


City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 20, 2007

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: ADOPTION OF CITY LEGISLATIVE PACKAGE FOR THE 2008 GENERAL ASSEMBLY SESSION

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**ISSUE:** Adoption of City Legislative Package for the 2008 General Assembly Session.

**RECOMMENDATION:** That City Council adopt items 1.A through 1.H, 2.A through 2.Q, and 3.A through 3.G as positions in the City's Legislative Package for the 2008 General Assembly Session.

**1. Requests for Legislation to Be Proposed**

**1.A. Requiring Drivers to Stop for Pedestrians at Marked Crosswalks** (Councilman Krupicka; Northern Virginia 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.B. Implementing Changes in Election Laws** (Councilman Wilson)  
Give the Executive Secretary of the State Board of Elections limited authority to suspend implementation of a change in the law for a special election that is underway (the suspension would apply only to the special election) when the statutory change becomes effective.

**1.C. Elimination of the Sales Tax on Compact Fluorescent Light Bulbs** (Councilman Krupicka)  
Eliminate the sales tax on Compact Fluorescent Light Bulbs for five years.

**1.D. Exempting from the Freedom of Information Act Trade Secrets Relating To A Franchise** (Department of Information Technology Services)  
Amend the Freedom of Information Act to allow a franchisee for a wireless network to identify proprietary information that will not be subject to FOIA disclosure.

**1.E. Restoration of Wooden Revetment and Erosion Control at Fort Ward** (Office of Historic Alexandria)

Seek \$72,260 in state funds for revetement replacement and erosion control projects at Fort Ward.

**1.F. ABC Permits for Government Agencies that Preserve Historic Buildings**

(Office of Historic Alexandria)

Make annual ABC licenses available to government agencies or nonprofits whose mission is to preserve historic buildings or sites so that they do not need to get a separate license for each fundraising event.

**1.G. FOIA Exemption for Museum Gifts and Loans** (Office of Historic Alexandria)

Exempt from the Freedom of Information Act records which would reveal the identity of an individual who donates or loans resources to a publicly-funded museum or historic site.

**1.H. Supplementing the Salaries of Public Defenders** (Councilman Wilson)

Allow localities to supplement the salaries of public defenders.

**2. Requests for Legislation to Be Supported**

**2.A. Local income tax** (Councilman Krupicka and Mayor Euille)

Support legislation that would give localities the ability to levy a small amount of income tax in lieu of a portion of property taxes now collected.

**2.B. Homestead Exemptions** (Mayor Euille)

Support the proposed constitutional amendment to authorize localities to give homeowners who live in their homes an exemption of up to 20 percent of the value of their property when determining their property taxes, and ensure that any legislation to implement the amendment, or other related legislation, is consistent with the following VML policies, which the City supports:

- VML supports the current constitutional requirement for fair market valuation of property.
- VML supports efforts to relieve homeowners of excessive tax burdens. Any changes to the real estate tax must be “local option” (adopted at the discretion of the local governing body). Local officials must bear the responsibility for providing adequate services, therefore they should be able to control the revenues to do so.
- VML urges the timely adoption of measures that can help to provide local governments with tax flexibility. A constitutional amendment would not help to provide relief until 2009.
- VML supports legislation allowing for the establishment of residential and non-residential as separate classifications of property, for purposes of taxation.
- Changes to taxes should be simple to administer and revenue neutral.

**2.C. Prohibiting Smoking in Restaurants** (Mayor Euille and City Council)

Support legislation to ban smoking in restaurants statewide, or to enable localities to enact a local ban.

**2.D. Restrictions on Payday Lenders**

Support legislation to either prohibit payday loans or cap the interest on them at 36 percent.

**2.E. Repeal of the Affirmation of Marriage Act** (Human Rights Commission)

Support legislation to repeal the Affirmation of Marriage Act.

**2.F. Prohibiting Housing Discrimination Based on Source of Income** (Human Rights Commission)

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

**2.G. Pre-K Childhood Education** (Councilman Krupicka)

Support the Governor's initiative to make pre-K educational programs available to all 4-year-olds whose families meet the eligibility requirements for free or reduced lunch.

**2.H. Making Juvenile & Domestic Relations Court a court of record for termination of parental rights cases**

Support legislation to make the Juvenile & Domestic Relations Court a court of record for termination of parental rights cases.

**2.I. Firesafe Cigarettes** (Fire Department and Northern Virginia Regional Position)

Support legislation to require cigarettes sold in the Commonwealth to be manufactured with self-extinguishing paper.

**2.J. Base Realignment and Closure Commission** (Northern Virginia Regional Position)

Support additional state funding to assist localities in dealing with issues relating to BRAC.

**2.K. Issues Endorsed by the Alexandria Commission on Aging**

Support the legislative platform of the Northern Virginia Aging Network (NVAN).

**2.L. Mental Health Issues** (Community Services Board and Northern Virginia Regional Position)

Support improved mental health services, and ensure that the State will fully and appropriately fund any such improvements.

**2.M. Providing Services to Previously "Non-Mandated" At-Risk Children** (Northern Virginia Regional Position)

Support legislation and budget amendments to provide services to "at-risk" children who have until recently been considered non-mandated, through the existing publicly-funded mental health, mental retardation, and substance abuse services system.

**2.N. Procurement Requirements for Transportation Projects** (Northern Virginia Regional Position)

Support legislation that increases (1) the maximum amount a locality can commit to an "open-

ended” contract for architectural and engineering services for unspecified transportation projects from \$1 million to \$5 million; and (2) the amount that a locality can spend for architectural and engineering services on any individual project under such a contract from \$200,000 to \$1 million. Support legislation to raise the limit on a construction project that can be undertaken by a local government using its own employees from \$400,000 to \$1 million.

**2.O. Restricting Access to Illegal Guns (Mayor Euille)**

Support any legislative proposals that target illegal guns in 2008, and oppose legislation that would make it easier to traffic in illegal weapons.

**2.P. FOIA (Freedom of Information Act) and Emergency Local Government Meetings (Northern Virginia Regional Position)**

Support legislation to allow local governing bodies to meet electronically in a declared emergency.

**2.Q. Funding to Control Nutrients**

Support the use of additional state grant funds for local sewage treatment plants to remove nutrients, to recycle wastewater, or to otherwise improve water quality.

**3. Requests for Legislation to Be Opposed**

**3.A. DEQ Board Consolidation/Permitting Legislation**

Oppose any legislation that would remove the State Air Pollution Board’s (and Water Control Board’s) permitting authority, and consolidate these two Boards with the Board of Waste Management.

**3.B. Restrictions on Services to Immigrants and Related Issues (Mayor Euille and Human Rights Commission)**

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).

**3.D. Federal funds for Child Care**

Oppose the repeal §63.2-620 of the State Code, which requires the Department of Social Services to identify strategies to obtain the maximum amount of federal funds available for child care services for TANF recipients and families whose incomes are at or below 185 percent of the

federal poverty level.

**3.E. 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.F. Marking Water and Sewer Lines on Private Property**

Oppose any legislation that would require local governments to mark utility lines on private property.

**3.G. Emissions Trading in Non-Attainment Areas** (Vice Mayor Pepper and Councilman Smedberg)

Oppose any legislative proposals that would allow emissions trading for facilities in non-attainment areas to meet their nitrous oxide and sulfur dioxide permit limits.

**DISCUSSION:** On October 23, staff presented to Council the City's 2008 Legislative Package proposals. A public hearing on the Package was held on November 18. No additional items were requested for the Package at the public hearing.

**SUMMARY OF PROPOSALS:** Attachment 1 consists of a chart listing all the proposals under consideration for the 2008 Legislative Package.

**ATTACHMENTS:** Summary Chart entitled "City of Alexandria Legislative Package Proposals" (November 20, 2007)

**STAFF:**

Bernard Caton, Legislative Director

Attachment

City of Alexandria 2008 Proposed Legislative Package Proposals

1. **Legislation to be proposed**

- 1.A. Requiring Drivers to Stop for Pedestrians at Marked Crosswalks
- 1.B. Implementing Changes in Election Laws
- 1.C. Elimination of the Sales Tax on Compact Fluorescent Light Bulbs
- 1.D. Exempting from FOIA Trade Secrets Relating to a Franchise
- 1.E. Restoration of Wooden Revetment and Erosion Control at Fort Ward
- 1.F. ABC Permits for Government Agencies that Preserve Historic Buildings
- 1.G. FOIA Exemption for Museum Gifts and Loans
- 1.H. Supplementing the Salaries of Public Defenders

2. **Legislation to support**

- 2.A. Local Income Tax
- 2.B. Homestead Exemptions
- 2.C. Prohibiting Smoking in Restaurants
- 2.D. Restrictions on Payday Lenders
- 2.E. Repeal of the Affirmation of Marriage Act
- 2.F. Prohibiting Housing Discrimination Based on Source of Income
- 2.G. Pre-K Childhood Education
- 2.H. Making Juvenile & Domestic Relations Court a Court of Record for Termination of Parental Rights Cases
- 2.I. Firesafe Cigarettes
- 2.J. Base Realignment and Closure Commission (BRAC) Related Funding
- 2.K. Issues Endorsed by the Alexandria Commission on Aging

- 2.L. Mental Health Issues
- 2.M. Providing Services to Previously “Non-Mandated” At-Risk Children
- 2.N. Procurement Requirements for Transportation Projects
- 2.O. Restricting Access to Illegal Guns
- 2.P. FOIA and Emergency Local Government Meetings
- 2.Q. Funding to Control Nutrients
- 3. **Legislation to oppose**
- 3.A. DEQ Board Consolidation/Permitting Legislation
- 3.B. Restrictions on Services to Immigrants and Related Issues
- 3.C. Certain Restrictions on Access to Higher Education by Undocumented Students
- 3.D. Changes Related to Federal funds for Child Care
- 3.E. Changes Related to Alexandria Jail Federal Prisoner Per Diems
- 3.F. Requiring Localities to Mark Water and Sewer Lines on Private Property
- 3.G. Emissions Trading in Non-Attainment Areas