


City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 21, 2010

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** JAMES K. HARTMANN, CITY MANAGER 

**SUBJECT:** RESOLUTION REAFFIRMING THE CITY'S ENDORSEMENT OF AN INDEPENDENT POLICY BOARD FOR THE ALEXANDRIA ALCOHOL SAFETY ACTION PROGRAM

**ISSUE:** Resolution reaffirming the City's endorsement of an independent Policy Board for the Alexandria Alcohol Safety Action Program.

**RECOMMENDATION:** That Council approve the attached resolution reaffirming the City's position as a participating locality in the State's Alcohol Safety Action Program, and endorsing the continuation of an independent Policy Board for the program.

**DISCUSSION:** The Virginia Alcohol Safety Action Program (VASAP) was initiated in the 1970s, largely in response to federal highway safety legislation. Among its responsibilities are assisting law enforcement and the courts in enforcing DUI laws, and informing the public of the dangers of drinking and driving. Local alcohol safety action programs work with individual DUI offenders to determine the appropriate education and/or treatment services they need; the local programs then supervise each case to ensure that probation requirements are fulfilled. These local programs follow procedures established by VASAP. Alexandria is one of twenty-four ASAPs in Virginia, all of which are supervised by the State VASAP Commission in Richmond.

The State VASAP Commission sets standards for and audits local programs; it also devises systems for allocating funds to cover deficits that occur in the budgets of local programs. The VASAP Commission has asked the City to reaffirm its support for the Alexandria Alcohol Safety Action Program (AASAP) by approving the attached resolution, which endorses the continuation of the independent Policy Board. The resolution also calls for the Policy Board, in conjunction with the Sheriff, to supervise the program director; approve an annual budget (*with any deficit to be funded by VASAP*); and issue an annual report. The FY 11 operating budget for Alexandria ASAP is \$368,270.00, which is funded solely by client fees. The program is staffed by one full-time director, two case managers and four part-time instructors. There are currently 677 participants in Alexandria ASAP.

The only change that will occur in the way the AASAP operates is that in the future, appointments to the Policy Board, like other boards and commissions, will be made by Council (the first such appointments will be docketed later this year).

The resolution will remain in effect until terminated by the City, the Policy Board, or VASAP.

**ATTACHMENT:** Resolution

**STAFF:**

Dana Lawhorne, Sheriff

Tony DiCesare, Chief Deputy Sheriff

Michele Evans, Deputy City Manager

**RESOLUTION No. \_\_\_\_**

**Reaffirming the City Of Alexandria's Endorsement of an Independent Policy Board for the Alexandria Alcohol Safety Action Program**

WHEREAS, the Commonwealth of Virginia, in the interest of highway safety, has enacted laws to create programs for probation, education, and rehabilitation of persons convicted of driving motor vehicles under the influence of alcoholic beverages and other self-administered drugs, and these programs are known as Alcohol Safety Action Programs or ASAPs; and

WHEREAS, the local "Alexandria Alcohol Safety Action Program" has been serving the City of Alexandria, providing probation, education, and rehabilitation of persons charged in violation of Virginia Code Section 18.2-266, and providing other services approved by the Virginia Commission on VASAP; and

WHEREAS, Sections 18.2-271.1 and 18.2-271.2 of the Code of Virginia establish a Commission on VASAP; and direct the Commission to establish procedures for the operation of local ASAP Programs; and

WHEREAS, on April 3, 1987, the Commission issued directives that all local ASAP programs would establish and implement an independent Policy Board, representative of localities served, to operate the program; and

WHEREAS, previously the City of Alexandria became part of the Alexandria Alcohol Safety Action Program, pursuant to Section 15.2-1300 of the Virginia Code;

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

That the City of Alexandria hereby reaffirms its position as the participating locality in the Alexandria ASAP, endorses the continuation of an independent Policy Board, and agrees to the following:

1. The Policy Board shall consist of nine members appointed by City Council for three-year terms. Members may include, but shall not be limited to, representatives of the judiciary, the bar, law enforcement, education, substance abuse treatment professionals and transportation safety experts.
2. A Chair, a Vice Chair and a Secretary shall be elected by the Policy Board in accordance with its by-laws. The Program's Director shall serve an ex-officio member without voting power.
3. The Policy Board, in conjunction with the Sheriff, shall supervise the Alexandria ASAP Director. The Director shall be responsible for implementing operational policies

for the Alexandria ASAP, hiring and supervising additional staff, and controlling all revenues and expenditures.

4. The Alexandria ASAP shall be operated by the Policy Board and the Director in compliance with VASAP Commission Policies and Procedures and in conjunction with requirements of the City's administrative and fiscal departments.

5. Each fiscal year, the Director shall prepare a budget and submit it for approval to the Alexandria Policy Board and the VASAP Commission. The VASAP Commission shall also oversee program plans, operations, performance and a system for allocating funds to cover deficits that may occur in the budgets of the local program.

6. An annual report shall be prepared under the supervision of the Policy Board indicating the activities of Alexandria ASAP.

7. This agreement shall become effective upon its approval by Alexandria City Council and shall remain in effect until terminated by the City of Alexandria, the Alexandria Policy Board, or the VASAP Commission. The agreement supersedes any previous resolution that was adopted for the Alexandria ASAP.

8. Should the Program cease to operate, all property shall be disposed of pursuant to applicable provisions of the Virginia Code. The Policy Board may seek the advice of the VASAP Commission and the Attorney General.

Adopted: September 28, 2010

WILLIAM D. EUILLE, MAYOR

ATTEST:

Jackie M. Henderson, CMC City Clerk

## **RESOLUTION NO. 2417**

Reaffirming the City Of Alexandria's Endorsement of an Independent Policy Board for the Alexandria Alcohol Safety Action Program

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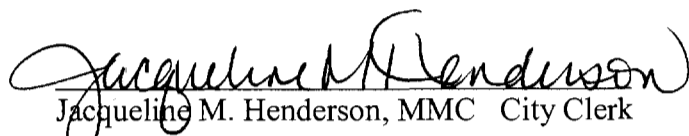
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**WILLIAM D. EULLE MAYOR**

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Jacqueline M. Henderson, MMC City Clerk