property are served by a single water meter, the fee shall be an amount determined by the director in his reasonable discretion.

(5) On July 1 of each of fiscal years ~~2007 2010~~ and ~~2008 2011~~, the foregoing fees shall increase ~~by three percent (3%) over the fee for the preceding fiscal year each year at the rate of inflation as determined by the annual CPI-U for the Washington-Baltimore-Northern Virginia, DC-MD-VA-WVA Combined Statistical Area.~~ The fees applicable to each fiscal year after FY ~~2008 2011~~ are subject to annual review by city council.

(b) Extension of service; credits.

(1) A person required or desiring to provide extension of sewer service to his property shall construct or have constructed such extension at his own expense. The person shall execute a satisfactory agreement with the city, as prescribed by the city manager, agreeing to construct such sewer or sewers in accordance with plans and specifications approved by the director and the person shall in addition furnish such guarantee of performance and maintenance to the city as the city manager may require. Such sewers shall become the property of the city upon completion and acceptance of the work.

(2) If, pursuant to a written requirement of the director, the person constructs such extension in a manner that exceeds the requirements to provide service to the property of such person, a credit shall be available to be applied to the fees otherwise due under this section, in an amount equal to the difference between the cost of such extension, constructed in accordance with the written requirement of the director, and the cost of such extension, constructed as originally proposed by the person, such amount to be determined by the director. The amount of the credit shall be estimated by the director prior to commencement of construction, and an interim fee shall be paid by the person in an amount equal to the fees otherwise due under this section minus the estimated credit; provided, the minimum interim fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater.

(3) Upon satisfactory completion of the work, the actual amount of the credit shall be determined by the director based on certified bills submitted to and approved

by him. The final fee to the person shall be an amount equal to the fees otherwise due under this section minus the amount of the actual credit; provided, the minimum final fee shall be for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater. Any difference between the interim fee and the final fee shall immediately be paid to or refunded by the department of finance.

(4) If the amount of the credit estimated under subsection (b)(2) above exceeds the amount of the fees otherwise due under this section without regard to the minimum fee calculated under subsection (b)(2) of this section, prior to the commencement of construction, the city shall agree to pay the person an amount equal to such excess or shall withdraw the written requirement of the director for construction of such extension in a manner that exceeds the requirements to provide service to the property of such person.

(c) Exclusions and exemptions.

(1) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves exclusively a fire sprinkler system, installed pursuant to section 906.0 of the Virginia Uniform Statewide Building Code, as amended, a fire standpipe system, installed pursuant to section 915.0 of the Virginia Uniform Statewide Building Code, as amended, or a yard hydrant, installed pursuant to section 917.0 of the Virginia Uniform Statewide Building Code, as amended.

(2) Notwithstanding anything to the contrary contained in this section, no fee shall be charged to connect a sewer system or sewage disposal system which serves property owned by the Alexandria City Public Schools, the Alexandria Redevelopment and Housing Authority, or an entity in which the Alexandria Redevelopment and Housing Authority holds an ownership interest and the purpose of such entity is to develop property using federal low income tax housing credits.

(3) The fees established and imposed by this section shall not apply to a connection where (i) such connection is within the limits of a coordinated development district approved by city council, (ii) the main or trunk line to which such connection will be made extends from such coordinated development district directly to the publicly owned treatment works of the Alexandria Sanitation Authority, without connection at the time of its construction to any city sewer, unless such a connection is made pursuant to a written requirement of the director and exceeds the requirements to provide service to the coordinated development district, (iii) such main or trunk line was constructed totally at private expense, and (iv) the application for such connection is submitted within fifteen (15) years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district. Upon satisfaction of the foregoing criteria, a permit for the sewer connection shall be issued upon payment of a fee for each single family dwelling, townhouse dwelling or dwelling unit in a two-family

dwelling residential unit, of \$100, for each dwelling unit in a multifamily dwelling, of \$100, and for each floor of a nonresidential property, of \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater; provided, however, in the event construction of the improvements to be served by such permitted connection has not substantially commenced within sixteen (16) years of the date of issuance of the first building permit subsequent to April 1, 2002, within such coordinated development district, the permit for the sewer connection issued shall expire and thereafter the fees established and imposed generally by this section shall apply.

(d) If the city manager finds that construction of an extension by a person would constitute a hardship on such person, by reason of his inability to secure a satisfactory contract, or otherwise, the city manager may direct that the construction be done by or for the city; provided, however, that the cost to the city shall not exceed the fees paid by such person less for each single family dwelling, townhouse dwelling or dwelling unit in a two-family dwelling residential unit, \$100, for each dwelling unit in a multifamily dwelling, \$100, and for each floor of a nonresidential property, \$100 or eight cents (\$0.08) per square foot of floor space, whichever is greater. Costs in excess of such fees shall be paid by the person prior to making any connection to such sewer.

(e) The total sum to be paid to the department of finance for sewer service at the city sewer main, trunk or lateral for any property in the city, the sewage of which will be transported from such property through sewers constructed previously by private parties into sewers constructed or belonging to the city, except for such sewers as may have been constructed by private parties under the control or supervision of the city or other public authority, shall be as provided generally in this section for each such property so connected.

(f) Any person desiring additional sewer service connection to any property shall make application to the director for permission to construct such connection and shall pay to the department of finance the sum as provided generally in this section for each additional connection prior to the issuance of the permit for the sewer connection.

(g) Nothing in this chapter shall be construed to prevent the city sanitation authority from making a service charge for collecting and treating sewage.

Section 2. That this ordinance shall become effective on the date and at the time of final passage, and shall apply to all applications for permits for sewer connections which may be filed after such effective date; provided, however, that with respect to any property for which the first final site plan was filed with the city on or before April 1, 2008, the applicable fee shall be determined in accordance with Section 5-6-25.1 prior to amendment.

12. Second Reading and Final Passage of an Ordinance to Increase the Business Professional and Occupational License Tax Rate Applicable to Pay Day and Car Title Lenders. (#3, 4/14/08, #31, 4/22/08) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated April 9, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 5/5/08, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 5/5/08, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 12; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Pepper and carried unanimously, City Council deferred final passage on the ordinance to May 13, 2008. The voting was as follows:

Wilson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

13. Consideration of a Resolution to Increase the Annual Fee for the City's Collection and Disposal of Solid Waste, Yard Debris and Recyclable Materials.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 2, 2008, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 5/5/08, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously by roll-call vote, City Council approved the resolution to increase the residential refuse fee from \$264 per household to \$301. \$17 of this increase enables the City to continue the City's policy of 100 percent cost recovery of the full cost of residential refuse collection and disposal. \$20 of the fee increase reflects the inclusion of the recovery of leaf collection costs in the cost of residential refuse collection and disposal. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Krupicka	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
	Wilson	"aye"	

The resolution reads as follows:

RESOLUTION NO. 2274

WHEREAS, under Section 2.07 of the City Charter, City Council has the authority to establish fees to be charged for services provided by the City; and

WHEREAS, under City Code Section 5-1-34(a), City Council is required from time to time, to set by resolution the annual fee that is to be paid by the owners of "required user property," as defined in Section 5-1-2 (12b) of the City Code, for the City's collection and disposal of solid waste, ashes and yard debris from their properties during the fiscal year; and

WHEREAS, in Resolution No. 2226, adopted May 7, 2007, City Council set the annual fee for such collection and disposal services at \$264.00; and

WHEREAS, City Council has now determined that it is necessary and desirable to increase the annual fee for such collection and disposal services to \$301.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA

1. That, beginning in fiscal year 2009, the annual charge for the collection and disposal of solid waste, ashes and yard debris from required user properties shall be \$301.00 per household, with each single-family, two-family and row dwelling in the City, and each separate dwelling unit in a building or structure in the City that contains four or fewer dwelling units, constituting a "household."

2. That the annual fee established in Section 1 above shall apply to collection and disposal services provided by the City during fiscal year 2009 and, unless and until revised by the City Council, to such services provided during subsequent fiscal years.

3. That Resolution No. 2226 is hereby repealed.

4. That this resolution shall be effective on the date and at the time of adoption.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, the City Council special meeting of May 5, 2008, was adjourned at 8:20 p.m. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Lovain	"aye"
Euille	"aye"	Smedberg	"aye"
Wilson	"aye"		

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, CMC, City Clerk