City Council Work Session

Tuesday, November 26, 2013
6:00 p.m. or Immediately Following the Special Meeting
Council Chambers – Rouss City Hall

AGENDA

1.0 Call to Order

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

3.0 Items for Discussion:

3.1 Presentation: Economic Impact of Habitat for Humanity on the Community – Michael Butler, Executive Director (pages 2-11)

3.2 3RD Quarter Strategic Plan Report – Doug Hewett, Assistant City Manager (pages 12-19)

3.3 Legislative Agenda – Doug Hewett, Assistant City Manager (pages 20-88)

3.4 O-2013-41 – AN ORDINANCE TO AMEND AND REENACT ARTICLES 3, 4, 5, 5.1, 6, 7, 8, 9, 13, AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME OCCUPATIONS PERMITTED IN ACCESSORY STRUCTURES WITH A CONDITIONAL USE PERMIT **TA-13-493** (*Proposal to allow home occupations in accessory structures with a conditional use permit)* – Aaron Grisdale, Director of Zoning & Inspections (pages 89-97)

4.0 Liaison Reports

5.0 Monthly Reports

5.1 Finance Department (pages 98-110)

6.0 Adjourn

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council

From: Michael L. Butler, Executive Director, Habitat for Humanity of Winchester-Frederick Co. (HFHWFC)

Date: 11.20.13

Re: **Economic Impact Presentation 11.26.13**

THE ISSUE: Economic Impact of HFHWFC on the community

RELATIONSHIP TO STRATEGIC PLAN: Economic growth

BACKGROUND: A six year study of the economc impact that HFHWFC has had on the community. An analysis of data shows that HFHWFC has had a significant economic impact in terms of dollars returned vs. those invested.

BUDGET IMPACT: None at this time.

OPTIONS: None at this time.

RECOMMENDATIONS: Develop startegic partnership with HFHWFC in terms economic development based results of study and analysis

Economic Impact Analysis

of

Habitat for Humanity®
of Winchester - Frederick County

www.habitatwfc.org

Analyst:

Colin Christensen,
Emory & Henry College

Faculty Advisors:

Dr. Linda Dobkins – Associate Professor of Economics, Emory & Henry College
Krista Clark – Visiting Instructor of Economics, Emory & Henry College

July 24, 2013

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A. Executive Summary

This report presents the economic impact Habitat for Humanity of Winchester-Frederick County (HFHWFC) has had over a seven-year period on the city of Winchester and Frederick County, located in the northern geographic area of Virginia. HFHWFC is a non-profit Christian ministry that mobilizes community resources and trusted partners to enhance people's lives by building and renovating homes. Since 1997, HFHWFC has provided 52 families with decent, affordable housing —benefiting at least 146 family members, of which 86 were children. Through its home construction and renovation activities, HFHWFC generates social and economic benefits within the Winchester-Frederick County community, fostering social and civic engagement and enhancing the economic vitality of the area's economy.

HFHWFC's operations have generated a significant economic impact into the local community. The economic impact resulting from HFHWFC's affiliate operations and spending on home construction activities include increases in the flow of capital into the local economy, provides job creation and support, has increased property values, and generates tax revenue. Major findings related to HFHWFC's economic impact during the 2006-2012 years include the following:

1. From 2006 through 2012, HFHWFC injected $4,831,827 in direct spending into the Winchester-Frederick County economy.

2. During this seven-year period, HFHWFC's cumulative impact upon Winchester-Frederick County includes 125 jobs, $7,976,781.94 in output, and $111,822.46 in sales tax revenue.

3. Since 1997, HFHWFC has added $2,838,900.00 to property values in the local community, resulting in approximately $35,000 in annual real estate tax revenue.

4. During the 2006-2012 years, volunteers contributed a total of 51,513 hours to HFHWFC projects, with an estimated value of the volunteer labor hours at $1,269,280.32.

5. During the same seven-year period, Partner Families contributed 7,263 "Sweat Equity" hours, with an estimated total value of $178,965.25.

B. Introduction: Economic Impact Analysis (EIA)[1]

Economic impact analysis examines the effect a company or an organization's activities have upon the economy of a given area. Analyses of the economic impact associated with HFHWFC home building and administrative activities sought to capture changes in the economic activity of the local economy generated by each HFHWFC dollar spent in a particular industry or sector. For example, when a firm purchases a product or service from a second firm, the dollars spent by the first firm help support the second firm, and thus the economic "turn-over" advances as the second firm continues spending. The total economic impact represents the level of economic activity that the first firm generates.

The concepts of direct and secondary impacts in economic impact studies are used to capture the total scope of a firm's economic impact. Direct impacts are those related to initial spending in the economy. That is, the first business purchasing goods and services makes a direct expenditure to the second business. The second business purchases goods and services to produce what the first business purchased. This and the succeeding rounds of purchases are known as indirect or secondary impacts. Indirect impacts (e.g., change in employment) represent changes generated by the iteration of industries purchasing from industries caused by direct impacts. Induced impacts (e.g., purchase of materials) refer to the results caused by changes in the spending of households as their incomes are affected by the production changes generated by the direct and indirect effects. Secondary impacts are the combination of indirect and induced impacts.

C. Methodology

One usual method of measuring the economic impact is to use impact multipliers to estimate the total economic impact of an organization's operations and activities. An impact multiplier is a number that represents the combined direct, indirect, and induced effects associated with a relevant measure of initial activity in an economy.

1. Direct impacts refer to the purchases, employment, and income payments made by HFHWFC as it spends money in the local economy.

2. Indirect impacts refer to activities in the local economy that are generated as a result of local firms selling goods and/or services related to home rehabilitation and or construction by HFHWFC.

3. Induced impacts refer to changes in economic activity that result from households spending income paid by HFHWFC and other entities (e.g. input suppliers) that are affected by HFHWFC's operations.

1 Explanation of EIS methods referenced from Habitat for Humanity Evansville, Indiana study. http://www.evansvillehabitat.org/images/files/upload/USI%20Habitat%20Impact%20Study.pdf

In this study of HFHWFC's economic impact, the RIMS II economic multipliers for the Winchester-Frederick County Metropolitan Statistical Area (MSA) have been used. RIMS II multipliers are generated by the U.S Department of Commerce Bureau of Labor Statistics and document how local demand in the Winchester area affects gross outputs and employment within the region. These multipliers are specific to the local economy and are itemized by industry or sector. The results reported in this study combine the economic impacts of HFHWFC in the three measures defined in the prior paragraph.

The first EIA measure is total output, which is a function of HFHWFC's direct spending and the relevant RIMS II multiplier for this area. This measure represents the total output generated within the local economy as each dollar spent by HFHWFC turns-over between firms. The second EIA measure is total employment. The RIMS II economic multipliers capture the number of annual average full-time and part-time employees associated with every 1 million dollars of total industry output produced. The third EIA measure is secondary employment. This represents HFHWFC's induced impact on employment after direct spending has been exchanged between firms. That is, as HFHWFC's direct spending circulates through the economy; the total output indirectly supports additional employment within the local economy.

D. HFHWFC Findings

From 2006 to 2012, Habitat for Humanity of Winchester-Frederick County built 30 homes and injected slightly more than $4.8 million in direct spending into the local economy to support its homebuilding and administrative activities. Table 1 on the following page, documents HFHWFC's direct spending activities over this seven-year period.

North Kent Street Before (2006)

North Kent Street Now (2013)

TABLE 1

HFHWFC Total Expenditures 2006-2012

Expense	2006	2007	2008	2009	2010	2011	2012	Totals
Payroll	135,996.00	152,605.00	80,406.00	172,671.00	165,735.00	180,813.00	200,698.00	1,088,924.00
Payroll Taxes	0	0	8,236.00	11,410.00	13,107.00	13,353.00	18,176.00	64282
Benefits	9,304.12	13,763.80	2,408.00	9,320.00	15,582.00	23,246.00	25,357.00	98,980.92
Accounting	5,900.00	7,200.00	0.00	7,865.00	8,450.00	6,728.00	6,500.00	42,643.00
Advertising/Promo	456.00	777.00	3,363.00	297.00	0.00	0.00	2,982.00	7,875.00
Office Expenses	2,209.00	3,958.00	2,257.00	1,755.00	1,500.00	1,654.00	3,309.00	16,642.00
Insurance	9,338.00	8,673.00	10,366.00	7,637.00	11,499.00	10,941.00	11,191.00	69,645.00
Utilities/Telephone	6,255.00	9,478.00	7,191.00	10,763.00	9,381.00	7,999.00	6,582.00	57,649.00
Internet	773.00	665.00	140.00	803.43	932.35	1080	5,907.00	10,300.78
Construction	280,951.14	296,958.14	312,965.14	328,972.14	344,979.14	360,980.14	376,993.14	2,302,798.99
Discount on Mortgages	136,675.36	134,074.43	131,473.50	128,872.57	126,271.64	123,670.71	121,069.79	902,108.00
ReStore Sales Tax	6,885.16	12,162.11	11,182.92	11,992.65	15,095.05	25,976.30	28,528.27	111,822.46
Repairs/Mainenance	5,332.00	1,394.00	1,213.00	6,550.00	5,743.00	2,068.00	0.00	22,300.00
Supplies	4,830.00	9,644.00	2,395.00	8,556.00	6,762.00	3,669.00	0.00	35,856.00
							Total:	4,831,827.15

*Annual data for construction and discounts on mortgages calculated using exponential smoothing.

The second table allocates these total expenditures from Table One into the appropriate RIMS II multiplier category and provides estimates of the total output generated from HFHWFC's direct spending over this same time period.

TABLE 2

Economic Impact on Total Output

Industry	HFH Total	Output X	Total Output
Construction	2,325,105.00	1.7284	4,018,711.48
Utilities	57,649.00	1.3077	75,387.60
Retail Trade	60,373.00	1.5153	91,483.21
Internet	10,300.78	1.5394	15,857.02
Admin/Support Service	1,230,547.92	1.5937	1,961,124.22
Social Assistance	902,108.00	1.5704	1,416,670.40
Insurance	69,645.00	1.6144	112,434.89
Other	176,104.46	1.619	285,113.12
Totals:	4,831,827.15	----------	7,976,781.94

*Column 2 represents HFHWFC's direct spending. Column 3 includes the RIMS II output multiplier appropriate to the industrial category. Column 4 is a function of multiplying Column 2 and Column 3.

Although HFHWFC's initial overall expenditures during the 2006-2012 years totaled about $4.8 million, the resulting total economic activity or output generated into the local economy between firms totaled $7,976,781.94. Consequently, the total spending by HFHWFC during this period resulted in an additional $3,144,948.74 of economic impact into the local economy.

Of equal economic importance is the effect from HFHWFC activities on area employment. Tables 3 and 4 below document the number of jobs generated from the economic impact of Habitat for Humanity of Winchester-Frederick County's within the local economy. The number of jobs created by HFHWFC's spending is divided into two measures: employment and secondary employment. The following tables provide information on HFHWFC's impact on local employment.

TABLE 3

HFHWFC's Direct Spending Impact on Local Employment

Industry	HFH Total	Employ X	Total Employ
Construction	2,325,105.00	11.2124	26.07
Utilities	57,649.00	3.7682	0.22
Retail Trade	60,373.00	14.8766	0.9
Internet	10,300.78	8.1039	0.08
Admin/Support Service	1,230,547.92	24.518	30.17
Social Assistance	902,108.00	18.4242	16.62
Insurance	69,645.00	10.3991	0.72
Other	176,104.46	11.0485	1.95
Totals:	4,831,827.15	----------	76.73

TABLE 4

HFHWFC's Total Output Impact on Secondary Employment
Industry Total Output Employ X Secondary Employ

Industry	Total Output	Employ X	Secondary Employ
Construction	4,018,711.48	11.2124	45.1
Utilities	75,387.60	3.7682	0.28
Retail Trade	91,483.21	14.8766	1.4
Internet	15,857.02	8.1039	0.13
Admin/Support Service	1,961,124.22	24.518	48.1
Social Assistance	1,416,670.40	18.4242	26.1
Insurance	112,434.89	10.3991	1.2
Other	285,113.12	11.0485	3.15
Totals:	7,976,781.94	----------	125.46

*For Tables 3 and 4, Column 2 represents HFHWFC's direct spending and total output, respectively. Column 3 includes the RIMS II employment multiplier appropriate to the industrial category. Column 4 is a function of multiplying Column 2 and Column 3. In each table, employment is calculated per each $1 million of output.

As Table 3 above indicates, Habitat for Humanity of Winchester-Frederick County's direct spending created 76 full-time jobs during the 2006-2012 time period. Table 4 indicates that over this same seven-year period, the total output generated from HFHWFC's economic activity also indirectly created or helped support 125 full-time other jobs within the Winchester–Frederick County area.

Also of major importance, HFHWFC activities have benefited significantly from the value of volunteer hours mostly dedicated to housing activities. According to Virginia Service Volunteer Statistics, the value of a single volunteer hour for Habitat For Humanity projects is estimated to be $24.64 per hour in the Commonwealth of Virginia. Table 5 estimates the total value of both volunteer and "Sweat Equity" hours between the 2006 and 2012 years.

TABLE 5

Value of Volunteer/Sweet Equity Hours

Volunteer Hours 2006-2012	51,513.00
$ Value of volunteer time per hour	$24.64
Total Value of Volunteer Hours	$1,269,280.32
Sweat Equity Hours 2006-2012	7,263.20
$ Value of volunteer time per house	$24.64
Total Value of Sweat Equity	$178,965.25

Together, HFHWFC volunteer and Sweat Equity hours have an estimated value of $1,448,245.57. This figure amounts to 29.97% of HFHWFC's total direct spending from 2006-2012, thus generating significant savings on homebuilding activities through volunteerism.

Furthermore, HFHWFC's Partner Families have benefited substantially from Habitat's zero-interest mortgage program. The total value of these interest savings between the 2006-2012 years is estimated to be $902,108.00.

E) Economic Impact Summary

Over the seven-year period between 2006-2012, Habitat for Humanity of Winchester-Frederick County injected over $4.8 million in direct spending into the area economy. This direct spending is estimated to generate a subsequent total economic impact of over $7.9 million and support up to 125 jobs in the Winchester-Frederick County region. Additionally, HFHWFC homebuilding activities have added over $2.8 million to property values in the local community since 1997 and now generate approximately $35,000 annually in local real estate taxes. Furthermore, HFHWFC's retail ReStore operations and activities have generated $111,822.46 in business sales taxes, which also directly assist local government units and

agencies. All these activities have a compelling financial impact upon the region's economic health and well-being.

TABLE 6

Summary of HFHWFC Economic Impact

Industry	Total Output	Total Employ	Secondary Employ
Construction	4,018,711.48	26.07	45.1
Utilities	75,387.60	0.22	0.28
Retail Trade	91,483.21	0.9	1.4
Internet	15,857.02	0.08	0.13
Admin/Support Service	1,961,124.22	30.17	48.1
Social Assistance	1,416,670.40	16.62	26.1
Insurance	112,434.89	0.72	1.2
Other	285,113.12	1.95	3.15
Totals:	7,976,781.94	76.73	125.46

F. Acknowledgements

This EIA is the result of a genuine collaborative effort by several individuals. As the analyst, I had the pleasure of working with many dedicated individuals at the HFHWFC affiliate. Most notable were: Joan Beverly, Resource Development Director who championed the idea of an EIA on behalf of the Affiliate for years and also explained Habitat's activities to me; Bonita LeMarr, Office and Operations Manager who answered my endless questions on the financial operations of the Affiliate; Linda Delene, Ph.D., who currently serves on the Affiliate's Board of Directors and helped with scholarly guidance on analytical and language aspects of the EIA; and Lori Sterling who patiently explained the intricacies of the Affiliate's Restore operations. And finally, Michael Butler, HFHWFC's Executive Director, gave me advice and support on a daily basis, which in turn, made my internship work both a fun and powerful learning experience. Thank you all!

CITY OF WINCHESTER, VIRGINIA

CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: November 26, 2013 **CUT OFF DATE:** 11/19/2013

RESOLUTION ___ **ORDINANCE** ___ **PUBLIC HEARING** ___

ITEM TITLE: Strategic Plan Update – 3rd Quarter

STAFF RECOMMENDATION: Receive and File

PUBLIC NOTICE AND HEARING: N/A

ADVISORY BOARD RECOMMENDATION: N/A

FUNDING DATA: N/A

INSURANCE:N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

DEPARTMENT	INITIALS FOR APPROVAL	INITIALS FOR DISAPPROVAL	DATE
1.			
2.			
3.			
4.			
5. City Attorney			11/20/2013
6. City Manager			11-20-13
7. Clerk of Council			

Initiating Department Director's Signature: Douglas G. Newell 11/15/2013
Date

CITY ATTORNEY'S OFFICE Received NOV 18 2013 WINCHESTER, VA

APPROVED AS TO FORM: 11/20/2013
CITY ATTORNEY

Revised: September 28, 2009

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council

From: Doug Hewett, Assistant City Manager

Date: November 26, 2013

Re: 3rd Quarter Strategic Plan Update

ISSUE:
Has City Council's interest been met in the work efforts reflected in the attached 3rd Quarter Strategic Plan Update?

RELATIONSHIP TO STRATEGIC PLAN:
This report reflects the implementation efforts of the strategic plan, and as such, clarifies the City Council's vision for our community.

BACKGROUND:
Earlier this year, the City Council engaged Lyle Sumek to facilitate a community strategic plan. The plan that was created has four main elements; Vision Statement 2028, Goals 2018, Mission Statement, and Policy/Management Agendas 2013-2014. The full strategic plan, along with quarterly updates of this plan, can be found online at http://www.winchesterva.gov/government/strategic-plan.

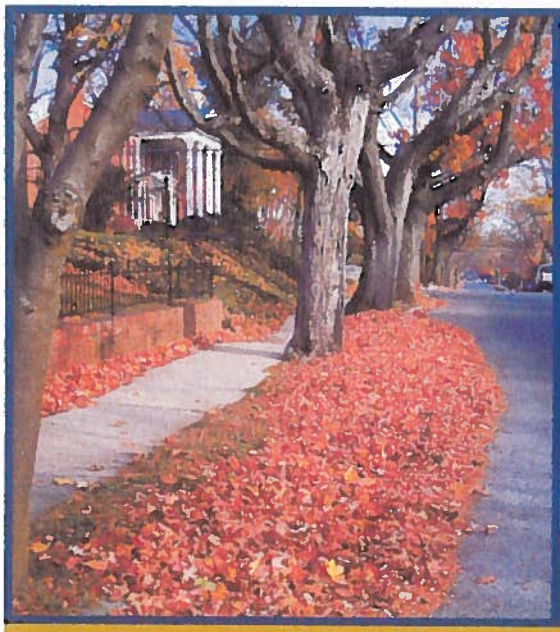
To ensure that the plan is accomplished and to provide opportunities for City Council input, quarterly reports are provided. During this quarterly report, City Council is encouraged to ask questions and provide direction to staff as to whether or not their interests are being met. Following the quarterly report, the City Manager and staff will continue implementing the various elements of the plan with the direction provided by City Council.

Updates will be provided primarily on the projects listed on the Policy and Management Agendas. These 26 items represent the major work plan established by the City Council during their strategic planning retreat, and are considered along with the day-to-day operations of the city, the items that will help the community achieve the Goals 2018 and fulfill the Vision 2028.

BUDGET IMPACT:
The adopted FY 2014 budget provides for the implementation of the 26 strategic plan items.

OPTIONS:
1. Accept the report as provided with guidance to the City Manager on areas of interest
2. Request additional information on particular items listed in the report
3. Clarify interest in the report and provide a different direction to staff on particular items

RECOMMENDATIONS:
This report is provided for information only. It is appropriate for the City Council to comment and/or ask questions about items listed in this report, and provide additional direction to staff.



Strategic Plan Progress Report

Nov. 2013: 3rd Quarter

An update on the activities and successes for the 3rd quarter of Fiscal Years 2013-2014 related to the Policy and Management Targets for Action.

Winchester Virginia

Goal	Priority	Targets for Action	3rd Quarter Update
Goal 1: Grow the Economy	Top Priority	Wards Plaza Development	• S. Patz and Associates has completed a study to determine the site's plausibility of accommodating possible mixed-use development. • The site has been determined to be a plausible space for a mixed-use development that would likely consist of a medium-sized grocer and luxury apartments.
		Conference Center Strategy	• Strategic Advisory Group has completed the study and will be making a formal presentation to Council
		Career Training Education - Career Pathways	• The Winchester Fire & Rescue Department has finalized a new EMT training program at Handley High School, which will begin in the spring of 2014.
		Major Employer Attraction Strategy	• The City has received a Virginia Enterprise Zone designation that will be used to attract large employers (active 1/1/14). • A new business friendly website for the EDA will be launched by the end of November • The City participated in the Emerging Partnerships for Prosperity: The Northern Shenandoah Valley event at Shenandoah University. This event focused on economic development efforts in the Northern Shenandoah Valley region.
	High Priority	Meadow Branch Avenue Development	• S. Patz and Associates has completed an update to the market study that suggested age-restricted housing, assisted living facilities, and medical related office space.
		South Pleasant Valley Development	• S. Patz and Associates has completed an update to our market study and recommends that the area remain industrial. • Property acquisition negotiations are underway for extension of Monticello Street.
		Economic Development Performance Standards and Metrics	• Formal set of performance standards have been adopted by the EDA and Office of Economic Redevelopment.
		Enterprise Zone Implementation Plan	• The Virginia Department of Housing and Community Development has awarded the City Virginia Enterprise Zone designation. • The zones will be active on January 1, 2014.
	Moderate Priority	Winchester Towers Redevelopment	• Site was studied by Strategic Advisory Group to determine if it can accommodate a conference center as a future use. • Strategic Advisory Group will be making a formal presentation to Council regarding the site's ability to host a conference center.
		Amphitheater Concept and Direction	• Shenandoah University Theatre Design and History students presented the McCormac Amphitheatre history and design renderings at the October 28, 2013 Winchester Parks and Recreation Advisory Board meeting. • Presentation generated conversation about "next steps" in the realization of a community amphitheatre in Jim Barnett Park. • It was understood that the amphitheatre plans were contingent upon the results of the Winchester Parks and Recreation Department Needs Assessment. The Needs Assessment would help the City to clarify if there is a community need for the amphitheatre project and weigh the project against other Park capital improvement projects.

Goal	Priority	Targets for Action	3rd Quarter Update
Goal 2: Develop a High Performing Organization	Top Priority	Consolidated City and Winchester Public Schools Capital Improvement Program	• Sent FY 2015 budget materials to WPS so that they can submit the Capital Improvement Plan (CIP) items to the City to be incorporated into our CIP planning process.
		Comprehensive Capital Improvement Plan (CIP)	• Have begun the FY 2015 budget process, CIP forms due to finance Friday December 20, 2013.
		Reorganization Plan	• Developed a mentoring program for new department directors that pairs them with other senior members of the management team to facilitate the sharing of organizational knowledge, expertise, skills, insights and experiences through dialog and collaborative learning. • Held a management team retreat in preparation for the strategic planning sessions in early December. Retreat provided an opportunity for the senior management team to strengthen our team dynamics, integrate new staff members, and focus on organizational culture.
	High Priority	Information Technology Master Plan Implementation	• Filled Computer Support Technician position. • Network/System Administrator position filled. • First year computer hardware replacements delivered or dedicated. Updating grading for 2014 replacements. • Acquired communications and collaboration software (premise based MS Exchange.) Implementation well underway. • Started requirements review for FY14 eGov enablement of selected SunGard applications. • Cloud-based project management tool now in use by IT. • Starting Continuity of Operations planning. • FY 2014 funded at IT Strategic Plan recommended level. Beginning budget process for FY 2015. • Beginning review of training needs. • Shifted to centralized hardware and software procurement for FY 2014. • Commercial Off-the-Shelf software for Personal Property Taxation review to start after new Treasurer takes office.
		Communications and Marketing Plan	• An audit of current communications efforts is underway. • A proposed communications plan for FY15 will be completed during the FY15 budget process. • City's LinkedIn account has been updated. • 2014 INSIGHT Citizen's Academy schedule has been announced and begins January 16th. • Exploring citizen request management software options. • Finalizing the mobile device version of City's website.
	Moder-ate Priority	Community Events Policy	• An event matrix has been developed to evaluate the impact of events in Old Town Winchester (City-sponsored or private). • Staff is collecting data following each event and entering it into the matrix for future evaluation.

GREAT NEWS!

- Standard & Poor's increased the City's bong rating to AAA, the highest rating possible.
- Two areas in the city were designated as enterprise zones.
- City recognized with Distinguished Budget Presentation Award by the Government Financial Officers Association of the United States and Canada.

Goal	Priority	Targets for Action	3rd Quarter Update
Goal 3: Continued Revitalization of Historic Old Town Winchester	Top Priority	Taylor Hotel Revitalization Project	• Commercial tenants have been identified for the ground floor spaces in the Taylor Hotel and the fly tower. • The pavilion will be completed by April 15, 2014. • All apartments have been leased or reserved. • The Economic Development Authority and Wishneff & Assoc. have modified the development agreement to include the redevelopment of the first three floors of the fly tower.
		Events Coordinator and Community Events Expansion Strategy	• The Special Events Coordinator is assisting existing events and working to bring new events into the downtown. • Five new events were organized by the Events Coordinator: 1. Friday Night Live Series - June 14, July 12, and August 9 2. Rockin Independence Eve - July 3 3. Salute to Our Troops - July 20 4. Old Town Beer and Wine Festival - September 6 & 7 5. Octobeerfest - October 18 & 19 • OTDB also held two new events including a Sip N Stroll and the Loudoun Street Mall rededication celebration. • The new events attracted thousands of people of all ages to each event resulting in increased parking revenue and meals spending (approx. $700,000 more dollars spent downtown). • Event promotions also highlighted downtown as a destination drawing people even when events were not taking place.
	High Priority	Historic Old Town Gateway Enhancements	**Economic Redevelopment:** • Evaluation of the Rt. 7 entrance corridor has led to suggestions for traffic safety improvements including an entrance corridor redesign. A conceptual road design has been developed by City staff. • The following properties have been acquired by the Economic Development Authority: 209, 211, 213, 219, 221 & 215 N. East Lane, 226 E. Piccadilly Street and 247 E. Fairfax Lane. **Old Town Winchester:** • A Design Committee is documenting the gateway conditions and way-finding signs are being updated to include the Welcome Center and new restrooms. Additional signs have been added to the Mall entrances. • The application for signage on I-81 is being drafted and it will be presented to Council before submittal.
		National Historic District Direction	• Received Certified Local Government (CLG) grant funds to cover $6,500 of approximately $12,000 of National District Expansion cost to amend the Period of Significance (POS) change to 1964 in existing district. • Contracted with Dovetail Cultural Resources Group, Inc. of Fredericksburg to prepare the district nomination amendment. • Preparing maps depicting the location of contributing and noncontributing structures based upon amended POS. • Intend to file amendment nomination to Dept of Historic Resources (DHR) by December 2013. • Also received CLG grant funding for two Civil War Trail Interpretive markers in Old Town (one at Taylor Hotel) in conjunction with a $21,250 Shenandoah Valley Battlefields Foundation (SVBF) grant. Awaiting SVBF staff input.
		Downtown Branding Development	• Proposals from branding firms were reviewed, interviews conducted and a firm selected.

Goal	Priority	Targets for Action	3rd Quarter Update
Goal 4: Create a more livable city for all	Top Priority	New John Kerr Elementary School Direction and Funding	• Winchester Public Schools has received the Weldon Cooper School (UVA) growth study. A decision concerning the preferred location for the replacement elementary school is forthcoming. • $26M bond issuance completed October 30,2013, which included $20M funding for JKES (approved with the adoption of the FY14 City Budget).
	High Priority	City Gateway Beautification Project	• Ordinance to establish the Berryville Avenue Corridor Enhancement (CE) overlay district adopted by City Council on October 22, 2013 resulting in 86 additional properties falling within a City CE District. • Zoning & Inspections staff distributed CE District brochures to businesses along Berryville Avenue to inform them of the CE District provisions. • Millwood Avenue Gateway project, including detailed landscape plan, presented to City Council on October 15, 2013. Resolution adopted the plan and project schedule on November 12, 2013.
		North End Redevelopment Strategy	• Identified partnership between City, Habitat for Humanity and Faithworks. • Habitat for Humanity has acquired 17 units from the Community Housing Partnership along Chase Street to be used for transitional housing towards homeownership. Community leaders and Ward 2 Councilors have been involved in the planning process.
		Comprehensive Zoning Ordinance Review	• Staff distributed and reviewed RFQ scope of work with Planning Commission members to solicit input before soliciting quotes. • Following submittal of RFQ to Planning Commission, staff modified the RFQ to narrow the scope of the project to specific areas of the Zoning Ordinance in order to keep the potential consultant focused on the areas desired for attention. • Sent the RFQ out to 14 planning/zoning consultants on September 17, 2013. • Received three consultants' written quotes on October 1, 2013. Each quote exceeded the allotted budget of $25,000. • City Management team, Director of Zoning and Inspections, Planning Director are evaluating courses of action as to next step in the project.
	Moderate Priority	Sidewalk and Street Master Plans	• Sidewalk Plan: Approved by Council on August 13, 2013. • Street Plan: Approved by Council on September 10, 2013. • Both plans are available on the City's website.
		Stormwater Management Policy and Plan	• Staff and the City's storm water consultant have continued to work on developing the detailed proposal for the creation of storm water utility. • A series of monthly presentations to City Council regarding storm water issues and the possible creation of a storm water utility will begin at the Council work session on November 19th. The final presentation is expected in April 2014 so that City Council can consider taking action on the creation of a storm water utility in May and June 2014.

VISION 2028

- The City of Winchester is a beautiful, historic city and a hometown for families.
- Winchester has a vibrant downtown, a growing economy, great neighborhoods with a range of housing choices, and easy movement.

MISSION

The City of Winchester's mission is to be a financially sound city providing top quality municipal services while focusing on the customer and engaging our community.

GOALS

- Grow the economy
- Develop a high performing organization
- Continue revitalization of Historic Old Town
- Create a more livable city for all

Purpose for Strategic Plan Progress Report

The City of Winchester uses a robust strategic planning process to identify and work on significant community issues. The process involves both the City Council and staff and will be updated annually to reflect the changing needs of our community.

Winchester's strategic plan has four main areas: Vision, Mission, Goals and Targets for Action that direct the main work efforts of Council and staff. These Targets for Action cover policy issues for the City Council to address and management issues for City staff.

This quarterly report provides an update on the activities and successes related to the Policy and Management Targets for Action.

November 26, 2013

Winchester Virginia

www.winchesterva.gov

CITY OF WINCHESTER, VIRGINIA

CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: November 26, 2013 **CUT OFF DATE:** 11/19/2013

RESOLUTION X ORDINANCE ___ PUBLIC HEARING ___

ITEM TITLE: 2014 Legislative Agenda

STAFF RECOMMENDATION: Approval

PUBLIC NOTICE AND HEARING: N/A

ADVISORY BOARD RECOMMENDATION: N/A

FUNDING DATA: N/A

INSURANCE:N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

DEPARTMENT	INITIALS FOR APPROVAL	INITIALS FOR DISAPPROVAL	DATE
1. Finance	B		11-21-13
2.			
3.			
4.			
5. City Attorney			11/21/2013
6. City Manager			11-21-13
7. Clerk of Council			

Initiating Department Director's Signature: Douglas G. Newell 11/21/2013
Date

CITY ATTORNEY'S OFFICE Received NOV 21 2013 WINCHESTER, VA

APPROVED AS TO FORM:
11/21/2013
CITY ATTORNEY

Revised: September 28, 2009

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council

From: Doug Hewett, Assistant City Manager

Date: November 26, 2013

Re: 2014 Legislative Agenda

THE ISSUE: Does the City Council wish to create a 2014 Legislative Agenda?

RELATIONSHIP TO STRATEGIC PLAN: Goal 4 – Create a More Livable City for All

BACKGROUND: Traditionally the City Council has shared key City priorities with members of our State delegation. In reviewing with staff, it appears that the City has taken individual issues at times and at other times prepared a more comprehensive legislative agenda.

For 2014, the City's legislative delegation includes Senator Vogel and Delegate Elect Berg. If approved by City Council, it has been suggested a legislative briefing be conducted with the delegation prior to the General Assembly reconvening on January 8, 2014.

To aid the City Council in identifying items for possible consideration, staff was polled in June and again in November for possible items. In addition, please find attached the legislative agendas from the Virginia Municipal League (VML), Virginia First Cities (VFC) and Virginia Association of Counties (VACo).

Staff supports both VML and VFC's priorities and feels that the following issues deserved additional advocacy and attention given their potential impact on the City:

1. **Protect Local Revenue Sources** - Don't restrict local revenue authority or sources without providing alternative revenue authority and sustainable revenue sources. This includes, without limitation, the Business, Professional, and Occupational License (BPOL) and Machinery and Tools (M&T) taxes. $5.7 M and $1.9 M respectively for FY13.

2. **Restrict Shifting of State created program costs to local government** – An example is the Line of Duty Act (LODA) established by the Virginia General Assembly in 1972 as a program which would be funded by state government. It has been expanded since its inception and now provides eligible public safety personnel with benefits such as a lump-sum death benefit and health insurance for the employee, their spouse, and children (with limitations) for life. The 2010 Virginia General Assembly moved responsibility for funding Line of Duty Act (LODA) obligations to local governments. $92,000 for FY13.

3. **Review impact and seek possible exemption from HB 2239 Cash proffers** - HB 2239 Cash proffers, which took effect on July 1, 2013, states that cash proffers shall not be used for any capital improvement to an existing facility that does not expand facility capacity or for any operating expense of an existing facility such as ordinary maintenance or repair.

At the very least, staff believes VML should evaluate the impact that this law could have on older cities where existing facilities could be impacted by new developments in a way that doesn't warrant expanding the capacity, but rather ensuring the sustainable life of an existing facility (e.g. the indoor pool at the Park). It seems to be written with suburban counties in mind where sprawl warrants new facilities rather than taking into account mature urban centers where reinvesting in existing facilities might make more sense.

4. **Street Maintenance** - First Cities spent $76M more than state street maintenance payments provided in FY11. City and town streets are a vital part of the regional transportation network. They are more costly to maintain due to heavy use, age, and the need to accommodate pedestrian, bus, auto and truck service and complex adjacent utilities.

    a. Make all lane miles eligible for street maintenance payments to be consistent with state policies for Henrico and Arlington County streets.

    b. Make primary roads in cities and towns eligible for state primary funds. These roads are technically primary "extensions". Legislation passed in 2012 inadvertently excluded this vital part of the primary road network from this key funding stream.

5. **Water Infrastructure** - $50 million in FY 2015 for the Stormwater Local Assistance Fund, to continue improvements for the installation of effective storm-water controls on urban lands to reduce the flow of excess nutrients and sediment to local streams, rivers and the Chesapeake Bay.

The Commissioner of Revenue also advanced the following items for City Council's consideration:

1. **Email Privacy** - Authorization to shield taxpayer/citizen email addresses collected as part of our utility billing or revenue collection activities from Freedom of Information Act requests.

2. **Modification to Virginia State Code*§ 58.1-3981*.** *Correction by commissioner or other official performing his duties* that currently limits refunds treasurers can issue to $2500, with governing body approval. The suggestion is that the Code be amended to allow the treasurer to issue refunds, pursuant to this section, of any amount deemed appropriate by the governing body.

    As such, the revised Code section would read as follows: *§ 58.1-3981. Correction by commissioner or other official performing his duties.*

    A. If the commissioner of the revenue, or other official performing the duties imposed on commissioners of the revenue under this title, is satisfied that he has erroneously assessed such applicant with any such tax, he shall correct such assessment. If the assessment exceeds the proper amount, he shall exonerate the applicant from the payment of so much as is erroneously charged if not paid into the treasury of the county or city. If the assessment has been paid, the governing body of the county or city shall, upon the certificate of the commissioner with the consent of the town, city or county attorney, or if none, the attorney for the Commonwealth, that such assessment was erroneous, direct

the treasurer of the county, city or town to refund the excess to the taxpayer, with interest if authorized pursuant to § 58.1-3918 or in the ordinance authorized by § 58.1-3916, or as otherwise authorized in that section. However, the governing body of the county, city or town may authorize the treasurer to approve and issue any refund ~~up to $2,500~~ as a result of an erroneous assessment **up to a limit deemed appropriate by the governing body.**

Staff reviewed the VACo's legislative priorities and felt that the following items were also worthy of inclusion:

1. **Pay Day Lending** - VACo supports legislation to set a total cap of 36 percent for all interest, fees and other charges for payday lending and other similar businesses such as car title loans.

2. **Land Use/Growth Management Tools** - Authority to plan and regulate land use should remain with local governing bodies and VACo opposes any legislation to weaken that authority. Furthermore, the General Assembly should grant localities additional tools necessary to adequately meet citizens' increasing transportation, education, public safety and other vital public infrastructure needs that are driven by new development. Such additional tools may include broad impact fee authority for all counties, adequate public facilities provisions in subdivision ordinances, state funds for the purchase of development rights, and real estate transfer charges. Current residents should not be expected to bear the cost of new growth through increased real estate taxes.

BUDGET IMPACT:

Significant. Some changes may be termed revenue neutral, but in a worst case scenario if the State repeals BPOL (Business Professional and Occupational License) without a hold-harmless provision, we could be looking at approximately $5.7M reduction to the general fund. Other changes may not have an immediate impact. Still staff will work with our advocacy groups to tract these issues once the General Assembly reconvenes.

OPTIONS:

1. Approve the enclosed resolution
2. Modify the enclosed resolution
3. Provide additional direction to staff, and/or take no action at this time.

RECOMMENDATIONS: Approve the enclosed resolution and provide guidance on City Council's desire to conduct the legislative briefing.

2014 Preliminary Policy Statements

Virginia Municipal League

2014 COMMUNITY & ECONOMIC DEVELOPMENT POLICY STATEMENT

Community and economic development are essential to the continued vitality of the Commonwealth of Virginia. VML urges the state to partner with localities to develop and carry out the state economic development strategic plan.

Realizing the importance of the sense of community, VML also supports legislation to encourage state and local cooperation efforts that would deter crime, promote maintenance of property in neighborhoods, and improve the livability of Virginia's cities, towns and counties.

VML encourages local governments to work together in regional efforts to improve the quality of life and economic development opportunities and encourages the state to support such regional efforts in collaboration with local elected officials.

Incentive programs, such as the Governor's Development Opportunity Fund and the Virginia Enterprise Zone Program are important economic development tools, particularly in a challenging economy. The state should strive to fully fund programs that strengthen local governments' commercial and industrial tax bases to reduce pressure on the residential real estate tax base.

HOUSING

VML urges state and local governing bodies to develop and maintain a balanced housing mix, including affordable housing. Local officials are in the best position to determine that mixture. Local governments must be fully involved in the decisions on the placement of affordable housing in their jurisdictions. Procedures involving the granting of tax credits for projects must involve local governing bodies. Any locality that issues a Section 8 housing certificate should have housing available in the jurisdiction for the certificate's holder, to prevent persons who are granted Section 8 certificates from having to leave their home jurisdiction in order to find housing. VML supports state funding for affordable housing.

BLIGHT AND NEIGHBORHOOD PRESERVATION

The General Assembly should broaden the laws on dealing with blight and dealing with building permits issued for repairs or renovation to require timely completion of the work or, failing a legitimate plan by the owner, diligently pursued, to complete the work, authorizing local government action to correct the health and public safety problems created by projects that are not completed and to either seize available assets of the owner and use them to fund corrective action, or recover the locality's costs on a priority basis in the same manner as unpaid taxes. Further, the definition of derelict building should be expanded to include buildings which are never completed to a state that would meet the definition in *Virginia Code* Section 15-2.907.1

VML supports strengthening the minimum housing maintenance code.

ZONING INCENTIVES FOR IN-FILL DEVELOPMENT AND REDEVELOPMENT

The state code provisions on zoning authority should continue to ensure that local governments have a full range of authority to promote affordable housing, including authority to facilitate in-fill development, redevelopment and mixing of

uses in redevelopment projects. Therefore, the code must not be changed to limit local governments' authority to enact land use regulations for the benefits of all citizens of a locality.

PLANNING AND LAND USE

The Governor and General Assembly should continually evaluate the limitations on local authority and land use management tools provided in the state code to ensure that the policies of the Commonwealth encourage and support healthy cities and towns. The Commonwealth must end state laws that encourage sprawl. Instead, the policies of the Commonwealth should support sustainable growth in and around urban centers to help local governments create more livable, environmentally responsible communities, thus reducing the environmental impact of growth. In addition, the policies should alleviate transportation funding problems for the Commonwealth and should promote transportation priorities to promote public transportation modes as well as pedestrian and bicycle transportation. VML supports multi-modal transportation options for regions and localities.

Further, to make movement into urban centers attractive, the education policies and funding must promote high quality educational facilities, opportunities and services in urban centers. Further the Commonwealth must provide funding to help urban centers attract and retain high quality jobs.

Planning and land use control are two of local government's most important functions. Localities must maintain control of local land use decisions. Neither the state nor federal government should usurp a locality's power to make such decisions. All localities should be guided by their comprehensive plan for future development. The General Assembly should allow local governments to exercise land use authority in the manner that the local government deems appropriate for its circumstances. Coordination of local land use planning and transportation planning improves the ability of all levels of government to deal with and manage growth-related issues the Commonwealth faces in the long-term.

The General Assembly should enhance local government's ability to implement their comprehensive plans by authorizing a complete spectrum of land use and growth management tools and should allow and provide localities more creative, locally initiated planning and land use mechanisms. However, sufficient fiscal capacity is necessary to take advantage of more robust planning and land use mechanisms. The General Assembly should enact laws to broaden impact fee authority to allow the adequate assessment of the fees for all public infrastructure, including school construction costs, caused by growth. The General Assembly should take all steps needed to assist towns and cities to work with the surrounding counties to promote growth in patterns that help the vitality of the municipalities. Any change must not shift the burden of paying for new infrastructure to existing citizens through increased real estate taxes.

When a county's transfer of development rights program includes lands adjacent to a city or town, the General Assembly should provide the municipality authority to fully participate in the decisions on transferring such rights when it is determined by the municipality that the land-use change will impact its citizens.

VML supports the state's exploration of sustainable development, provided that there is not an effort to supplant the authority of local governments to determine their own

land use policies, and encourages the consideration of incentives for localities to implement sustainable development approaches.

State agencies should be required to comply with local comprehensive plans and local land use regulations and policies, subject to override by the governor.

VML supports enhanced redevelopment opportunities through the adoption of an urban policy for the commonwealth, and implementation of growth management policies that encourage growth and economic development in urban areas. VML supports the position that the vested rights law is prospective only and that local governments have the authority to amend zoning ordinances in the future.

The law on nonconforming uses and structures must not be diminished. The desires of a single property owner should not outweigh the interests of the neighbors, who benefit from properties coming into conformance with the zoning ordinance over time through the effects of the law on nonconformity.

The General Assembly should not enact any legislation, under the name of private property protection law, that seeks to weaken local powers to regulate land uses and protect the community's health, safety and welfare, or that requires additional compensation beyond judicial interpretation of the Fifth Amendment of the U.S. Constitution and Article I, section II of the Virginia Constitution.

VML opposes any additional legislation that would exempt religious organizations from neutral, generally applicable local ordinances, and in particular, local zoning and public safety ordinances.

RESPONSIBLE GROWTH MANAGEMENT

Current state land use authority is often inadequate to allow local governments to provide for growth in a manner that protects and improves the quality of life in our communities. Therefore as expressed above, the General Assembly should authorize local governments to implement growth management policies including impact fees in order to enable localities to facilitate orderly, rational growth in a manner appropriate to their communities. Until a comprehensive impact fee system is authorized, the code should extend to all localities full authority for conditional zoning to meet the needs of new citizens for public infrastructure.

The General Assembly should enact laws to broaden impact fee authority to allow the adequate assessment of the fees for all public infrastructure, including school construction costs, caused by growth. The General Assembly should take all steps needed to assist towns and cities to work with the surrounding counties to promote growth in patterns that help the vitality of the municipalities by authorizing impact fees for public infrastructure. Any change must not shift the burden of paying for new infrastructure to existing citizens through increased real estate taxes.

DESIGN FOR ALL CITIZENS.

As life expectancy rises and as the number of citizens with significant physical disabilities and limitations increases, Virginia's local governments recognize that the man-made environment must be made accessible to all citizens, whether aging, disabled or facing other limitations. Therefore, the state's laws, regulations and policies must serve to increase accessibility for ageing and disabled populations. Such laws, regulations and policies that do not assist reaching these goals should be

amended or repealed. Building codes should be amended to help achieve these goals in new and existing construction. Further, state laws, regulations and policies must be amended, as needed to give local governments full authority to provide accessible private and public infrastructure.

MANUFACTURED HOUSING BY RIGHT

Local governments must retain the authority to plan for the appropriate mix of residential structures in their communities, and must retain full authority to regulate the placement of manufactured homes, without state intervention.

Localities should retain the right to tax manufactured homes as personal property, and not be forced to classify them as realty.

SUBDIVISION STREET STANDARDS

Local governments should have authority to modify standards for street pavement and right-of-way widths, including streets brought into the system that do not meet VDOT standards, that are beneficial to good planning; public safety; and the well-being of the residents, without diminishing state funding for street maintenance payments.

PRESERVATION OF RIGHTS-OF-WAY

Road projects take many years from the planning stage to construction. Often localities need to reserve miles of right-of-way years in advance of any funding availability for these projects, or risk development in the path of these road projects. Localities need tools to enable them to reserve rights-of-way for longer periods of time. The official map legislation allows reservation but localities are often unable to provide for the upfront funding needed to purchase these rights-of-way in the allotted timeframe.

VARIANCES, SPECIAL EXCEPTIONS & CONDITIONAL USE PERMITS

VML maintains that the law on variances should be retained in its current form. Because land use is controlled at the local level, the General Assembly should not require any specific procedures for special exceptions, conditional use permits or similar land use decisions.

2014 ENVIRONMENTAL QUALITY POLICY STATEMENT

Protecting natural resources and sustaining efficient environmental stewardship is an overarching mission of government. Additionally, VML recognizes the importance and challenge of maintaining natural resources and managing environmental services while simultaneously encouraging economic growth and greater human development in our cities, towns and counties.

To achieve these ends, VML pursues these goals:

1. Promoting environmental quality through a coordinated, comprehensive approach that addresses air and water quality, hazardous and solid waste management, protection of special lands and features including biological diversity, prudent land use policies, noise abatement and energy use.
2. Attaining an equitable distribution of responsibilities among governments for resource protection and environmental services, and attaining sufficient financial resources from the federal and state governments to implement mandates, without duplicating efforts.
3. Recognizing the inter-jurisdictional nature of many environmental resources and pursuing dispute resolution for the continued viability of natural, living, and cultural resources and for the sustainability of efficient environmental services.
4. Pursuing the orderly and planned development of communities and encouraging the revitalization of older communities.
5. Promoting cooperation and coordination among governments, citizens, institutions, and organizations to achieve these goals.
6. Advocating legislation and policy initiatives that provide sufficient resources to implement the least costly and most efficient mandates.
7. Encouraging cost-effective regional approaches to protecting natural resources and providing environmental services.

WATER RESOURCES, QUALITY & CONSERVATION

Quality

Point and nonpoint sources of pollution continue to create significant challenges in protecting water quality: wastewater treatment plant upgrades, urban and agricultural storm water runoff, sedimentation, stream channelization, specific agricultural activities, pet wastes and indiscriminate use of agricultural, yard, lawn care and homecare chemicals. Water resource protection is critical throughout all watersheds of Virginia. Local governments, the state government, the federal government and private interests must recognize these threats and implement precautions and protections that reflect the level of responsibility for offensive activity, as well as technical and economic competence to correct problems.

Additionally, the federal and state governments cannot ignore the financial limitations that local governments face in attempting to resolve these threats. Without adequate funding sources and data to assist local governments water quality will not improve. Local governments managing combined sewer overflows (CSOs), including the cities of Lynchburg and Richmond, require adequate federal and state grant resources. Local governments managing sanitary sewer overflows (SSOs) also require financial assistance.

VML supports dedicated and adequate state appropriations to the Water Quality Improvement Fund to make full and timely payments under point source upgrade contracts with local governments. Additionally, VML requests the General Assembly to address costs associated with the permit requirements of Municipal Separate Storm Sewer Systems (MS4) and new EPA regulations.

Primacy

The state should work to maintain the State Health Department's primacy role in implementing the federal Safe Drinking Water Act.

Conservation

Overuse and indiscriminate use of water, coupled with recurring drought conditions, require state and local leaders to promote water conservation to help to avoid future water supply problems. Local or regional comprehensive water conservation plans should urge conservation through construction building material choices, native and drought tolerant landscaping, appliances (such as dual flush toilets), rate structure, education and water allocation.

Conservation Easements

Water authorities and similar local agencies should have the power to receive conservation easements under the authority of the Conservation Easement Act.

The Virginia Outdoors Foundation's operating costs should be fully funded. State incentives (in-lieu of tax credits) need to be created for local governments seeking to place land designated for watershed protection in conservation easements.

Water Supply

VML believes these principles governing the role of the Commonwealth must guide state water supply planning:

1. The availability of a safe, adequate and reliable water supply is essential to the public health and the economic vitality of the Commonwealth and its local governments. The state should participate in providing funding mechanisms for local and regional water supplies.

2. As a partner with local government in providing water supplies, the state should invest in regional projects to maximize the use of infrastructure and minimize environmental impacts.

3. Maintaining and analyzing a sound surface and ground water database is an essential state responsibility.

4. The state must take an advocacy role to support local water supply projects that conform to state regulations. This includes taking the lead in negotiating multi-state issues.

5. VML supports adequate state environmental staffing in the areas of research and development, including legal research into issues such as inter-basin transfers, which results in stronger technical assistance to municipal government.

6. The State should encourage water conservation measures to promote wise use and prevent and minimize waste through incentives and educational programs.

7. The Commonwealth should consider use of reclaimed water to meet nonpotable needs as part of its water resources to reduce the demand on high quality potable water supplies where practicable and environmentally beneficial. State officials should assist local governments and communities in promoting wastewater reclamation and reuse.

8. Managing water resources should include protecting water sources by such techniques as open space conservation easements held by state and local land trusts.

9. Water is essential to a healthy ecosystem. Stream flows to support beneficial in-stream uses should be protected in the process of providing sufficient water to meet public drinking water requirements.

Local governments must continue to participate in the discussion of any water resource proposals, including the current statewide water supply planning process.

Water supplies are important to local governments for many reasons and constitute a common resource that should be managed as such.

Representation on the State Water Control Board

VML supports legislation requiring the Governor to appoint at least one member of the State Water Control Board from each of the Department of Environmental Quality's six geographic regions. The requirement would ensure balance on the statewide board, which is both the permitting and enforcement authority for all Virginia water quality and water-supply programs.

ENVIRONMENTAL EMERGENCIES

The state should assist with paying for flood protection where localities take precautions, through land use controls, to limit the cost of flood damage restoration.
Localities need increased funding for dam safety updates.

In the event of an environmental emergency, or an act of God, local government officials need maximum discretion to determine measures to be taken beyond those dictated by the state and federal government, as well as ready access to information and training.

SOLID WASTE MANAGEMENT

VML supports the continuation of certifying compliance with local ordinances for waste management facility proposals.

VML endorses developing local waste-to-energy and co-generation facilities as practical alternatives to landfill facilities. To achieve these goals, VML asks the federal and state agencies, as well as the Virginia General Assembly, to fund research into new technologies and processes leading to the development of alternative solid waste management practices.

VML supports efforts to ensure that Waste to Energy (WTE) is consistently defined as a renewable energy source in any renewable energy standards relating to the Commonwealth. Currently the Code of Virginia defines "renewable energy" as including energy derived from waste.

VML supports increased recycling and state efforts to share best recycling practices, to provide seed money for innovative local recycling approaches, and to provide special assistance to smaller communities for recycling by establishing recycling centers.

HAZARDOUS WASTE

Advanced technology, waste minimization, and waste exchange should be used, to the extent possible, to eliminate or reduce hazardous waste.

VML recognizes the need for hazardous waste treatment and disposal facilities to provide adequate capacity for wastes generated within state borders. VML encourages the Commonwealth to establish, and if necessary, to operate, hazardous waste facilities appropriate for improving the treatment, storage, or disposal of hazardous waste generated within Virginia.

Adequate state and federal funding should be provided for cleaning up abandoned and hazardous waste sites. Expedient clean-up of sites is essential.

The Commonwealth should address the collection of household hazardous waste by collecting it or providing liability coverage for local collection programs. Consumer education and discouraging reliance on household chemicals should be encouraged. The state needs to address pharmaceuticals and associated endocrine disruptors, including collection/disposition, and to encourage pharmacies to accept unused pharmaceuticals. State research institutions should examine and provide policy recommendations on the impact of pharmaceuticals and endocrine disruptors to water quality, agricultural products, and human health.

AIR QUALITY

The Commonwealth of Virginia has an on-going responsibility to continue efforts to achieve emission reductions in accordance with Federal Clean Air Act requirements. VML urges the state to recognize the efficiencies of certain low-cost pollution control technologies, such as Stage 2 vapor control devices, and encourages the application of the requirements in areas beyond designated non-attainment areas for improving air quality and meeting air quality standards by the federal deadlines.

When affected by regional short-range or long-range pollutant sources, the state should give an opportunity to participate in developing a regional plan to reach attainment of air quality standards, rather than be excluded by arbitrary boundary lines, especially in non-attainment areas. The state should enhance and maintain its acid rain monitoring network.

PARKS, OPEN SPACE AND CULTURAL RESOURCES

VML supports the renewal of federal funding for parks, historical structure preservation and recreational opportunities. The federal Land and Water Conservation Fund (LWCF) program provides matching grants to States and local governments for the acquisition and development of public outdoor recreation areas and facilities. VML encourages state officials to work with local officials in combining matching dollars for LWCF grants for local and regional facilities. VML also supports additional state funding for local land preservation through Virginia Land Conservation Foundation (VLCF) grants and matching grants to localities for qualifying purchase of development rights (PDR) programs

NOISE CONTROL

State and federal governments must assume the regulatory and financial responsibility of attaining satisfactory noise levels adjacent to major highways and airports.

ENERGY USE & CLIMATE CHANGE

The state should maintain an overall state energy plan that includes provisions for energy emergencies. Regulations and emergency orders should include alternatives that consider the economic impact on political subdivisions that border neighboring states.

A balanced use of all energy sources should be emphasized. The state should amend its regulations and requirements, such as the Statewide Building Code, to remove barriers to experimenting with alternative forms of energy usage in buildings.

Both long- and short-range energy usage should be designed to maximize conservation of energy resources.

Conservation should be the highest priority in formulating state and local energy policies and plans.
Virginia should require energy conservation measures for all utilities operating in the state. These measurers will help the state to reduce energy costs to consumers and increase the available supply of energy without further degradation of the environment.
VML supports the creation of an independent office of the consumer advocate within the state government to actively participate in transmission line issues.

VML supports state assistance to help local governments, businesses and residents obtain energy audits. VML also supports state tax incentives for (1) energy efficiency; and (2) homeowners using renewable energy, including solar, geothermal, wind and others.

VML encourages the Commonwealth to develop building code standards that enhance environmental sustainability and energy efficiency and to enact policies that enable local governments to promote environmental sustainability and energy efficiency in construction.

VML recognizes that the impacts of global climate change, as it relates to relative sea-level rise, habitat destruction and alteration, temperature increase, and variations in seasonal rainfall patterns, has the potential to negatively impact our communities. State officials should provide tools to localities to take inventory of greenhouse emissions output and assist with greenhouse gas emission reduction plans.

CHESAPEAKE BAY

The Chesapeake Bay provides vital economic and recreational benefits to all Virginians. The Commonwealth and federal government must assume responsibility for leading the clean up of the Bay and work with its local governments -- in addition to the neighboring states -- to develop interstate as well as intrastate strategies designed to "Save the Bay." The Chesapeake Bay is a national treasure, and the state must work with the federal government to ensure adequate financial resources are available to implement the plan for complying with federal Clean Water Act. At the federal level VML supports the Chesapeake Bay Accountability & Recovery Act of 2013 which seeks to achieve greater cost-effectiveness in meeting pollution reduction targets. This will help localities address the expensive costs associated with the Chesapeake Bay cleanup.

Living resources such as oysters, crabs and underwater grasses are critical to water quality. Oysters in particular have the capacity to filter sediments and reduce pollutants. While reductions from sewage treatment plants and urban runoff are important to restoring the bay it will become increasingly expensive to reduce a smaller amount of pollutants from these sources resulting in a diminishing return for investment. Increasing those living resources that improve water quality should be considered as an alternative to expensive retrofits of urban areas.

The Commonwealth must continue to share in the funding of local government water quality improvement projects in Virginia at appropriate levels designed to clean up the Bay. The Commonwealth would defeat the spirit of community partnership if it required local governments to undertake unfunded mandates designed to remove the Chesapeake Bay from the EPA's impaired waters list.

HIGHWAY BEAUTIFICATION

VML is discouraged that modification to the Federal Highway Beautification Act has

undermined local authority and continues to allow tree-cutting simply for billboard visibility. The General Assembly should enact legislation that restores local government authority to remove billboards along federal highways through amortization; supports local governments' ability to require non-conforming signs along federal highways to comply with size and height requirements without cash payments; allows local governments to require the removal of billboards in inappropriate locations, especially in rurally-designated scenic, historic, and residential areas; and provides local governments with the authority by local ordinance to prohibit the construction or to determine the placement of any new billboards.
VML encourages the local identification of roads with special natural, historical, scenic, or cultural values and encourages local enhancement and protection of these scenic byways.

TRANSPORTATION AND LOCAL LAND USE PLANNING

VML supports the re-initiation of the state's former environmental review procedure for state highway projects. VML recognizes the potential benefits of such a procedure including the benefits to transportation planning and resource management. However, any such procedure and/or review is incomplete if it does not evaluate the proposed impacts against the state-required local comprehensive plans. VML believes that the environmental review process for public roads should incorporate the local comprehensive plan and involve and take into the account the views of local officials. In all permitting, the DEQ should defer to local zoning decisions prior to the issuance of any permits. Moreover, in exercising its permitting authority, DEQ should recognize the possible cumulative impacts of its permitting activities.

HAZARDOUS LIQUID PIPELINES

The Commonwealth and local governments should adopt appropriate restrictions on development near liquid pipelines and require liquid pipeline operators to take safeguards to reduce the risk of oil spills, particularly in environmentally sensitive areas.

BIOSOLIDS

VML supports and encourages the beneficial recycle/reuse of biosolids on farms and as a crop nutrient and soil amendment in accordance with federal and state handling and disposal regulations, and supports local authority to monitor and reasonably regulate biosolids. VML supports full compliance with all applicable federal, state and local requirements regarding production at the wastewater treatment facility, and management, transportation, storage and use of biosolids away from the facility. This includes good housekeeping practices for biosolids production, processing, transport and storage, and during final use or disposal operations.

GREEN BUILDING

VML supports the construction of buildings that are energy efficient, maximize natural light, minimize stormwater runoff, use recycled materials, and use other environmentally responsible practices. Local governments, state agencies and developers can obtain guidance from the U.S. Green Building Council and the LEED (Leadership in Energy and Environmental Design) Green Building Rating System.

VML applauds the efforts of the Virginia Department of Conservation and Recreation, the Virginia Department of Housing and Community Development, the Department of Environmental Quality and others to implement green building design and construction, and encourages greater use of these environmentally sound and energy

efficient techniques. Ideally, all public buildings should be LEED, or the equivalent, certified.

URANIUM MINING

Uranium mining, milling and waste disposal of generated wastes poses health and environmental problems for Virginians. Prior to uranium mining activities being permitted in Virginia, VML supports studies, including those currently underway, that would evaluate the impacts of radiation and other pollutants from mill tailings on (1) downstream water supplies; and (2) the health and safety of uranium miners.

VML supports the current moratorium on the mining and milling of uranium in the Commonwealth of Virginia until studies demonstrate that it is safe for the environment and health of citizens. Any studies or efforts to develop a regulatory framework should address the concerns, warnings, and conclusions contained in the National Academies of Sciences report to the Commonwealth entitled "Uranium Mining in Virginia" and dated December 2011. Furthermore, the state should take no action to preempt, eliminate, or preclude local government jurisdiction with respect to whether uranium mining would be allowed in the respective jurisdiction.

HYDRAULIC FRACTURING

Advances in technology for the extraction of natural gas known as "hydraulic fracturing" has the potential to tap vast reserves in what are known as the Marcellus shale and Taylorsville Basin deposits. Concerns about how the process of hydraulic fracturing could impact both public and private groundwater supplies have been raised both regionally and nationally. VML supports a state regulatory program that addresses these concerns while protecting the authority of local governments to regulate this type of mining activity through its land use ordinances.

2014 FINANCE POLICY STATEMENT

Goals and Principles

The state and local tax structures must be able to sustain core government responsibilities, providing resources for mandated and high-priority services in the most efficient and effective ways possible.

To that end, these principles are essential:

- Local revenue sources should be balanced and diversified over three broad bases – assets (property), consumption (sales), and income;
- The local tax system should be logical and professionally administered. Taxpayers should be treated fairly, and compliance costs should be minimized;
- The burden of taxation, as well as the benefits of services, should be shared and enjoyed by all whether they are residents or local businesses.
- Tax policy should recognize the different economic, demographic, and service demands among localities, and should foster local control to develop tax policies best suited for their communities;
- Tax policy should recognize and be responsive to the competitive nature of the free market, should refrain from enacting policies that are too generous for one group, and should not place undue burdens on particular groups, including business and industry;
- State-imposed changes on local tax structures should be simple to administer and, at a minimum, be revenue neutral; and
- State-mandated tax relief programs should not use local revenues. State-adopted tax relief programs should rely only on state revenues.
- Local government representatives should be included on any "blue ribbon" commission or other body established by the state that has as its purpose changes to local revenue authority or governance.

Fiscal Challenges Confronting Local Governments

- The existing local tax structure is overly dependent upon general property taxes, specifically real estate taxes.
- Unfunded and inadequately funded state mandates and commitments strain local government budgets and place additional pressures on the real estate tax. State-initiated services and programs should be supported by state funds, not rely on local funds to supplant state dollars.
- Public demands for public services continue to increase. These services include education, mental health, other human services programs, juvenile programs, environmental initiatives, economic development, recreation, and public safety. These services have both operating and capital costs.
- Local revenue collections and service demands are also influenced by variables outside the control of councils and boards of supervisors. These include changes in federal tax, budget, and fiscal policies; long-term economic trends; the aging of our citizens; and global events.

Strengthening the Local Tax Base

Depending on the particulars of any given proposal, possible options to broaden local tax bases include reserving a portion of the state income tax for locally-delivered

programs, authorizing a local option income tax for both general and special purposes, increasing the local option sales tax rate, reducing the number of sales tax exemptions, expanding the sales tax base, and reducing the number of exemptions from the business license tax.
The state can also take actions to prevent the further erosion of local revenues **by not** restricting local tax authority, imposing new spending requirements or expanding existing ones on services delivered by local governments, shifting state funding responsibilities onto local governments, expanding retirement benefits, and placing administrative burdens on local governments for state or joint programs.

Specific Tax Issues
VML opposes the repeal or restriction of BPOL, machinery and tools, or excise taxes unless, at a minimum, suitable revenue-neutral replacement sources are provided.

The state and federal government should make payments-in-lieu-of-taxes for tax-exempt properties in amounts equal to the cost of the local services provided.

Counties should be granted taxing powers equal to those granted cities and towns, without decreasing, limiting or changing town taxing authority. County excise taxes must not be levied on town residents without the explicit approval by a town's governing body.

VML supports the constitutional requirement for fair market valuation of property. State-imposed changes to the real estate tax must be "local option."

VML supports current state statutory requirements governing the setting of real estate tax rates and the integration of this process with the budget development process. Changes to these processes cannot be addressed separately without placing undue hardship and increased costs on local taxpayers. Any future state legislative change should be simple to administer and not contradict, impede or hinder the others. The communication sales and use tax is a local tax and should be treated as such.

VML supports state legislation to make clear that transient occupancy taxes and sales taxes are applied on the cost of the room paid by the consumer, regardless of the means (such as on-line travel companies) used to reserve a room.

Specific Budget Issues
VML urges full state financial support of the '599' program in accordance with the provisions set out in state law. This program is important to local police departments throughout the Commonwealth.

The state must be a reliable funding partner in accordance with the Virginia Constitution and state statutes. The Standards of Quality should recognize the resources, including positions, required for a high-quality public education system. The SOQ should reflect prevailing practices across the state, and the actual costs to educate Virginia's children. This includes the cost to educate at-risk students, students in jeopardy of failing the state's Standards of Learning tests, students with special needs, and school construction/renovation/maintenance.

The state should fully recognize and fund the costs of re-benchmarking of the various educational programs, including the Standards of Quality, incentive, categorical, and school facilities programs as well as support services. Changing the process of re-benchmarking to artificially lower recognized costs like inflation does not change what it actually costs to provide

education. Instead, it simply transfers additional costs to local governments and the real estate tax base.

The state should provide sufficient funding for highway construction and maintenance, public transportation infrastructure and maintenance, ports, airports, and freight and passenger rail to promote economic development and public safety.

The state should base its funding of retirement plans based on the contribution rates certified by the Virginia Retirement System.

VML supports transparency in budgeting at both the state and local level. To that effect, the state should not disguise its budget reductions by using unidentified or non-specific reductions for aid to localities.

As a matter of fiscal reform, the state should develop financial priorities that take into account both spending and revenue actions. The debate on such priorities should be public, and should be transparent to the public in the Governor's Budget Bill and the General Assembly's Appropriation Act. For example, should education funding be afforded less priority than certain tax preferences?

GASB

For the first time, GASB creates standards regarding the reporting of unfunded liabilities of cost-sharing plans. A cost-sharing plan is one in which participating government employers pool their assets and their obligations for a defined benefit pension, such as Virginia's teacher retirement plan.

GASB requires that the unfunded liability be apportioned among the participating employers that pay the retirement contributions to the pension plan. Teachers are employees of the school boards, which send retirement contributions to VRS. Because of this the unfunded liability falls solely on the school boards, even though the retirement contributions are funded by the state and the school board. This means that the liability will be shown on the city, county or town financial statement.

Because there was not a process for apportioning the liabilities for these cost sharing plans, they previously had not been reported at the local level.

The unfunded liability should be shared by the state and localities.

VML supports legislation that would provide for the Virginia Department of Education to pay its share of retirement costs directly to the Virginia Retirement System in order to facilitate the sharing of these liabilities.

Government Reform

VML supports a comprehensive review of the services provided by state and local governments. The purpose of the review is to ascertain which services are truly essential to support a productive economy and healthy society; determine the performance level of public services now in place; evaluate the policies and practices used by the state to assign responsibility and accountability between the state and local governments for providing public services; and determine the most effective, efficient and equitable ways to fund essential public services. Such a review must start with a dialog including state and local officials, business interests, academia, and other interested parties.

2014 GENERAL LAWS POLICY STATEMENT

The basic purpose of local government is to provide essential services and protection for the community that citizens cannot provide for themselves. Local governments should decide which services and programs are of primary importance to the community. Virginia has hamstrung its cities, counties and towns with 19th-century legislation. The financial ability of municipalities to survive is threatened.

I. EFFECTIVE GOVERNMENT

GOVERNMENT STRUCTURE

The General Assembly should allow significant diversity among municipal charters and not impose uniformity.

The General Assembly should promote the sharing of the economic, social, cultural, fiscal and educational benefits and burdens of urbanization among all local governments involved.

The addition of sub-state and special district governments should be controlled. New districts should not be created unless services cannot be furnished by local governments. In addition, no sub-state districts, including planning district commissions, should be granted real or quasi-legislative authority to undertake other functions except when expressly directed by their member jurisdictions, including those towns not directly represented in the entity.

VML urges a careful review of the statutes concerning consolidation of local governments to ensure (a) that citizen-initiated petitions are signed by a reasonable number of affected citizens who reside in the jurisdiction, and (b) adequate periods of time elapse between consolidation or annexation actions. The Virginia Municipal League supports the General Assembly's provision of financial incentives to promote consolidation of local government services and cooperative agreements among local governments.

INTERGOVERNMENTAL ISSUES

Local governments have a vital role in the Commonwealth. They must have sufficient powers and flexibility to meet this role. The General Assembly should adopt legislation to promote and expand, to the extent necessary, municipal powers, to (a) enhance the ability of local governments to provide services required by their citizens, and (b) allow local governments to meet their responsibilities in state/local partnerships. VML opposes intrusions into the way local governments conduct their business, including burdensome regulations relating to:

1. meetings of governing bodies;
2. purchasing procedures;
3. matters that can be enacted by resolution or ordinance;
4. procedures for adopting ordinances; and
5. procedures for filling vacancies on local governing bodies.

State intervention in local affairs is only warranted in significant matters where regional or statewide issues that are of great importance exist. No changes should be made in the laws affecting local government without substantial local input from affected jurisdictions and participation in developing those changes.

VML opposes legislation that:

- bars courts from awarding attorney's fees to local governments when a frivolous suit is filed;

- eliminates the notice of claim requirement found in the *Code of Virginia*, § 15.2-209. *(Updated reference.)*

Membership on all state and regional commissions or committees dealing with matters affecting local governments must include local officials who represent a demographic and geographic cross-section of counties, cities, and towns.

VML supports legislation to transfer responsibility from local governments to the state government for the liability, administration and cost of community service options for persons upon whom court costs and fines are levied.

TOWNS

The General Assembly and the executive branch should recognize towns as essential units of local government, with important roles in providing services to citizens living in a concentrated environment. As such, towns with their centrality and economic efficiency represent the future of the urbanizing areas of the Commonwealth. Towns should have clear and full authority to be formed and to act in a timely manner on matters which protect public health, safety, and welfare.

The General Assembly should respect and support the sovereignty, utility, and urban powers of towns. No legislation should be enacted that allows counties to usurp or diminish the authorities of towns. Excise taxes that counties are authorized to levy generally must not apply within towns without the explicit approval by the town's governing body.

The General Assembly should scrutinize bills dealing with laws of general applications to local governments, to avoid enacting any laws that would be sources of possible conflicts between counties and towns. The following list provides examples of conflicts between towns and counties exacerbated by legislative action:

a. taxation of town residents by county governments at the same rate as that applied to those living in the county's unincorporated areas, when comparable benefits and services are not provided;
b. county imposition of a merchants' capital tax on businesses located within the town at the same rate as that applied to businesses located in unincorporated areas of the county, when the town levies a business, professional and occupational license tax;
c. unequal town zoning and planning authority for land straddling or abutting town corporate boundaries and unincorporated county areas;
d. funding of county sheriffs' and deputy sheriffs' salaries by the State Compensation Board and other state-funded amenities not provided to town police departments; and
e. unequal statutory authority of towns in relationship to that of cities and counties.
f. allowing county excise tax within a town without approval of the town government.

The General Assembly should recognize the unintended consequences of inadvertently omitting towns or cities or counties from legislation.

Towns should retain the right to annex lands and otherwise expand their boundaries. Towns over 5,000 population should have the right to become an independent city; and cities should have the right to revert to town status.

STATE AND FEDERAL MANDATES

The state and federal governments must provide adequate funding for any local

programs or responsibilities that are mandated or expanded by state and federal laws or regulations.

The federal and state governments should not use project funding as a means of forcing local land use decisions in contravention to local land use plans. These actions violate the principles of local authority and weaken the local tax base.

Federal and state mandates must be reduced when funding is reduced, so that localities are not required to spend additional local dollars to comply with the mandates. Further, funds should be distributed in the most efficient way possible with the least regulatory control.

The Governor and General Assembly should promote state-local partnerships by requiring:

1. A review of mandates in specific program areas to (a) establish the full cost to local governments of implementing mandates and (b) develop an appropriate basis for determining state-local funding responsibilities.
2. Completion of cost estimates for proposed legislation prior to its first full review by a legislative committee, with legislation negatively affecting local governments' revenue-raising ability being submitted to the COLG for a fiscal impact analysis.
3. A performance-based approach to mandates that (a) focuses on outcomes, (b) offers incentives for achieving state objectives, and (c) gives local governments autonomy to determine the best way to achieve the desired result.
4. Simplified state reporting requirements associated with mandates eliminating nonessential information and duplication, coordinating state deadlines for information submittal, and making better use of reporting technology.

The alarming tendency of state and federal agencies to treat guidelines authorized by enabling legislation as having the stature of law itself must cease. In addition, the state should avoid unessential and arbitrary implementation of federal regulations.

STATE AND LOCAL RESPONSIBILITIES

The state requires local governments to provide certain services, such as education, corrections, social services, health and community mental health. The local government does not have the option of not being the state's service provider in these areas. "State aid" to localities is the state's payment for the implicit contractual arrangement for this assignment of duties. In addition, local governments have to contribute local funding to these services.

In addition to the state-mandated services, localities provide other services that are either necessary (water and sewer, police and fire protection, etc.) or desired by local residents (parks and recreation, cultural activities, etc.). Local governments need the flexibility and resources to collect revenues to meet these local responsibilities.

Two fundamental problems in Virginia's intergovernmental structure are first, the state does not fund adequately existing services, particularly education, that it requires local governments to provide; and second, local officials have very limited revenue options, which forces them to rely heavily on real estate, personal property taxes and other local revenue sources to pay for services.

Further, to improve the relationship of the state and local governments, the state should

1. Not restrict the taxing authority and revenue sources of local governments without local concurrence.

2. Strengthen the partnership of the state with local governments by granting local governments full authority to deal effectively with social problems.
3. Participate as a financial partner with local governments in the costs of education, including school construction and renovation, and, as an active partner, fully fund the state's fair share of the costs of education.
4. Follow specific procurement procedures before purchasing property, including adequate inquiry into the purchase, public hearings and notice, and notice of intent to settle sent to the locality. In addition, the state should consider remuneration to the locality for the loss of real estate taxes as well as any loss in economic development potential.

The General Assembly should continue its involvement with and financial support of the Virginia Institute of Government.

FREEDOM OF INFORMATION

VML strongly supports the free flow of information to citizens and the media through the conduct of governmental affairs at all levels in the open, in good faith compliance with the Freedom of Information Act. VML also supports efforts to educate local government officials about the Act, and the importance of extensive and accurate reporting of government affairs.

Citizens have the right to have personal information protected. Government also has to be able to control its work processes so that public business can be conducted. It is in the public's interest to conduct some matters outside public view prior to official action. Accordingly, VML strongly opposes extending limitations on closed meetings and exempt records, which would upset the Act's careful balance among a fully informed public, the protection of individuals' privacy, the ability of government to conduct its work and those matters for which the premature release would not be in the best interest of the locality or its citizens.

In addition, localities should be able to continue charging reasonable fees for any and all records, including for research time and for computer records that must be provided under the Act to avoid shifting the cost of copying from the requestor to the general taxpayers. The Act should continue to limit rights to documents to citizens of the Commonwealth and news organizations that publish here.

VML opposes legislation to limit the use of any legitimate means of communications from one elected official to others, including letters, emails and conversation.

GOVERNMENTAL & MUNICIPAL OFFICIAL LIABILITY

VML calls upon Virginia's congressional delegation to support legislation to restore suits brought under 42 U.S.C. Section 1983 to traditional civil rights actions, and to preclude the award of damages if the court finds that the government or its officials were acting in good faith.

Expanding liability and eroding immunities at the state level across the nation have had a chilling effect on the actions of local government officials contributing to local government insurance problems, creating immense financial risks (particularly for legal costs), and posing a substantial obstacle to the provision of needed public services.

The Virginia General Assembly should strengthen and must maintain the principles of sovereign immunity for local governments and their officials.

VML strongly opposes bringing local governments under the Virginia Tort Claims Act. This action would seriously erode the sovereign immunity now enjoyed by Virginia local governments and lead to a substantial increase in frivolous suits.

The tort reparations system in the U.S. creates many difficulties in the administration of justice. VML supports efforts at the national and state levels to address tort reform, such as limitations on the tort liability of local governments in areas where local governments do not enjoy sovereign immunity.

The General Assembly should adopt legislation to codify the proposition that real property of local governments shall be exempt from liens created by statute or otherwise. This proposition has already been recognized by the Virginia Supreme Court for mechanics liens.

PERSONNEL

Management has the responsibility to ensure that employment, training, and promotional opportunities are provided without regard to race, creed, sex, national origin, age, or any other factors not related to job performance.

VML supports:

- an equitable heart/lung/cancer presumption statute as was the intent of the original legislation. Compensability should be determined by establishing whether work or non work related risk factors are more likely the primary cause of the claimant's condition. Additional employee classes and/or medical conditions should be added only when supported by credible medical evidence.
- the current injury by accident definition in the Virginia Workers' Compensation Act.
- the current Workers' Compensation Act provisions for use of an employer selected panel of physicians to treat injured workers.
- maintenance of the exclusive remedy provisions of the Virginia Workers' Compensation Act.
- local governments' authority to establish hours of work, salaries and working conditions for local employees.

VML opposes:

- any attempt to impose collective bargaining or 'meet and confer' requirements for public employers or employees.
- any attempt by the federal government to stipulate grievance procedures for state and local employees, such as the police officers bill of rights.

TELECOMMUNICATIONS, LOCAL GOVERNMENT PRINCIPLES

VML sets forth the following principles to guide any federal or state legislative action regarding telecommunications issues.

a. Public Rights-of-Way.

Local rights-of-way are public property. The rights-of-way contain numerous utility and other facilities. Proper management and maintenance of rights-of-way are essential to ensure public safety, to protect the integrity of the property, to guarantee the safety of workers and to maintain the efficiency of local streets, utility systems and transportation facilities and networks. Private use of public rights-of-way significantly increases management and maintenance costs.

b. Franchise authority.

Neither the federal government nor the state should enact any laws to shift the award of franchises to use the public rights of way from the local governing body to any state or federal agency.

Individuals and businesses in the community help to buy and maintain rights-of-way

through their taxes. Rights-of-way should not be used for private purposes without approval by and compensation to the local government for the right to use the space, and local governments must have authority to control the rights-of-way.

c. Equitable Taxation. Telecommunications providers are valued members of our corporate community. All members of the corporate community must pay taxes on an equitable basis, as appropriately determined by the local government. No legislation should restrict the ability of local governments to impose equitable taxes on telecommunications providers.

d. Universal Service and Consumer Access. Important educational and community services are provided via telecommunications. Telecommunications providers must be responsive to citizen needs and concerns and provide appropriate customer services to all segments of our community so that disparities due to income or geographic location affecting citizen access to new technology are minimized.

e. Competition. Local governments are interested in healthy competition in the_field of telecommunications. To ensure a competitively neutral and non-discriminatory market, all service providers must pay fair compensation for the use of public property. Governments should not be forced to subsidize some participants in this fee-market competition through lower-than-fair-market charges or any other means.

f. Local Government as Customers. Local governments are important consumers of telecommunications services. In many communities, the local government is the single largest customers of telecommunications services through its government offices, education facilities and emergency communications. As valuable customers, local governments should be treated equitably.

TECHNOLOGY

State law should allow all counties, cities, and towns to make full and appropriate use of modern technology to promote public safety. Localities should have maximum flexibility to contract with the private sector to implement all aspects of such technology.

State policy must assist local governments to contact and notify their citizens in the most efficient and cost-effective manners possible given the telecommunications infrastructure in the locality. Ads required by the code of Virginia are expensive to run in the newspaper and often are only seen by a small minority of the citizens. In some cases, newspapers that charged reasonable advertising rates closed leaving localities with only expensive newspapers for legal notices. A locality's internet presence, social media, local cable access channels, local radio and TV provide alternative methods to contact the citizens much more broadly and effectively than newspaper ads in many areas of the Commonwealth. In addition, the cost of contacting the citizens through new technology can be much lower than advertising in the newspaper. The state code should be amended to allow local governments electronic and other alternative means of communicating with their citizens when providing required legal notices.

In addition, small towns should be allowed to use first class mail instead of newspaper advertising to notify the citizens of government actions such as advertising a budget hearing or advertising a land use hearing in order to save the citizens money and to communicate more effectively with the citizens.

Pursuant to the 1996 Telecommunication Act, the cellular phone industry is developing technology to provide for the identification of the origin of cellular emergency calls. Until this technology is implemented and revenue sources have been

identified to finance it, the state police should continue to handle the E911 calls they currently handle.
(Moved from public safety section)

UTILITIES

Fundamental policies should be honored by the state in promoting the delivery of utility services by local governments and the authorities they create:

a. Each provider of service must be free to set its rates without interference from other local governments or the state.

b. Each local government providing utility services must be able to compete fairly with any other providers without state interference.

c. Each local government that provides utility services must be able to manage its revenues and expenditures related to the services without state interference.

Virginia's localities and water and sewer authorities must retain the ability to enforce liens against landlords' properties for the unpaid water and sewer bills of their tenants in order to maintain a dependable income stream.

Municipal electric systems should continue to have the authority to set their own rates. Any attempt by the State Corporation Commission to regulate rates for utility services furnished by local governments would violate the Virginia Constitution.

The Virginia Electric Utility Restructuring Act of 1999, as amended in 2001, requires that incumbent electric utilities functionally separate their generation facilities from their transmission and distribution facilities prior to implementing retail choice. VML supports functional separation but is opposed in principle to an arrangement whereby a Virginia utility would transfer its generation facilities to an affiliate corporation.

II. PUBLIC SAFETY

VML supports legislation that preserves law and order and promotes the safety, quality of life and administration of justice within our communities. The Commonwealth should enhance its efforts to prevent juvenile crime, minimize violence in the schools, reduce the formation and operation of gangs by providing funding for programs that prepare our youth to be productive, responsible, self-reliant members of society.

The state should continue to provide leadership and technical assistance to localities in their efforts to coordinate public safety activities including emergency services.

VML supports legislation that will clearly establish the relationships between the Virginia State Police and municipalities to assure efficient command, control and communications during local emergencies.

Additional authority should be granted to law enforcement agencies to impound the vehicle owned by a person charged after having been convicted more than once of operating the motor vehicle without a driver's license.

Greater latitude should be given to localities in encouraging innovative methods of combating traffic violations and crime.

WEAPONS IN PUBLIC BUILDINGS

VML supports legislation to allow local governments to prohibit or restrict the carrying of weapons in city and town halls, county administration buildings, and any other building where a meeting of a local governing body meets, to the same extent weapons are prohibited in public schools.

COMMUNITY CORRECTIONS

VML requests both increased funding and an equitable distribution formula for services provided under the Comprehensive Community Corrections Act (CCCA) and the Pre-Trial Services Act (PSA). Since the advent of these programs in 1995, caseloads have effectively doubled at the local level, while state resources have remained constant. These resources are allocated to localities on a discretionary grant basis. Given the statewide character of this program, it is now time to allocate these funds through an equitable formula that recognizes regional costs and benefits of these services. The program is cost effective.

COURT FEES

A user of the court system should not force increased costs on the general population. VML supports legislation to increase court fees to pay for courthouse maintenance, renovation and construction and other court-related projects.

DOMESTIC VIOLENCE

Virginia's law defines domestic violence as incidents involving those who are or have been married, those who cohabit or have cohabited within the past 12 months, or couples that have a child in common. As it has been demonstrated that incidents of domestic violence between couples who previously cohabited can occur several years or more after they cease to cohabit, incidents of violence between these individuals should be treated as domestic violence, no matter how much time has passed since the cohabitation ceased. The *Code of Virginia* definition of domestic violence should be changed to reflect this broader scope of cohabitation.

Currently cases involving statutory-defined domestic violence go to the juvenile and domestic relations district court, while those that do not meet the code definition go to the general district court. Giving the juvenile and domestic relations district court jurisdiction over these cases to the greatest degree practical would allow that court to develop a greater expertise and consistency in dealing with this type of violence. A code change is recommended.

FAMILY COURTS

Any legislation to implement a family court system should include 100 percent state financing of new operating and capital costs of that system.

INTERNAL AFFAIRS INVESTIGATIONS

Legislation should be enacted to restrict the use, in civil matters, of information gathered in internal investigations.

OVERCROWDING/STATE SUPPORT

The state should live up to its commitment to remove state prisoners from local jails.

The state should fully fund the per diem reimbursement for all state prisoners.

Jails built by a single large locality should be made eligible for the same state reimbursement rate for construction as a regional jail facility.

TRAINING ACADEMIES

The state should fully fund all mandated criminal justice training provided through certified academies.

VIOLENCE

The General Assembly should enable localities to help communities deal with violence issues by:

a. reducing the accessibility of weapons by criminals through tools such as a ban on assault weapons,
b. expanding state and local cooperative efforts in neighborhoods,

c. promoting additional prevention and intervention programs to deal with youths who may adopt a violent way of life, and
d. granting localities more flexibility to handle problems of abandoned and blighted structures.

COURT SECURITY

The General Assembly should adopt legislation making it clear that local judges do not have the authority to order localities to fund more deputy positions for court security than are provided for in the State Code and Appropriations Act.

YOUNG DRIVERS

VML urges Virginia's lawmakers and leadership to study a Graduated Drivers License program with intermediate testing and review after 1 year and to study a more extensive and challenging driver's education program to better prepare young drivers.

PRIMARY SEAT BELT LAW

VML strongly endorses adoption of a Primary Seat Belt Law in the Commonwealth in an effort to save lives, reduce injuries on our roads, and be eligible to receive $16.5 million in grant money for law enforcement.

NOISE CONTROL

VML supports state and local programs to control unacceptable noise. Local governments should have the authority to determine the appropriate measure for establishing unacceptable levels of nuisance noise and to enact local ordinances to address its curtailment.

Federal, state and local governments share the same citizens and same taxpayers. The state and federal governments are increasingly shifting funding and responsibilities for mandated services to local governments. Local governments seem to have no meaningful role in this partnership except to obey federal and state mandates. Local governments request a restoration of a meaningful intergovernmental partnership in human services and education.

I. HUMAN DEVELOPMENT

The strength of our communities determines the strength of our democracy. Emotional, social, and economic poverty weakens the fabric of our society and threatens our democracy. Policy leaders must ensure access to opportunities and invest the proper resources necessary for all children to grow up in nurturing surroundings, and to reconnect and strengthen the bonds of individuals and institutions in communities so that they thrive and favorably compete in the global economy.

State budget cuts to local human services programs during a time of unprecedented need due to the recession puts families and communities at greater risk; local governments cannot make up for these reductions.

A PLATFORM FOR CHILDREN & FAMILIES

VML endorses the National League of Cities' Platform for Children and Families that recognizes that strong communities are built on a foundation of strong families and empowered neighborhoods that support every child. VML supports and encourages efforts by our communities and the state that emphasize:

- **Opportunities to learn and grow** (family literacy programs, quality out-of-school time programs and early childhood programs);
- **Safe neighborhoods to call home** (sufficient state support for local law enforcement, juvenile justice, and prisoner re-entry programs);
- **Healthy lifestyles & environment** (improving access to healthy foods, physical activity and recreation programs, and child nutrition programs); and
- **Financially fit families** (workforce development, clamping down on predatory lenders, getting more families access to low-cost bank accounts and mainstream financial services)

INTERGOVERNMENTAL ISSUES & FUNDING

A working partnership.

- The federal and state governments should allow local governments maximum flexibility in developing public/private partnerships to address human service needs.
- The state should provide tax incentives, and allow local governments to provide them, to promote these public/private partnerships.

- Local government must be a partner with the state and federal government in the process of developing regulations, guidelines and allocation methods.
- The State should require interagency review of regulations to reconcile existing conflicts and to avoid duplication or conflict among agencies.
- The State should share data with communities and build a comprehensive human services data base to promote better program planning, evaluation, and integration of services.
- VML opposes any efforts by the state to dictate the membership of local human services policy or advisory boards.

Funding commitments. Human services funding formulae should reflect identified needs, should be adequate to meet those needs, and should not pit localities against each other. Equity in funding cannot be achieved by simply redistributing insufficient existing state aid among jurisdictions.

Cost shifting and unfunded mandates. VML opposes the imposition of new federal or state requirements without the funding to pay them. In the case of state mandates, as the state reduces its funding and assistance to localities, it must show enough common sense to ease or eliminate requirements it is not willing to support. In the case of federal mandates, the state must at the very least maintain its share of responsibility for program supervision and funding. For example:

- Do not pass onto local governments and local taxpayers the responsibility for funding the administration of the FAMIS eligibility and case management without state support.
- Do not pass onto local governments and real estate taxpayers the cost of federal penalties when the state does not meet its obligations for human services programs, including adequate administrative funding, technology, training, and technical assistance necessary to properly do the job.
- Do not shift onto local governments and real estate taxpayers the costs for federally-mandated and state-supervised programs such as adoption assistance, just because a few policy makers at the state level decide they do not want to pay for it any longer.
- Restore the state funding ratio for local welfare administrative costs, in which the state pays 80 percent and the localities pay 20 percent, beginning in the FY2013 budget.

Medicaid. Federal actions to limit the use of Medicaid funding in communities cost the state and localities more money for services to Medicaid-eligible populations. Federal funding must keep pace with the growth in Medicaid-funded services in communities.

BEHAVIORAL HEALTH

Planning for the future of the community & facility system. VML supports the restoration of state support for the community-based system, including increased funding of

Medicaid waivers to eliminate waiting lists. VML also supports creation of pilot programs that allow communities to focus on ways to better help individuals with behavioral and developmental disabilities to live and thrive in their communities.

VML supports community services boards (CSBs) as the single point-of-entry into the publicly-funded system of care. CSB direct services should remain as a choice for consumers and their families.

Any plan for the future of the publicly-funded behavioral health and developmental services system should include adequate state funding for:

- a comprehensive system of community-based care and treatment, including case management, residential and in-home supports, PACT/ICT teams, and other wrap-around services;
- rapid response to urgent care needs in each community;
- 100 percent of the costs for the services and supports for persons returning to the community from state facilities, as well as for those persons diverted from state facilities.
- Children's mental health services, including the Mental Health Initiative.

Further, any restructuring plan should assure the following:

- Local flexibility in planning and service provision, particularly for local-only funds;
- No changes in the local community services match that would increase the burden on local taxes and budgets;
- Extensive consultation with local officials and community members, particularly those in communities with state facilities and those most affected in the past by de-institutionalization, during any discussion of facility downsizing or closure;
- Consultation with local officials and community services boards regarding feasible strategies and funding proposals for publicly-funded services;
- Sufficient time and opportunity for public comment on any proposal that is presented to the Governor and General Assembly;
- Strategies to overcome past de-institutionalization errors, in particular the shifting of the burden of care to communities;
- Strategies to return consumers to their home communities to discourage the concentration of consumers in facility communities and in urban centers;
- State facilities are not so drastically reduced in size and scope that the potential for inpatient care is effectively eliminated; and
- An action plan to address the economic impact of facility downsizing or closure on facility communities.
- Continued funding for additional communities to qualify for crisis intervention team grants.

Part C early intervention. VML urges the General Assembly to assure full funding for infants and toddlers eligible for therapeutic services under Part C of IDEA to improve their school readiness and quality of life. VML opposes any state actions to further shift the funding of this program to local governments.

Medicaid accountability and quality of care. The league encourages adequate state oversight of, and accountability for community-level services funded by Medicaid, whether those services are furnished through private or public providers.

- Virginia should ensure adequate funding and reimbursements for the developmental disability waiver program.
- Virginia should create a provider network to furnish flexible, consumer- and recovery-focused services in communities.
- The Department of Medical Assistance Services (DMAS) should regularly update use and inflation data for all behavioral health services, and annually adjust its rates.
- DMAS should be responsible for seeking funding to meet Virginia's projected need for Medicaid-covered behavioral health services.
- Virginia should incrementally raise the Medicaid income eligibility requirements to 100 percent of federal poverty guidelines, thereby assuring more needy consumers access to Medicaid-covered services and reducing dependence on state general funds.
- VML urges DMAS to continue and expand Medicaid reimbursement for substance abuse services.

VML encourages the state to guarantee adequate funding to allow uninsured people who are not Medicaid-eligible to receive comprehensive mental health and substance abuse services at the community level.

Substance abuse and behavioral health treatment in jails and juvenile detention centers. The state should fully fund behavioral health services, drug courts, drug education, and treatment in the state, regional, and local correctional system, given the overwhelming percentage of adults and juveniles in the system diagnosed with behavioral health and substance abuse conditions. To be most effective, treatment and support services are needed both within institutions and in the community to decrease recidivism.

Availability of Services. The state must ensure that consumers seeking voluntary treatment receive such services, without regard to their ability to pay.

Additionally, funding for rapid response urgent care access should be available within every community as well as increased capacity to address mandated outpatient commitment.

Drug courts and day reporting centers.
The state should restore funding of drug courts and day reporting centers, both of which help keep individuals out of the criminal justice system.

Needs of military veterans and families
An estimated 170,000 returning soldiers from Afghanistan and Iraq require some type of behavioral health care services or treatment. Children of U.S. military troops sought outpatient behavioral health care two million times in 2008, twice the number that sought help at the start of the Iraq war. Given the number of active military, veterans, and military families living in Virginia, it is clear that the behavioral health needs of soldiers and their families must be swiftly and adequately addressed. VML urges the federal government to increase funding

and access to behavioral health and addiction treatment services for active members of the military (including National Guard and Reserves), returning veterans, and their family members.

AGING

Community programs. As alternatives to institutionalized care wherever appropriate, the state should develop Medicaid waivers or otherwise fully fund community-based programs like companion services, respite care, homemaker services, adult group homes and adult day care for the elderly. Additionally, communities must have the resources to address the complex medical and behavioral health needs of aging persons with intellectual disabilities, who may, with appropriate services, remain in the communities with their natural support system of families and friends.

Housing. The state should support policies that increase the affordability and availability of senior housing throughout the commonwealth.

COMPREHENSIVE SERVICES ACT

In the last 20 years Virginia has implemented just half of the CSA program. When the CSA was developed in the early 1990s, the plan called for comprehensive prevention programs for at risk youth and families. Unless and until the state commits to developing and funding programs that address the roots of issues that bring children and families into CSA, the CSA program will continue as an increasingly expensive "catch-up" approach to addressing the complex needs of children and families.

A realistic partnership. The Commonwealth should establish a statutory provision for operation of this state-local partnership that appropriately reflects the shared responsibilities, the need for sufficient "rules and tools", and recognizes the practical reality that correcting policy and procedural errors may take substantial time and resources.

Sum sufficiency. CSA serves many children who are entitled to sum sufficient services; the state must keep its commitment to fund its share of services costs for this population.

Base-budget funding. The costs of the Comprehensive Services Act (CSA) for at-risk youth and their families should be fully funded in the state's base budget.

Administrative funding. State administrative funding has not increased since 1998. VML supports greater funding from the state to support the program's substantial administrative requirements carried out at the local level and to improve the program's functioning.

Administrative Process Act. CSA should be covered under the Virginia Administrative Process Act.

Incentive funding. The CSA funding formula should include an incentive component that rewards those local governments implementing innovative and cost-effective alternatives to residential placement.

Behavioral health services for youth.

- The General Assembly should build upon its funding and seek federal-state funded waivers to

provide behavioral health and prevention services for youth.

- The state has greatly decreased state facility beds and state-funded services for children, including those with long-term or hard-to-treat conditions. VML urges the state to continue its support of the Commonwealth Center for Children and Adolescents as a part of the array of behavioral health services.
- Private insurance often does not sufficiently cover behavioral health treatment. The result is more families turning to the CSA program. Local governments support greater state funding to the Mental Health Initiative to serve children with behavioral health needs who do not otherwise require CSA's sum sufficient services.
- VML opposes any expansion of the CSA mandated population that requires additional local funding, or any movement to turn CSA into a parallel mental health system for children.
- State efforts to expand the base level of community-based services for children statewide must be accompanied by full state funding of such services.

Service capacity. VML encourages the state to establish a children's behavioral health workforce development initiative to build service capacity throughout the state.

Service coordination. State and local governments should work together to ensure the greatest degree of coordination between Individual Education Plans (IEPs) and CSA service plans.

State agency policy coordination. The State Executive Council must ensure that the administrative and policy requirements of the state agencies involved in the CSA are consistent with one another and consistently applied to local governments.

Utilization review. Local governments must maintain the flexibility to develop utilization management processes that are approved by the State Executive Council.

FACILITIES FOR ADULTS AND YOUTH

Auxiliary grant program. The state should assume full responsibility for the cost of the auxiliary grant program for elderly persons and people with disabilities.

Licensure and regulation of group homes. VML urges the state to continue to work with local governments to assure adequate licensure and regulatory requirements are in place to assure community safety and well-being.

HOMELESSNESS

VML supports measures to prevent homelessness in Virginia and to assist the chronic homeless, including veterans, in obtaining appropriate rehabilitative and recovery services, job training and support, and affordable and appropriate housing. VML supports measures to remove barriers this population faces in meeting identification and residency requirements for valid state-issued identification cards. VML urges the state to create a housing trust fund and to

work with communities to develop and otherwise support housing for this population.

JUVENILE JUSTICE PROGRAMS

Virginia Juvenile Community Crime Control Act (VJCCCA). The Virginia Municipal League urges the General Assembly to restore the 71 percent funding reduction to the Virginia Juvenile Community Crime Control Act (VJCCCA) program and to support an equitable and stable funding allocation process for the program. The VJCCCA directs localities, in cooperation with judges, to implement programs that divert youth from state or local confinement or help ensure the success of those re-entering the community from confinement. Every city and county participates in the program. VJCCCA gives judges the ability to order first-time and less serious offenders to services such as electronic monitoring, intensive counseling, and group homes. Such appropriate services reduce more costly and less suitable placements in local secure detention or state correctional facilities. It also effectively serves youth that are part of the non-mandated population under the Comprehensive Services Act.

SOCIAL SERVICES & WELFARE REFORM

Child and family services program improvement plan. The state must fund the technology and systems to improve the quality of all casework activities related to child welfare services (prevention of child abuse/neglect; prevention foster care, foster care and adoption)

Foster care: Protections for children. VML urges the federal and state governments to closely monitor the balance between the rights of parents versus the safety of children entrusted to this system.

Phase III of welfare reform. State and local governments must jointly develop and implement a plan for the next phase of welfare reform. The overarching goals should be to achieve family independence for current TANF recipients and to promote child well-being as a way to prevent future reliance on TANF. More effective strategies must be developed to address the extremely challenging employment barriers among the hard-to-serve and to meet the needs for parent education, child care, and medical and behavioral health care among TANF beneficiaries and the working poor who face the loss of TANF benefits.

Child care. Affordable, high-quality child care is crucial to parents in the TANF program and to low-income parents whose wages simply cannot cover child care costs. The state must help fund child care costs to help these families. The state should consider ways to ensure safe, affordable_child care, such as grants for nonprofit or public organizations offering child care, and employer incentives to provide child care centers for their employees.

Healthy families. VML supports expanded use of state general funds for the Healthy Families program, a voluntary program that offers parental education, support, and assistance to help prevent the need for more costly human services and public safety programs in the future.

Social Services Block Grant. Virginia uses Title XX-Social Services Block Grant (SSBG) funding for a variety of non-cash-assistance services, including in-home services for the elderly, child and adult abuse investigators, and domestic abuse and family preservation services. Congress has consistently underfunded the SSBG at the levels authorized in the 1996 federal welfare reform law. VML urges Congress to live up to its commitment to fully fund the SSBG. Until the federal budget fully funds SSBG, VML urges the General Assembly to continue to first use any Temporary Assistance for Needy Families (TANF) balances to replace SSBG funds.

HEALTH

Cooperative health budget. The General Assembly should provide sufficient funding local health departments.

Prevention programs. Health services should include a focus on educational concerns and prevention programs, including teen pregnancy programs, dental care, well-baby care, immunizations, early childhood services and prenatal care.

Local flexibility. District health offices should be locally controlled to the maximum extent consistent with protecting public health.

HEALTH CARE REFORM

Expansion of state Medicaid eligibility would increase the workload and costs for local departments of social services, which perform eligibility determination and redetermination on behalf of the state. Any expansion of the caseload must be accompanied by sufficient state funding for staffing and technology to properly do the job.

PREDATORY LENDING PRACTICES

VML supports legislation to place a 36 percent cap on payday, car-title, open-ended and similar loans.

SERVICES FOR THE NON-ENGLISH SPEAKING POPULATION

The 2010Census confirmed that the number of non-English speaking residents has grown substantially throughout the commonwealth. Services offered through the departments of social services, health, public safety and the public schools are particularly affected by this demographic change.

VML urges the Secretaries of Education, Health and Human Resources, and Economic Development to institute changes in funding programs and services to non-English-speaking people to ensure that programs can meet the increased need. VML supports budgetary changes to furnish funding for translation services, possibly through block grants based on census data, increase funding for adult and K-12 ESL education, and to use a portion of TANF unspent balances to help fund services for this population. Finally, VML encourages localities to adopt a regional approach and to work with local civic groups, community colleges and other higher education institutions to develop translation banks and other language services.

II. EDUCATION

The Virginia Municipal League supports the goal of ensuring quality, well funded

and effective teaching in every classroom in the Commonwealth. Localities have greatly exceeded their responsibilities for K-12 education funding. It is essential for the state to meet fully its responsibilities to fund education.

VISION

A strong public education system is the pillar of American society and a passport to the future. Our country cannot be strong without an excellent education system that students leave armed with the critical thinking skills that will enable them to be productive citizens. A solid foundation of learning is essential for our communities, state, and country.

A strong educational system requires accountability; parental, community and business involvement and the wise and efficient use of resources. Standards are an essential part of the accountability system, but cannot be measured simply by standardized tests. Students need to learn not only facts and figures, but also those critical learning skills that will enable them to leave high school prepared for either the workplace or higher education.

Students, parents, administrators and teachers all have roles in the educational system and have to be part of that accountability system. Parents have to be involved with their children's education, but family support for parents is essential, particularly in dealing with children with mental, physical or substance abuse problems. Not all children should or need to prepare to attend college, but students across the economic spectrum should have equitable opportunities to learn.

A sound education system puts resources where they can be most effective, includes collaboration between school boards and local governing bodies, uses technology effectively, embraces innovation and regional opportunities and focuses on early intervention to tackle problems at the earliest time possible.

FUNDING

The SOQ should be broad enough to include the major components of what is required for a quality educational program. VML supports full funding of the state's share of the actual costs of the SOQ based on prevailing practices, and full funding of the state's share of categorical educational mandates in areas such as special education, alternative education and gifted education. While Virginia has been granted a waiver from the U.S. Department of Education for the legislative requirements under No Child Left Behind, meeting the standards required under the waiver will necessitate the dedication of additional funds to ensure that children who are at risk of educational failure will have the resources available to help them succeed.

The state should fully recognize and fund the costs of rebenchmarking of the various educational programs including the Standards of Quality, incentive, categorical, and school facilities programs. Changing the process of rebenchmarking to artificially lower recognized costs does not change what it actually costs to provide education. Instead, it simply transfers additional costs to local governments, and ultimately to the local real estate tax base.

STANDARDS OF QUALITY

VML supports full implementation of the revisions proposed in 2003 by the State Board of Education to the Standards of Quality. VML supports implementation of the recommendations contained in the 2003 JLARC study of education funding to ensure that the SOQ are conducive to reaching the goal of having a state educational system that is nationally recognized for excellence and adequately reflect prevailing practices among the school divisions. VML also supports revisions to the SOQ to reflect changes made in the Standards of Accreditation and Standards of Learning in order that the cost of meeting the SOQ is more realistic.

SOQ FUNDING

The state must be a reliable funding partner in accordance with the Virginia Constitution and state statutes. The Standards of Quality should recognize resources, including positions, required for a high-quality public education system.

Funding for the SOQ should include:

1. Establishment of a predictable and meaningful source of funding for construction, including funding for new construction, renovation, maintenance and land purchase. The Literary Fund and the Virginia Public School Authority are not sufficient means for the state to help localities pay for capital needs.
2. A predictable and reliable source of funding for technology infrastructure and personnel costs.
3. Realistic state funding for salary increases for professional and non-professional school employees. Salary increases should be funded for a full year starting July 1, the start of the fiscal year.
4. Funding to initiate and continue to enable school systems to address school safety issues.
5. Recognition of adequate support costs based on realistic measures of the importance of support positions to achievement on state accountability standards. Current state funding for support positions are not based on prevailing practices or on any scientifically-derived staffing ratios.
6. Flexibility where possible in areas such as funding of student health services.
7. Support for funding of recommendations made by JLARC to promote reading by grade level by the third grade.
8. Development of realistic cost estimates that are based on prevailing practices and not on the availability of state funding.
9. Review by JLARC in order that data and information can be provided to the State Board of Education on the cost of meeting the SOQs, SOLs and SOAs.
10. Lottery funds that are distributed to localities without a corresponding reduction in direct aid.

The state should not require any maintenance of local effort other than that associated with the SOQ. A maintenance of effort requirement that is not connected to the SOQ will punish those localities that voluntarily spent beyond the required minimum in an effort to achieve a high quality system of

education. Further, it will simply perpetuate the current mismatch in state-local funding for education.

The General Assembly should recognize that local governments traditionally have funded their share of costs of meeting the SOQ and, in fact, most have funded education beyond their required share in efforts to provide quality education. These higher funding levels have meant that localities have had to raise local taxes and fees and defer spending on other important local priorities including public safety.

Because spending increases alone may not produce desired levels of student achievement, the State Board of Education and other responsible bodies are urged to develop measures of results to determine the actual effectiveness of expenditures on education.

VML believes that the methodology for costing the SOQ does not take into account the differences in costs in the state's various regions, nor does it adequately address unique local conditions such as small, large, declining, or diverse student populations.

First, the new methodology artificially lowers the state average salary by using the "L-estimator" instead of average salary figures. Second, the methodology uses an artificially low limit on the number of professionals per 1,000 pupils for which state aid is given. Third, the methodology does not address the differences in providing education to students with special needs or the heavy additional cost of educating English as Second Language students. The add-on funding for at-risk students is a start toward meeting unique local circumstances and should be increased in accordance with the At Risk Student Achievement Program.

The problems with the funding methodology have been exacerbated by the failure of the state to keep current cost estimates affecting the calculation of the L-estimator, as discussed by the Joint Legislative Audit and Review Commission in its 2003 study of education funding. As a result, the L-estimator currently produces an even lower measure of salary than would be the case were the methodology originally proposed by JLARC to be used.

The state administration, General Assembly and school boards should intensify their efforts to secure increased federal funding for special education mandates and for meeting the costs incurred under the No Child Left Behind Act, including application for Race to the Top funding.

The first priority for the use of a state surplus should be the funding of mandated educational programs.

Disparity should not be addressed by simply redistributing existing state aid among jurisdictions.

LOCAL AUTONOMY

Because public education should be as close as possible to the people, local school decisions cannot and should not be made by the state. Local schools boards should be responsible for the direct supervision and management of local schools.

The state should not take any actions that limit or reduce authority of local

school boards and local governing bodies to finance and manage local schools. Some school boards and localities may prefer to have the operation of their schools that are consistently low-performing taken over by the state. Others, however, are pursuing initiatives to improve educational outcomes for their students. In these cases, pursuant to agreements entered into by the school boards and the Opportunity Educational Institution, the local school board should be given an opportunity to implement these initiatives. If progress is being made, that progress should not be interrupted by a transfer to state control.

VML supports delay for the implementation of the OEI. The OEI currently is scheduled to take over operation of public schools in the 2014-2015 school year. The JLARC report on options for improving low-performing schools will not be released until June 2014. Further, with the upcoming change in administration, there is not adequate time for the OEI to be prepared to operate schools by September 2014.

ALTERNATIVE EDUCATION

Traditional approaches to discipline—long-term suspensions and expulsions—transfer the problems of the student from the school division to the general government. There should be school alternatives to the normal school environment for students who do not behave appropriately. The state should develop and fund alternatives for students suspended and expelled from school, such as programs designed to encourage obtainment of GEDs, career education, job skills, self control training and drug and substance prevention. Finally, there is little effective enforcement of truancy laws for students who are over 16 years of age. Some of these students have full time jobs and school divisions have difficulty in locating them. VML encourages the development of initiatives to better enable schools to track these older students.

EARLY CHILDHOOD DEVELOPMENT & EDUCATION

Research has shown that the early childhood years (from infancy to age five) are critical years for brain development. These early years are also critical for establishing healthy lifestyles – eating nutritious foods, engaging in activities and exercise (i.e., playing), and learning basic health and safety practices.

Children who are regularly read to and gain basic language skills; who participate in healthy activities and learning experiences; and who learn basic social skills, are more likely to enter kindergarten ready to learn. They are also more likely to read at grade level by the third grade. This early progress can lead to continued success in school and ultimately in the workforce.

VML supports state and local policies and initiatives that spotlight and encourage greater early learning opportunities for children, along with access to information and resources that will help parents and caregivers give young children the greatest chances to learn and grow in healthy ways. This will ensure a better economic future for families and communities.

VML supports increased state funding for pre-kindergarten students to ensure that all children entering the public

system have the social and intellectual skills necessary to be successful students.

HIGHER EDUCATION

Virginia's colleges and universities serve as engines of economic growth, cultural enrichment, and intellectual development for communities across the commonwealth. The decline in state support for institutions of higher education and the state's unwillingness to invest in these institutions endangers the economic health of the commonwealth and its cities, towns, and counties.

In addition to ensuring a stronger and more diversified economic base, a healthy and vibrant higher education sector, which includes two-year as well as four-year institutions, supplies our communities with an educated and well-trained workforce that attracts new businesses and allows existing businesses to compete effectively in an increasingly competitive global economy. Further, beneficiaries of higher education tend to earn higher incomes, thus expanding the revenue stream to the state, and thereby ensuring the continued provision of quality services for its citizens. Finally, the involvement of institutions, their faculty, and their students in communities across the commonwealth and the expanded cultural opportunities these institutions offer communities enhances the quality of life for all Virginians.

VML supports additional funding for higher education institutions to enable them to meet their educational mandates, thereby meeting the needs of Virginia's citizens and businesses.

Currently, community colleges are required to offer reduced tuition for high school students. Local schools, however, are required to make up the difference in tuition. This clearly is an unfunded mandate. The state should find other resources within its higher education budget to pay for the tuition for these students.

Critical investments are needed to maintain and improve Virginia's transportation network; the structural imbalance between critical needs and available resources persists, even with the recent HB2313 transportation and public transit legislation. TransAction2040, published by the Northern Virginia Transportation Authority (NVTA) shows a need for $86 billion highway and transit expenditures in this region alone over the next 25 years just to keep congestion at 2007 levels, never mind reduce it. Over this same period, DRPT's Management Plan Update shows a statewide need for public transit investment of $60 billion for operations and $35 billion for major capital projects.

VML acknowledges the contribution of HB2313 as an important first step in addressing the transportation needs of Virginia's localities. The legislation does provide:

A. Sustainable Funding. - A stable and predictable plan which is comprehensive, which addresses investment across the state and which does not rely upon general fund revenue..

B. Fiscal responsibility. - Dedicated revenues, which are activity-based, will strengthen as the economy does. Further, revenues will be allocated to jurisdictions in proportion to their transportation tax contribution, preserving a balance of equity

C. Statewide focus. Transportation is a state-wide issue, not a regional, urban or rural issue. Every area of the state is economically hampered by insufficient infrastructure management.

D. Shared responsibility. Transportation planning and authority are delegated to regional bodies where they exist and to localities. These bodies prioritize and authorize individual projects within their jurisdiction, an essential element of equity which does require coordination among involved localities.

E. Infrastructure modernization. Our transportation efforts must include a comprehensive statewide plan to provide transportation options for rail and transit which minimize the use of petroleum. Such plans must ensure that all Virginians - rural, suburban and urban – are able to contribute to and benefit from statewide economic opportunities.

F. Congestion mitigation. Alleviation of commuter congestion is essential to economic development and to enhance citizens' quality of life. Corridor-wide solutions which promote alternative modes including highways, transit and non-traditional solutions still need to be developed.

REVENUES

Since the transportation needs of the state are so much greater than the current funding provisions, it remains essential that the General Assembly continue and expand transportation and infrastructure investment which is fiscally sound, well documented and serve local, regional and state-wide needs by:

- Raising revenue from those who use the transport systems;
- Increasing dedicated funding for public transportation to meet transit operating

expenses and make Virginia competitive for federal transport funds;

- Providing or extending as a local option transportation impact fee authority to all localities;
- Authorizing practical options for using long-term financing for major transportation projects;
- Providing full state funding for the revenue sharing program as provided for in §33.1-23.05;
- Seeking equity among various road users by ensuring that trucks pay their share of road costs. VML also advocates for increased local influence when the state considers mitigating negative impacts resulting from excessive truck traffic.

PASS-THROUGH OF FEDERAL FUNDS

Localities are often successful in receiving federal funds such as special appropriations and enhancement funds. These funds are passed through the State to localities and the transfer of these funds is often delayed. The federal government and the state need to streamline the transfer of these funds and allow localities to move forward with these projects. The state needs to anticipate increases in federal funding and prepare to raise and dedicate matching funds.

SAFETY

Pedestrian

VML recommends that the Virginia Code be amended to clarify the respective rights and duties of pedestrians and vehicle drivers. Drivers should be required to stop, not just yield, for pedestrians in all marked and unmarked crosswalks. In addition, police need the ability to issue simpler citations than currently allowed under Virginia law to more effectively enforce the laws against jay walking.

PRESERVATION OF RIGHTS-OF-WAY

Transportation projects take many years from the planning stage to construction. Localities need additional authority to reserve miles of right-of-way years in advance of any funding availability for these projects, or risk development in the path of these transportation projects.

TECHNICAL ASSISTANCE

Smaller communities and regions require additional and enhanced transportation planning and technical assistance from VDOT and DRPT. VDOT and DRPT, therefore, have a continuing obligation to assist these areas, including establishing equitable equipment rental rates and administrative costs.

TRAFFIC CALMING

VML supports continued improvements to VDOT's traffic calming program to improve safety for users of public streets. Additionally, VML has supported, and continues to support, expanding the availability of photo-camera traffic enforcement for all localities.

METROPOLITAN PLANNING ORGANIZATIONS (MPOs)

VML opposes broadening MPO voting membership to include private sector representatives. VML believes that representation by public officials makes MPOs accountable to citizens.

PUBLIC TRANSIT

Public transit includes all available multiple occupancy vehicle services and technologies designed to transport passengers on local and regional routes.

VML supports 1) increased federal and state funding for public transit, and 2) policies that allow for the equitable distribution of such funding.

RAIL TRANSPORTATION

VML recommends the expansion of interstate and intra-state passenger and freight rail service corridors, with no requirement for local match to provide transportation alternatives, and to help to stimulate economic development and tourism.

State government and railroad executives must work cooperatively with local officials to improve and enhance railroad maintenance, safety, traffic and conflicts (for example at at-grade crossings).

The Commonwealth needs to:

- Work with railroad executives to provide greater access for passenger service (for commuters and tourists).
- Fund the operating costs for intercity passenger rail along with the federal government.
- Work with surrounding states to foster greater interstate passenger rail service and to promote the development of the Northeast high-speed rail corridor, the New York to Atlanta corridor and the TransDominion Express.

While the state has plans for specific high-speed rail projects, it does not have funds to support the operation of a system of high-speed trains. The federal government is unlikely to provide billions of dollars to construct a system that has no source of operating funds. VML urges the state to develop a source of funds for high-speed rail operations.

AIR TRANSPORTATION

VML wants the state and federal governments to actively work to develop and sustain comprehensive air service throughout the Commonwealth, connecting it to the mid-Atlantic region as well as the entire country. Additionally, VML wants the state and federal government to invest in and deploy new technologies intended to improve air service and safety.

The federal government is urged to appropriate federal funds for airport infrastructure improvements at authorized levels and to develop a national airport access strategy intended to stimulate local economic development opportunities. Additionally, the state is urged to complement federal infrastructure investments as well as expand state support for capital improvements.

PORTS AND WATER TRANSPORTATION

VML requests the protection and promotion of an effective port and water transportation system by:

a. developing alternative water transportation mechanisms to alleviate congestion, such as ferries, that will move people, goods and vehicles as an alternative to road travel;
b. enhancing rail service to move goods in and out of ports;
c. deepening major water ports and navigable rivers; and
d. relieving congestion in the ports by enhancing rail and highway access out of ports.

Concerning the deepening of channels, VML requests the state to 1) work closely with local governments regarding spoils disposal from channel deepening, and 2) develop policies on the disposal/reuse of shipping containers.

The revenues derived from Virginia's public ports are dedicated exclusively to the state. Some portion should be shared with localities to account for street and road maintenance and police and fire protection services directly related to the impacts of tax-exempt port properties.

VML urges a significant study of the state's water transportation system, including the expanded use of barge traffic for freight transportation.

REGIONAL TRANSPORTATION AUTHORITIES

VML supports by-right authority for the creation of regional transportation authorities to promote coordination of transportation and related facilities. Also, VML supports town voting membership on regional transportation authorities based on population percentage; with minimum of one town representative on each regional transportation authority per ten percent of population.

LIVABILITY

Streets do much more than move cars; they often define community character and serve as important public spaces. Small towns and larger cities alike are using complete streets policies to reclaim public space and solve traffic problems at the same time. Many complete street solutions are low-cost--some are as simple as changing paint-striping on pavement. VML supports securing mainstream transportation funds for non-motorized improvements and policy changes that result in construction of complete streets and improved bicycle and pedestrian infrastructure within the existing right of way.

Virginia FIRST CITIES

2014 LEGISLATIVE AGENDA

Adopted by the VFC Board 11/8/13*

RESTORE THE STATE-LOCAL PARTNERSHIP FOR STATE MANDATED SERVICES
VFC supports added funding for the Priority Programs that disproportionately benefit core cities:

At-Risk Education Incentive Programs
Comprehensive Services Act (CSA)
Juvenile Justice Assistance
Enterprise Zone Programs
Street Maintenance Payments
State Aid to Local Police Depts. (HB 599)
Local Jails and Per Diems
Community Service Boards (CSB's)
Brownfields
Public Transit

TRANSPORTATION/ LAND USE/ URBAN INFRASTRUCTURE
Focus resources on existing infrastructure and support land use policy initiatives that use existing infrastructure, augment city redevelopment, and discourage dispersed development patterns.

Street Maintenance/Primary and Urban Funds
First Cities spent $76M more than state street maintenance payments provided in FY11. City and town streets are a vital part of the regional transportation network. They are more costly to maintain due to heavy use, age, and the need to accommodate pedestrian, bus, auto and truck service and complex adjacent utilities.

- **Adequately fund city and town street maintenance by increasing lane mileage rates.** The General Assembly increased these rates for Henrico in 2012, but city and town rates have not changed for many years.
- **Make all lane miles eligible for street maintenance payments** to be consistent with state policies for Henrico and Arlington County streets.
- **Make primary roads in cities and towns eligible for state primary funds.** These roads are technically primary "extensions". Legislation passed in 2012 inadvertently excluded this vital part of the primary road network from this key funding stream.
- **Support improvements to the Public-Private Transportation Act to increase transparency and local input.**

Water Infrastructure

- **$50 million in FY 2015 for the Stormwater Local Assistance Fund**, to continue improvements for the installation of effective storm-water controls on urban lands to reduce the flow of excess nutrients and sediment to local streams, rivers and the Chesapeake Bay.
- **Protect the Water Supply;** A Top State Priority. VFC opposes lifting the ban on uranium mining. Further, the state should develop regulations to ensure safe horizontal hydraulic fracturing.

K-12 EDUCATION INITIATIVES TO CLOSE THE ACHIEVEMENT GAP – Increase and target funds to student programs and hard to staff schools to improve achievement among at- risk students, improve Standards of Learning (SOL) and NCLB scores, graduation rates, strengthen Virginia's workforce and long-term economy. Add investment to these proven effective strategies:

- **School Rebenchmarking – Remove the cap and restore school support positions to pre-recession levels.**

- **Virginia Preschool Initiative - Index funding for inflation like other education programs.** The per-pupil amount has remained at $6,000 per enrolled child since 2008. Cost is approximately $2M annually.
- **Provide Additional Funding for Extended Year and Extended School Day Programs.** JLARC found that year round schools with additional instruction during intercessions can improve student performance, especially among minority students. The FY14 budget provided planning funds for schools interested in exploring this option. The additional costs will be known.
- **Continue to improve fund for Reading and Math Specialists.** VFC urges first priority be given to schools with a majority of at-risk students.

VFC POSITIONS ON OTHER K-12 FUNDING PROPOSALS

- **The State should fully fund its constitutional responsibility for public education prior to funding private education programs.**
- **Support policies to improve the Local Composite Index (LCI).** JLARC proposed a population density adjustment which recognizes higher service costs and demands in urban localities.
- **Amend the mandate of SJR 328 (2013), *the JLARC study of the efficiency and effectiveness of elementary and secondary school funding in Virginia* to include a review of the impact of the local composite index on school effectiveness.**

PUBLIC SAFETY- Creating Safer Communities

- **Full funding for State Aid to Local Police Departments (599) to maintain low crime rates in Virginia's urban areas.**
- **Restore funds to the Virginia Juvenile Community Crime Control Act (VJCCCA)** which provides court-approved individualized services to delinquent juveniles to avoid intake placement.
- **Provide additional drug court funding.**
- **Increase substance abuse and mental health rehabilitation funding for juvenile detention, jail, and DOC units.** Expand existing mental health pilot programs.
- **Support prisoner reentry programs and alternatives to incarceration** that reduce overcrowding and mitigate future growth in prisoner populations. This reduces recidivism and creates safer communities.

EMPLOYMENT AND ECONOMIC DEVELOPMENT

Give priority for training and economic development programs to urban <u>and</u> rural localities with high unemployment. VFC localities had 19% of the state's unemployed. As of July 2013, Virginia First Cities had a 7.5% unemployment rate versus the statewide rate of 5.5%. This is comparable to Southwest and Southside rates.

- **Job Training and Creation**: A comprehensive approach should include priority funds for the education of at-risk students and expanded funding for workforce training at community colleges.
- **Increase Regional Transit Access to Jobs**: Encourage financial participation by all urban/suburban localities in a region.
- **Support increasing the state minimum wage and indexing to inflation.**
- **Industrial Site Redevelopment**: Continue funding the Derelict Structures Fund to rehabilitate industrial sites for reuse.
- **Restore Brownfields Funding:** The state fund is depleted. It has been used with local and federal funds to restore land parcels and buildings with environmental problems so they can be marketed to new economic development prospects.

- **Fully fund the Enterprise Zone Program:** This is a successful public-private program that stimulates investment and job creation in economically distressed urban and rural localities.
- **Neighborhood Preservation: Support incentives and policies that maintain vibrant neighborhoods and eliminate blight by:** 1) Increasing the economic feasibility of reusing vacant, abandoned, and derelict structures 2) encouraging private investment to rehabilitate buildings in older neighborhoods and commercial districts such as Historic tax credits.
- **Direct the Department of Agriculture and Consumer Services to examine the issue of food deserts in the state and strategies for their elimination, including establishing incentives for:** 1) Production, distribution and procurement of foods from local farms, 2) Public-private partnerships to open and sustain full-service grocery stores in communities without access to healthy food (food deserts), 3) Encouraging food retailers to locate and increase food and beverage choices in underserved areas.

TAXATION

- **BPOL /Machinery and Tools Tax**: Oppose efforts to eliminate these important revenue sources due to the impact their loss would have on local revenue.

HEALTH

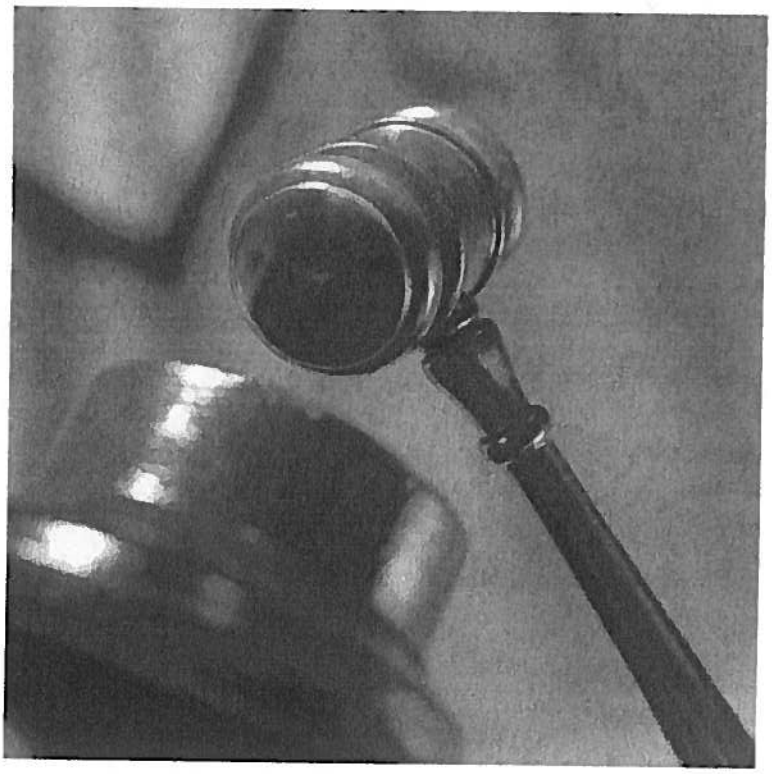
- **Increase funding for the "Smart Beginnings" and "Healthy Families"**; these are effective programs that enhance school achievement and prevent poverty.
- **Expand Medicaid to include adults up to 138% of Federal Poverty Level (FPL) under the Affordable Care Act.**

OTHER POSITIONS

- **Curtail Predatory Lending**: Pass legislation to prohibit and deter predatory, usurious lending practices.
- **Gubernatorial Succession**: Support legislation allowing Virginia's governor to serve a maximum of two successive terms.
- **Regional Strategies:** The state should incentivize regional cooperation and service delivery to promote efficiency, mitigate inequities, and overcome barriers that result from Virginia's unique local government structure and moratorium on annexation.
- **Enact recommendations of the Governor's Task Force for Local Government Mandates:**
    - **Restore the requirement that bills with a local fiscal impact must be introduced on the first day of a General Assembly Session** to allow time to assess fiscal impact prior to committee action.
    - **Extend the Task Force to 2016** to allow them to complete their work.
- **Remove Barriers to Lawful Voting** by providing adequate funding for local registrars, allowing no excuse early voting, and restoring voting rights for felons who have served their time.

* The 2014 VFC Legislative Agenda was approved by the Virginia First Cities Coalition Board of Directors, comprised of representatives from each Member City. Each item included in the VFC Legislative Agenda may not be officially supported by every Member City.

VACo's Preliminary 2014 Legislative Program



October 10, 2013

2014 Draft Legislative Program
Virginia Association of Counties

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***PR**-denotes tentative priority statement

Statements requiring federal action noted: (Federal)

Administration of Government, Public Safety and Telecommunications

Aid to Localities

VACo requests that the Commonwealth use the most current population statistics available for the purposes of determining state aid to those localities that have experienced population growth in the ten-year period between the decennial enumerations. During that period, population statistics from the Weldon Cooper Center for Public Service, the American Community Survey and from other established entities should be used by the Commonwealth. The General Assembly should consider the many fixed costs of services in determining aid to those localities that have remained stable or lost population.

Annexation Moratorium

VACo supports full funding of the Commonwealth's HB 599 commitments. VACo also supports the continuation of the current moratorium on city annexations regardless of whether those commitments have been met. The moratorium has promoted more intergovernmental cooperation between cities and counties, allowed counties to plan for future growth and economic development within their borders and has allowed counties to be able to protect their tax base in order to provide needed services to citizens.

Broadband (State and Federal)

VACo urges the Commonwealth and the Federal Government to assist communities in their efforts to deploy universal affordable access to broadband to all areas, particularly in underserved and rural areas while preserving local land use, permitting, fees and other local authority. Widespread deployment of broadband should be a top priority for the Commonwealth to ensure competitive economic advantages, provide quality educational opportunities and facilitate telemedicine and other modern health care initiatives. Assistance should include economic incentives as well as budgetary and statutory policies that facilitate broadband deployment and adoption. VACo also urges state support of local and regional authorities created under the Virginia Wireless Service Authorities Act, the preservation of the powers granted under the Act, support for Virginia Resources Authority and other favorable financing mechanisms for broadband projects and improvement of the quality and accuracy of the state's broadband availability map.

Collective Bargaining for Public Employees (Federal)

VACo opposes any effort to mandate collective bargaining for public employees.

Dillon Rule/Local Authority

VACo supports relaxation of the Dillon Rule and the granting and maintaining of authority to provide counties greater autonomy in all areas including land use, revenue measures, procurement and other issues of local concern. The General Assembly should extend powers currently granted to some local governments to all other local governments.

Elected Officials

VACo respects the presumption of innocence until proven guilty and seeks to work with the General Assembly to address the issues that arise when an elected official faces prosecution for

crimes of moral turpitude. This includes a process for appointing a temporary replacement to carry out the duties and responsibilities of the office until the legal process is complete.

Election Costs

VACo supports legislation that would decrease the costs of elections to localities. These costs include primaries, voting equipment, personnel and voting places. Cost reduction could include requiring parties to pay for primary elections, using paper ballots, establishing countywide voting places and other similar measures. The state should provide adequate funding to localities for optical scan voting machines and registrar costs.

Grievance Hearings

VACo supports legislation authorizing localities to utilize an administrative hearing officer instead of a three-member panel. VACo also supports providing immunity to local government employees, officers, volunteers, administrative hearing officers and panel members for claims arising out of participation in personnel grievance procedures.

Immigration Reform (Federal)

VACo maintains a strong commitment to ensuring the security and safety of our communities. Legislative reforms must recognize the contributions of immigrants to a complex economy, as well as the costs associated with welcoming immigrants into our communities. The U.S. Congress must enact comprehensive immigration reform that provides a funding stream sufficient to address the fiscal impact on state and local governments for any guest worker program and earned legalization program. The state and local governments require a national immigration system that is fully funded at the federal level, recognizes the realities of the marketplace, eases the fiscal stress on states and localities and properly secures our borders. It is important that the federal government establish a clear and understandable path to citizenship for those who are eligible.

Interoperability (State and Federal)

VACo supports the state's goal that by 2015 agencies and their representatives at the local, regional, state and federal levels will be able to communicate using compatible systems to respond more effectively during day-to-day operations and major emergencies. Local governments require new dedicated federal and state funding sources to achieve this goal.

Pay Day Lending

VACo supports legislation to set a total cap of 36 percent for all interest, fees and other charges for payday lending and other similar businesses such as car title loans.

Public Notice, Public Hearing and Public Procurement

VACo supports legislation to reduce required advertising for public notices, public hearings and public procurement including legislation to give localities the option to use electronic or other forms of notification as an alternative to newspaper advertising.

Sovereign Immunity

VACo opposes any substantive change in local governments' present defense of sovereign immunity. VACo opposes bringing counties under the Virginia Tort Claims Act.

DRAFT

Transmission Lines

VACo supports legislation to encourage the undergrounding of high voltage transmission lines and supports effective and practical undergrounding and preservation practices when locating new transmission lines. VACo also supports legislation to preserve existing trees and vegetation in transmission line right of ways to mitigate the visual and environmental impacts resulting from clear cutting practices and widespread use of herbicides.

Unfunded Mandates

VACo opposes unfunded mandates by the Commonwealth. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the Commonwealth, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided. VACo opposes the shifting of fiscal responsibility from the state to localities for existing programs. Any unfunded mandate or shifting of responsibility should be accompanied by a full fiscal and program analysis to determine the relative costs to the state and to the locality and to assure the state is meeting its full funding responsibility before taking effect.

DRAFT

Community Development and Planning

Affordable and Workforce Housing (Federal)
VACo supports increased federal and state funding and appropriate incentives to assist localities in fostering affordable housing, as well as workforce housing for employees such as teachers and first responders.

Economic and Workforce Development
VACo supports continued state funding and support for workforce training and economic development programs as effective means for making the necessary investments in infrastructure and human capital. VACo supports state economic development policies that bolster local economic development efforts. VACo also supports incentives that encourage regional economic development projects. Consultation and partnership with these local and regional efforts are critical to economic expansion. ***PR**

Impacts of Federal and Military Projects (Federal)
VACo supports increased federal and state funding to mitigate the impacts on counties affected by major federal projects, including the most recent recommendations of the Defense Base Closure and Realignment Commission (BRAC). This support is also needed to sustain the federal and military presence in Virginia and to compete for the location of additional facilities in the Commonwealth.

Land Use/Growth Management Tools
Authority to plan and regulate land use should remain with local governing bodies and VACo opposes any legislation to weaken that authority. Furthermore, the General Assembly should grant localities additional tools necessary to adequately meet citizens' increasing transportation, education, public safety and other vital public infrastructure needs that are driven by new development. Such additional tools may include broad impact fee authority for all counties, adequate public facilities provisions in subdivision ordinances, state funds for the purchase of development rights, and real estate transfer charges. Current residents should not be expected to bear the cost of new growth through increased real estate taxes. ***PR**

Maintain Public Sector Role in Onsite Sewer Program
VACo supports an onsite sewage program at the Virginia Department of Health that protects public health and the environment in all regions of the Commonwealth. The state's program should allow localities to develop and implement policies that support the state's program. VACo supports the private sector providing onsite sewage system design, installation and repair services, as long as the services can be provided at affordable rates and in a timely manner, and as long as VDH continues to provide these direct services as well.

Reimbursement for Offsite Improvements
VACo supports allowing all localities to require a future developer to reimburse the initial developer a pro rata sum for offsite improvements provided by the initial developer.

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Siting of Utilities

VACo supports requiring utilities to seek input from localities and property owners before any actions to construct, modify or enlarge their facilities.

Regional Cooperation

VACo supports increased state funding and additional grants of authority to promote regional initiatives. VACo also supports the overall funding of Virginia's planning district commissions at a level of $0.35 per capita.

Water and Sewer

VACo supports allowing counties to enact water and sewer availability fees and mandatory water and sewer connection powers. VACo also supports clarifying language that explicitly authorizes localities to deny an application for a new water system on the basis that it does not conform to the comprehensive plan and/or is not in the best interests of the locality.

DRAFT

Compensation and Retirement

Compensation Board
VACo supports requiring the Compensation Board to seek a local governing body's approval before authorizing personnel changes that affect localities. VACo also supports a study of alternatives to the current funding and budgeting processes used by the Compensation Board.

Funding of State Mandated Positions
VACo urges the Commonwealth to meet its full funding obligations for constitutional officers and other state mandated positions. ***PR**

Liability Insurance
Constitutional officer liability insurance has shifted from the state to local governments, which are assuming 100 percent of the cost and are mandated to purchase the insurance from the state risk management program (VARISK). VACo opposes this shift and the mandate to purchase from the state. Localities should have the option to seek competitive pricing for liability insurance.

Line of Duty
VACo calls on the General Assembly to fully fund the Line of Duty Act (LODA) obligations and return LODA to a state program. An alternative would be for the state to make LODA coverage optional at the local level or provide localities the option to only pay basic death benefits. LODA benefit eligibility determinations should be the responsibility of the Virginia Workers' Compensation Commission and not the State Comptroller's Office.

Sheriffs' Departments Staffing Standards
VACo supports legislation to change the Compensation Board's minimum staffing standards to fund at least 10 deputy sheriffs per county. The current standard provides one deputy per 1,577 people, with a minimum state funding level of five deputies per county. In a county with a small population but a large land area, five deputies are simply not adequate to perform 24-hour law enforcement, court security and other legally required duties.

State Assistance for Police Departments
VACo supports maintaining state assistance for police departments through "599" Aid to Localities. This funding is designed to equalize state funding between counties in which the sheriff department provides law enforcement and those cities, counties and towns with a police department.

Unfunded Teacher Pension Liability
Local governments and the state share responsibility for paying the cost of teacher pensions, but under GASB 68, localities will have to claim all unfunded liabilities for teacher retirement plans after June 15, 2014 on their financial statements. VACo urges the state to avoid this liability shift by paying its share of teacher pension contributions directly to VRS. This would demonstrate to credit rating agencies and localities that the state is committed to paying its fair share of unfunded teacher pension liabilities. It would also better protect the bond ratings of Virginia's localities by more accurately reflecting the local share of the unfunded liability. ***PR**

DRAFT

312 **Workers' Compensation Medical Costs**
313 VACo supports the adoption of Medicare-based fee schedules for setting medical provider fees
314 in worker's compensation cases in Virginia, instead of the prevailing community rate standard
315 now used. This will make worker's compensation coverage more affordable for Virginia's
316 employers and provide fair compensation to medical providers in Virginia.

DRAFT

Education

CPR defibrillator Certification

To respond to emergency situations VACo believes an adequate number of school employees certified in CPR and defibrillator use should always be available when school activities are occurring. However, VACo believes the costs associated with requirements for all teachers to be certified in CPR and defibrillator use are excessive and should therefore be revised.

Education Funding

VACo supports full funding for the biennial re-benchmark of Virginia's Standards of Quality (SOQ). It is essential for the state to fund fully its constitutional responsibilities and all mandates associated with K-12 public education. VACo encourages the state to expand the SOQ to better recognize localities funding efforts towards local school divisions.

VACo supports full state funding for public education including the SOQ, targeted incentive programs, capital and maintenance support and teacher salaries. Full state funding should be achieved without reduction to other parts of state public education budgets or to the other core services. Should state general funding diminish, local autonomy should be increased and state education mandates reduced. VACo continues to oppose unfunded mandates.

VACo supports the current practice whereby all year-end funds appropriated to the school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances to address the capital or one-time expenditure requirements of local school districts. ***PR**

DRAFT

Environment and Agriculture

Agriculture Production

VACo supports increased availability of local food for purchase. To accomplish this, VACo supports the establishment of farmers' markets and the use of food stamps for purchases at farmers' markets, policies to increase direct delivery of food from growers to consumers and funding for the design and construction of regional processing facilities to facilitate delivery of locally-produced food.

Biosolids

VACo contends that the land application of biosolids, when conducted properly, provides important benefits to the public and Virginia's agricultural sector. To reduce risks that might occur because of improper land application, VACo supports an effective statewide program and regulations governing land application of biosolids that protect the environment, public health and safety. VACo also supports the ability of local governments to monitor compliance with such regulations and the ability of local governments to submit recommendations for site-specific conditions into the permitting process.

Chesapeake Bay Accountability and Recovery Act (Federal)

VACo supports the proposed Chesapeake Bay Accountability and Recovery Act of 2013, which seeks to achieve greater cost-effectiveness in meeting pollution reduction targets. This legislation will help localities address the expensive costs associated with Chesapeake Bay cleanup.

Dam Safety Standards

VACo supports a review of Dam Safety Standards administered by the Department of Conservation and Recreation to evaluate ways of reducing their financial impacts upon local government and property owners while also protecting public safety.

Energy Efficiency

VACo endorses aggressive initiatives among all levels of government to reduce dependence upon foreign sources of energy, to reduce emissions of greenhouse gases and to improve energy efficiency. VACo also supports production of renewable energy in Virginia through the implementation of Renewable Portfolio Standards while continuing to support energy policies that take advantage of our abundant coal deposits and natural gas reserves while protecting the welfare and safety of agriculture and our water supplies.

Humane Investigators

VACo opposes legislation requiring local governments to accept court appointed humane investigators. Humane investigators should only be appointed when specifically requested by a local governing body. Local governments should have the option of terminating a humane investigator program.

Industrial Hemp

VACo urges the Commonwealth of Virginia to support Congressional action to adopt the Industrial Hemp Farming Act and grant states the authority to license and regulate the production of hemp as an industrial and agricultural commodity which, in turn, will open markets for

farmers, manufacturers, businesses and entrepreneurs in the emerging and growing hemp industry.

Invasive Species
VACo supports adequate funding to implement the Virginia Invasive Species Management Plan.

Land Conservation
VACo supports targeted initiatives to facilitate the protection of 400,000 additional acres of land for conservation purposes. VACo also supports a Purchase of Development Rights program that includes state funding for the Virginia Land Conservation Foundation, and that provides incentives for landowners at all income levels to participate in the program. Such programs preserve prime soils for food production and protect important forestal land and environmentally sensitive areas in the Commonwealth.

Local Regulation of Timbering
VACo supports amendments to legislation to state explicitly that, once a subdivision plan is submitted for local approval at the request of the property owner for a development project, any timbering on the property is subject to local development regulations.

Non-point Source Pollution
VACo supports a well-financed state program to address the problem of non-point source runoff from agricultural operations. The program should effectively encourage implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming, development of forested riparian buffers and livestock stream exclusion.

Onsite Wastewater Systems
VACo supports a legislative study of problems encountered by localities when enforcing requirements relating to onsite sewage systems, including the five-year pump-out requirement by localities subject to the Chesapeake Bay Preservation Act. VACo also supports legislation ensuring that potential buyers of real property are told about the type, size and maintenance requirements and associated costs of the wastewater systems on the property prior to the signing of the initial sales contract and the recordation of engineered systems on the plat and deed at the time of the sale.

Recycling
VACo supports the development of more aggressive strategies by the state to develop markets for recycled materials.

Renewable Fuels Standard (Federal)
VACo request that the Environmental Protection Agency should immediately rescind the Renewable Fuel Standards II. for the calendar year 2013 to relieve upward pressure on the price of corn and economic hardships.

DRAFT

Southern Rivers Watershed
VACo supports continued funding for the Southern Rivers Watershed Enhancement Program to improve water quality in non-Chesapeake Bay watersheds.

State Water Control Board
VACo supports legislation requiring the composition of the State Water Control Board to be regionally balanced while at the same time selecting appointees with the necessary education and experience.

Stormwater
VACo supports adequate funding to enable local governments to start-up new stormwater management programs that must be established by July 1, 2014. Prior to implementation, VACo supports a comprehensive study of the long-term fiscal impacts on localities and reallocation of funding from the stormwater "integration" legislation that passed the 2012 General Assembly. VACo believes it will be critical to evaluate the effectiveness of the fee structure in the Virginia Stormwater Management Permit regulations as the chief source of revenue for funding local stormwater management programs.

Stormwater Fees
VACo supports an amendment to Virginia's Stormwater Management Law that would distribute a maximum of 10 percent of revenues from statewide stormwater fees to the Virginia Stormwater Management Fund with the remaining 90 percent remaining with local governments.

Uranium Mining
VACo supports continuation of a moratorium on uranium mining and milling within the Commonwealth of Virginia pending further study.

Virginia Cooperative Extension
VACo supports sufficient funding for the Virginia Cooperative Extension Service.

Virginia Outdoors Foundation
VACo supports legislation that would increase the general fund appropriation to the Virginia Outdoors Foundation, permit an increase in transfer fees, or provide full funding to the Foundation through alternative means.

Waste Management
VACo supports broad authority for local governments to adopt flow control ordinances. VACo supports funding for infrastructure to increase energy harvest from the waste system.

Water Quality Improvement Funding
VACo supports effective partnerships among and across all levels of government to improve water quality.

VACo urges state and federal agencies to carefully consider impacts on local governments of any initiatives intended to reduce loadings of pollutants into state waters from both point and non-point sources. In order for comprehensive, watershed-wide water quality improvement strategies

to be effective, major and reliable forms of financial and technical assistance from federal and state governments will be necessary. VACo supports the goal of improved water quality, but will vigorously oppose provisions of any strategy that threatens to penalize local governments by withdrawing current forms of financial assistance or imposing monitoring, management or similar requirements on localities without providing sufficient resources to accomplish those processes. VACo strongly opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or any service provided by a local government or authority. ***PR**

Water Supply Planning

VACo supports additional appropriations adequate to ensure full funding by the state for the ongoing development and implementation of state-mandated water supply plans.

DRAFT

Finance

Steering Committee Principles:

- Support the authority of county governments to levy and collect revenue from local business taxes.

- Support county government representation on study or legislative commissions that impact local government through local revenue or services.

- Oppose mandated new or expanded funding requirements on counties.

Positions:

County Authority Including Equal Taxation
VACo supports granting counties the authority cities and towns currently have to enact local excise taxes including the cigarette tax, admissions tax, transient occupancy tax and meals tax. VACo also supports granting counties specific powers enumerated to cities and towns under the Uniform Charter Powers Act.

Fiscal Impact Statements
In furtherance of the objectives to evaluate the local fiscal impact of proposed legislation, VACo recommends that §30-19.03 of the Code of Virginia be amended to provide a better filter to stop new unfunded mandates from moving through the legislative process without a timely fiscal impact analysis. Specifically, VACo recommends the reinstatement of the first day introduction requirement for bills with local fiscal impact.

Funding of State Mandated Positions and Jails
VACo urges the Commonwealth to meet its full funding obligations for constitutional officers and other state mandated positions. Moreover, any change to the definition of state-responsible prisoner or other terms that result in increased cost or operational issues for local or regional jails should be fully funded by the state.

Local Government Revenues
VACo opposes elimination or reduction of specific local tax revenues, including local business taxes.
VACo supports granting counties the option or authority to increase the local sales and use tax by 0.5 percent to help offset state budget reductions affecting localities, without referendum.
VACo supports legislation that extends the imposition and collection of the local transient occupancy taxes to state owned parks and campgrounds that provide lodging.

Local Government Mandate Review
VACo supports legislation that continues the work of Gov. McDonnell's Task Force for Local Government Mandate Review. The Task Force will cease to exist in July 2014 and should be reauthorized in statutory language.

Local Ordinance Violations

VACo requests the repeal of budget language enacted by the 2012 General Assembly that authorized the deposit of all collections from General District Courts, Juvenile and Domestic Relations Courts, Combined District Courts and the Magistrate System to the State Treasury for local ordinance violation penalties. This legislative action removed a source of local revenue for many localities.

State Tax Reform

VACo calls upon the Commonwealth to strengthen the stability of the general fund by initiating state tax reform. Significant tax reform will help to buttress the Commonwealth's general fund that finances most core government functions. Tax reform should include a restructuring of state income and sales and use taxes with the intent to stabilize and increase revenues to meet current and foreseeable core service demands. Reform should include revisiting specific state tax reductions the Commonwealth enacted in better economic times that may no longer be affordable.

DRAFT

Health & Human Resources

Aging/Long-Term Care
VACo supports efforts that allow the elderly to remain at home in a safe and secure environment. VACo urges the General Assembly to provide sufficient funding for companion services, in-home services and home delivered meals.

Behavioral Health Care
VACo supports continued funding by the Commonwealth sufficient to allow community services boards to meet adequately the charge of providing services through a community-based system of care.

Comprehensive Services Act
VACo supports a requirement that the State Executive Council and Comprehensive Services Act follow the Administrative Process Act in promulgating, amending, or repealing regulations. Furthermore, VACo supports state CSA policies that prevent the shift of costs of services for at-risk children fully to local government CPMT-approved services. VACo supports reasonable efforts by the state to give localities an opportunity to improve practice following audit findings, and that denial of funds be implemented in a rational, progressive fashion similar to that proposed by IV-E funding and other state and federal funding sources.

Early Intervention
VACo supports sustainable funding for Part C Early Intervention, which is an entitlement program that provides services for Virginia's infants and toddlers. VACo also requests the General Assembly address immediate funding concerns by increasing state general funding in FY 2013 by $8.5 million and similarly in FY 2014. Underfunding this entitlement program puts pressure on local revenues to fill funding gaps for this mandated service.

Group Homes
VACo supports the ability of a locality to hold a public meeting when a group home is established in the locality's jurisdiction. Further, VACo encourages the state to enforce appropriate regulation of group homes.

Health and Human Resources Funding
VACo supports state policies and funding to ensure the Commonwealth's at-risk families have access to high quality and appropriate services. The Commonwealth should fully fund localities for state mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services. Additionally, increased state funding for the Virginia Juvenile Crime Control Act will enhance the ability of local governments to plan and receive youth offenders back into the community (re-entry services).
***PR**

Healthcare
VACo supports continued state funding for offered dental care, school nurses and preventive services and maternal and child health programs through local health departments and local

school systems. VACo encourages the state to prepare for emergency health services and develop and fund incentives that would alleviate the nursing shortages felt in many communities.

Prevention Services

VACo supports increased state general funding for startup costs associated with community-based service programs. VACo recognizes that programs, such as Healthy Families, Comprehensive Health Investment Project (CHIP) of Virginia, Smart Beginnings, and the Resource Mother, are models that are operated throughout the state and requests the General Assembly to provide additional funding for these and other home-based activities. Reductions in prevention programs will put numerous youth at risk of high-end CSA placements.

Transparency

VACo encourages state transparency in the delivery of human service programs with highest standards of accountability, delivery of services, funding of programs, and any fundamental changes.

Volunteer EMS and Rescue Squad Training

VACo supports practical and reasonable Initial certification and ongoing continuing medical education (CME) requirements for county EMS and rescue squad volunteers. VACo recognizes the vital importance of volunteer EMS and rescue squad training but does not support unreasonable education requirements that discourage public volunteer service.

DRAFT

Transportation

Billboards
VACo supports a requirement that proposed billboards in the Virginia Department of Transportation's (VDOT) right of way conform to local zoning and other applicable ordinances and local approval processes.

Corridors of Statewide Significance
VACo opposes the reduction of local control that is associated with the Commonwealth Transportation Board's process of designating Corridors of Statewide Significance.

Devolution of Secondary Roads
VACo vigorously opposes legislative or administrative initiatives that would transfer to counties the responsibility for the construction, maintenance or operation of new and existing roads. ***PR**

Local Public Hearings
VACo supports the local ability and option to request a second public hearing when new federal funds are allocated to the Virginia Department of Transportation for projects in a locality's jurisdiction.

Highway Tolls
VACo opposes the installation of toll facilities on Virginia's interstate highways until the Commonwealth Transportation Board has thoroughly reviewed and assessed the components of a long-term capital improvement program, has identified and compared all available funding alternatives and has adopted a proposal that matches capital improvements with realistically available funding sources. Further, VACo supports legislation to require that prior approval of the General Assembly shall be obtained prior to the imposition and collection of tolls on any interstate highway in Virginia.

Inter-Directional Signage Program
VACo supports a requirement that any signs installed under VDOT's Inter-directional Sign Program, including the Tourist Oriented Directional Signs Program, conform to local ordinances, including any local approval processes.

Local-State Transportation Funding and Cooperation
VACo would like to thank the Administration and the General Assembly for their actions during the 2013 Session to pass HB 2313. The Governor and many members of the General Assembly worked together and passed an historic transportation funding bill that will provides substantial resources to begin addressing the region's transportation needs.

While we believe this is a great step towards addressing our infrastructure needs, we remain concerned about the lack of secondary and urban construction funding. Due to legislative changes in 2012, the Commonwealth Transportation Board has the authority to allocate up to $500 million to priority projects before funds are provided to the construction fund. It is imperative that each region receive its share of this funding. Additionally, due to this provision,

757 the secondary and urban road programs are not expected to receive new funds until FY
758 2017. This is concerning, as our localities have not received funds for this program since FY
759 2010.
760
761 Another concern is that the 2012 bill provided VDOT and the CTB the ability to decide whether
762 a local transportation plan is consistent with the Commonwealth's priorities. While efforts to
763 better coordinate local and state transportation planning are appreciated, we want to ensure that
764 land use planning remains a local responsibility. ***PR**
765
766 **Maintenance Priorities**
767 VACo supports a requirement imposed upon VDOT to implement a notification plan with the
768 local governing body to establish maintenance priorities.
769
770 **Parking**
771 VACo supports general authority for counties to adopt ordinances regulating, including
772 prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on subdivision streets.
773
774 **Rail Enhancement Fund**
775 VACo supports authority for counties to approve Rail Enhancement Fund projects funded by the
776 state and constructed within their jurisdictions.
777
778 **Rest Stops**
779 VACo supports federal legislation to allow commercialization of rest stops on the interstate
780 highway system in Virginia.
781
782 **Road Construction and Maintenance**
783 VACo supports legislation that would prohibit VDOT from requiring localities to administer any
784 transportation project without the consent of the local governing body. In addition, VACo
785 supports amendments to legislation that would require VDOT to administer all projects financed
786 by VDOT, unless otherwise agreed to by the county. If VDOT cannot administer the projects due
787 to limited resources, then VDOT's consultant services shall be utilized or the locality shall have
788 the option to use VDOT's consultant services on locally administered projects financed by
789 VDOT.
790
791 **Securities for Subdivision Streets**
792 VACo supports authority for a local governing body to determine requirements for developer
793 securities for the construction of subdivision streets.
794
795 **Separation of Federal Funds (Federal)**
796 VACo supports granting authority to counties, working with VDOT, to determine the percentage
797 of federal funds applied to all secondary road projects within their jurisdiction. In addition, for
798 any locally administered road projects, the county should be allowed to use all state funds, as
799 long as they can obligate their federal funds on other projects.
800
801
802

DRAFT

Service Contracts
VACo supports administrative changes allowing all localities to use professional service contracts similar to other agencies of the Commonwealth (i.e., Virginia Department of General Services).

Truck Size and Weight (Federal)
VACo strongly opposes any legislation that seeks to increase truck size or weight beyond the current federal standards, thereby stressing the capacity of the Commonwealth's road systems and putting highways, roads and bridges at risk of increased damage or deterioration.

Homeland Security Emergency Preparedness and Volunteer Recruitment & Retention (Federal)
VACo urges the General Assembly to maintain current state funding and make certain that localities, often the first responders, are included in the planning process for homeland security and emergency preparedness measures. Federal funds received for homeland security and emergency preparedness must flow through the state to local agencies, departments, and authorities to pay for eligible costs. In furtherance of this goal, VACo supports legislation that provides a local option for increased incentives for the recruitment and retention of volunteer public safety personnel who are crucial in these situations.

* * *

DRAFT

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 11/26/13 (Work Session), 12/10/13 (First Reading) 1/14/14 (Second Reading/Public Hearing) **CUT OFF DATE:** 11/20/13

RESOLUTION ___ **ORDINANCE** _X_ **PUBLIC HEARING** _X_

ITEM TITLE:
TA-13-493 AN ORDINANCE TO AMEND AND REENACT ARTICLES 3, 4, 5, 5.1, 6, 7, 8, 9, 13, AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME OCCUPATIONS PERMITTED IN ACCESSORY STRUCTURES WITH A CONDITIONAL USE PERMIT (*Proposal to allow home occupations in accessory structures with a conditional use permit)*

STAFF RECOMMENDATION:
Approval.

PUBLIC NOTICE AND HEARING:
Public hearing required at second reading on 1/14/14.

ADVISORY BOARD RECOMMENDATION:
Planning Commission unanimously recommended approval.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

DEPARTMENT	INITIALS FOR APPROVAL	INITIALS FOR DISAPPROVAL	DATE
1. Planning	TS		11/20/13
2. City Attorney	[illegible]		11/20/2013
3. City Manager	[illegible]		11-20-13
4. Clerk of Council			

Initiating Department Director's Signature: [signature] 11/20/13
(Zoning and Inspections)

CITY ATTORNEY'S OFFICE
Received
NOV 2 0 2013
WINCHESTER, VA

APPROVED AS TO FORM:
[signature] 11/20/2013
CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Honorable Mayor and Members of City Council

From: Aaron Grisdale, Director of Zoning and Inspections

Date: November 26, 2013

Re: Zoning Text Amendment (TA-13-493) – Home Occupations in Accessory Structures

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THE ISSUE:
The proposed Zoning Ordinance text amendment will modify the existing Zoning Ordinance language pertaining to allowing home occupations to occur in an accessory structure with a conditional use permit from City Council.

RELATIONSHIP TO STRATEGIC PLAN:
This text amendment correlates to the 2018 Goal #1 of "Grow the Economy" by providing for additional opportunities for residents to conduct gainful employment at their residential properties while mitigating potential negative impacts on neighboring properties.

BACKGROUND:
This publicly sponsored Zoning Ordinance text amendment is to allow for home occupations in accessory structures with a conditional use permit. Staff has received inquiries from citizens over the last several years regarding the ability to have a home occupation in their garage or similar detached accessory structure. Additionally, the amendment clarifies some types of occupations which are not permitted. (Full staff report attached).

BUDGET IMPACT:
No funding is required.

OPTIONS:
- Adopt the Zoning Ordinance Text Amendment
- Decline to adopt the Zoning Ordinance Text Amendment

RECOMMENDATIONS:
The Planning Commission recommended approved unanimously.

City Council Work Session
November 26, 2013

TA-13-493 AN ORDINANCE TO AMEND AND REENACT ARTICLES 3, 4, 5, 5.1, 6, 7, 8, 9, 13, AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME OCCUPATIONS PERMITTED IN ACCESSORY STRUCTURES WITH A CONDITIONAL USE PERMIT

REQUEST DESCRIPTION
This Zoning Ordinance text amendment was initiated by City Council as a publicly sponsored text amendment to revise the ordinance to allow for home occupations in accessory structures with a conditional use permit. Staff has received inquiries from citizens over the last several years regarding the ability to have a home occupation in their garage or similar detached accessory structure.

STAFF COMMENTS
Presently, the Zoning Ordinance provisions only permit a home occupation to be conducted in a dwelling unit in the main building on a property, with the exception of accessory garden uses. Staff recognizes that in today's economy there are greater numbers of individuals that are working from home or are looking to start a home business. This amendment would support this economic trend by allowing for a resident to request a conditional use permit (CUP) for a home occupation in an accessory structure by City Council.

In the slow economy over the past several years, citizens have been proactive in the utilization of the home occupation as a tool for self-employment and also as a starting point for growing a larger business before moving to a commercial location. In the years 2009-2012, the Zoning and Inspections department has approved on average 135 home occupations per year.

The intent to include the CUP requirement for these requests is due to the difference between main buildings and accessory structures regulations. Accessory structures, depending on the height, can be exempt from the setback provisions in a zoning district and may be located in greater proximity to a rear or side property line than main buildings. As a result there is a much higher likelihood of impacts on adjoining properties. By utilizing the conditional use permit review process, the Planning Commission and City Council can evaluate the potential impacts on neighboring properties and include conditions on the operation of the home occupation.

An application for a CUP for the home occupation would require the inclusion of the following:

- Property survey or sketch drawn to scale detailing the setbacks of the accessory structure and the proximity of structures on adjoining properties.
- A scaled interior site sketch illustrating the proposed home occupation in the accessory structure.
- A letter outlining the scope and nature of the occupation, involving operating hours, days of the week and similar details.

Additionally, this proposed text amendment clarifies some of the types of home occupations which are not permitted. Presently there are only five explicitly prohibited home occupations, including animal hospitals, auto repair, dance instruction, restaurants and tourist homes. Staff is recommending removal of dance instruction from this list. Staff also recommends inclusion of a few additional uses in this list,

most of which are use requests made by citizens over the past several years: massage therapy, motor vehicle uses, and kennels and pet daycare.

A provision was included which clarifies the intent of the home occupation standards (Section 18-19-2.2). The language added clarifies that there should be no interruption, congestion or change to character of the neighborhood in terms of traffic or vehicular parking resulting from a home occupation.

During the Planning Commission work session and public hearing there was discussion about the possibility of allowing some uses within accessory structures by-right, without a conditional use permit. After discussion there was not a unified opinion on the Commission about establishing such by-right uses at this point. Commissioners believed that this amendment is a solid first step in allowing additional opportunities for residents to conduct meaningful employment at their residence. They viewed this as an incremental process in first allowing uses with a CUP, and then exploring in the future the possibility of allowing a home occupation in accessory structures by right possibly at some point in the future.

RECOMMENDATION

At their November 19, 2013 meeting, the Planning Commission forwarded **TA-13-493** with a favorable recommendation because the amendment, as proposed, presents good planning practice by providing for expanded opportunities for residents to conduct home occupations in accessory structures while providing for case by case review of potential impacts on neighboring properties.

RESOLUTION ADOPTING AN ORDINANCE TO AMEND AND REENACT ARTICLES 3, 4, 5, 5.1, 6, 7, 8, 9, 13, AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME OCCUPATIONS PERMITTED IN ACCESSORY STRUCTURES WITH A CONDITIONAL USE PERMIT

TA-13-493

WHEREAS, the Code of Virginia provides that one of the purposes of a Zoning Ordinance is to facilitate the creation of a convenient, attractive and harmonious community; and,

WHEREAS, the existing Zoning Ordinance home occupation provisions have been established to provide for opportunities for residents to conduct gainful employment in their dwelling units while having minimal impacts on the neighboring community; and,

WHEREAS, the proposed Ordinance amendments will allow for residents to use an accessory structure as part of a home occupation provided that a conditional use permit is obtained; and,

WHEREAS, this proposed Ordinance amendments will support City Council's goal of "Grow the Economy" as provided for in the adopted 2013 Strategic Plan.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Winchester hereby adopts the following text amendment:

AN ORDINANCE TO AMEND AND REENACT ARTICLES 3, 4, 5, 5.1, 6, 7, 8, 9, 13, AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME OCCUPATIONS PERMITTED IN ACCESSORY STRUCTURES WITH A CONDITIONAL USE PERMIT

TA-13-493
Draft 2 – 11/5/13

Ed. Note: The following text represents an excerpt of Articles 3, 4, 5, 5.1, 6, 7, 8, 9, 13 and 18 of the Zoning Ordinance that is subject to change. Words with strikethrough are proposed for repeal. Words that are ***boldfaced and underlined*** *are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excerpted text.*

ARTICLE 3
LOW DENSITY RESIDENTIAL DISTRICT – LR

SECTION 3-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

3-2-7 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 4
MEDIUM DENSITY RESIDENTIAL DISTRICT – MR

SECTION 4-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

4-2-11 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 5
HIGH DENSITY RESIDENTIAL DISTRICT - HR

SECTION 5-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

5-2-19 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 5.1
LIMITED HIGH DENSITY RESIDENTIAL DISTRICT - HR-1

SECTION 5.1-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

5.1-2-12 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 6
RESIDENTIAL OFFICE DISTRICT - RO-1

SECTION 6-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

6-2-10 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 7
RESIDENTIAL BUSINESS DISTRICT - RB-1

SECTION 7-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

7-2-24 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 8
HIGHWAY COMMERCIAL DISTRICT - B-2

SECTION 8-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

8-2-27 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 9
CENTRAL BUSINESS DISTRICT - B-1

SECTION 9-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

9-2-26 **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 13
PLANNED DEVELOPMENT

13-1-3.17 **USES PERMITTED WITH A CONDITIONAL USE PERMIT.**

a. **Home occupations in accordance with Section 18-19-2.6.**

ARTICLE 18
GENERAL PROVISIONS

SECTION 18-19. HOME OCCUPATIONS. (10/11/83, Case 83-06, Ord. No. 034-83)

18-19-1 Home occupations are permitted in any dwelling unit.

18-19-2 A home occupation is an accessory use of a dwelling unit for gainful employment involving the manufacture, provision, or sale of goods and/or service, including the sale of food and/or non-food crops produced on the site; and conducted in a dwelling unit **except as allowed in an accessory structure per the Conditional Use Permitting provisions identified in Section 18-19-2.6. Home Occupations shall only be engaged in** by a person or persons residing in the dwelling unit, provided that: (10/12/10, Case TA-10-418, Ord. No. 2010-51)

18-19-2.1 It is clearly incidental and subordinate to the dwelling unit's use for residential purposes by its occupants;

18-19-2.2 With the exception of an accessory garden use **and as provided in Section 18-19-2.6**, it is conducted in the main building and does not result in alteration of the appearance of the dwelling unit or the lot on which it is located**. There shall be no interruption, congestion or change to the character of the neighborhood in terms of traffic or vehicular parking resulting from the operation of the home occupation.** (10/12/10, Case TA-10-418, Ord. No. 2010-51);

18-19-2.3 With the exception of displaying food and/or non-food crops produced on the site, it is not identified by any sign or by a display of merchandise visible from the exterior of the building (10/12/10, Case TA-10-418, Ord. No. 2010-51);

18-19-2.4 It does not involve the storage of goods and materials in excess of fifty (50) square feet of floor area. This storage may be either in the main building or an accessory building, but it shall not be permitted outdoors.

18-19-2.5 No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

18-19-2.6 A conditional use permit shall be required for any home occupation that proposes to involve the use of an accessory structure as part of a home occupation. In addition to the provisions of this Section, home occupations must conform to the entirety of Section 18-19. In no case shall the floor area used in the accessory structure exceed fifty (50) percent of the gross floor areas of the residential dwelling unit. A conditional use permit application for home occupations under this Section shall include the following:

a. Property survey or sketch drawn to scale detailing the setbacks of the accessory structure and distances to each of the property lines as well as the distances to structures within 50 feet on immediately adjacent properties.

a. **Property survey or sketch drawn to scale detailing the setbacks of the accessory structure and distances to each of the property lines as well as the distances to structures within 50 feet on immediately adjacent properties.**

b. **A scaled interior layout sketch illustrating the proposed home occupation in the accessory structure.**

c. **A letter outlining the scope and nature of the occupation, involving operating hours, days of the week, and similar details, as well as an explanation of conformance with Section 18-2-1.1 of this Ordinance.**

18-19-3 The operation of a family day home for not more than five (5) children shall be considered as residential occupancy by a single family; and, therefore does not require a Certificate of Home Occupation. Family day homes serving six through twelve children, exclusive of the provider's own children and any children who reside in the home, shall obtain a Certificate of Home Occupation and shall be licensed by the Virginia Department of Social Services. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. A family day home where the children in care are all grandchildren of the provider shall not be required to be licensed or obligated to obtain a Certificate of Home Occupation. (9/14/10, Case TA-10-337, Ord. No. 2010-40)

18-19-4 Permitted home occupations shall not in any event include:

- Bookstores or motion picture theaters
- Animal hospitals **and kennels**
~~- Auto repair~~
- ~~Dance instruction~~
- Bed and breakfasts homestays and boarding houses
- Massage therapy (other than strictly a home office used for record keeping)
- Motor vehicle sales, repair, equipment installation, and similar activities
- Pet Daycare, training or grooming exceeding care of more than one (1) pet at a time, excluding those of the tenant of the dwelling unit
- Private Clubs or Lodges
- Restaurants
- Tourist Homes
- Vehicle towing, demolishing, or salvaging

Budget Summary

July 1, 2013- October 31, 2013

General Fund Revenue & Exp. Summary

To date in fiscal year 2014 (July 2012 through October 31, 2013) the G F revenues are $11,596,334 representing 14.50% of the budget
Prior period last year was $12,123,878 or 15.18%.
Expenditures in the General fund are currently at $24,122,578 representing 30.15% of the budget
Last year, in FY 2012 for the same period, our expenses were at $22,304,945 or 27.92%
Sales Tax receipts for Aug. 2013 were $697,854
Sales Tax receipts for Aug. 2012 were $686,974

Old Town Information	Sep-12	Sep-13
Meals tax Primary Dist.	$ 32,039	$ 37,575
Meals tax Second Dist	$ 14,362	$ 13,678

Amended	Bgt. (4 mos)	Actual
Revenue	$23,333,330	$11,596,334
Expenditures	$23,333,330	$24,122,578

Utility Fund Revenue & Exp. Summary

To date in fiscal year 2014 (July 2012 through October 31, 2013) the Utility fund revenues are $6,895,932, representing 33.33% of the budget
Prior period last year was $6,407,601 or 33.19%
Expenditures in the Utility fund are currently at $8,112,393 representing 39.21% of the budget
Last year, in FY 2012 for the same period, our expenses were at $7,523,207 or 17.15%

Operating	Bgt. (4 mos)	Actual
Revenue	$6,896,332	$6,895,932
Exp.	$6,896,332	$8,112,393

Highlights

1. September Sales tax is $702,069
2. Sales tax up $30,019 comparing period to period
3. Meals and Motel tax are up slightly from last year
4. Real estate collections are down due to real estate billing timing difference

Highlights

1. Water & Sewer collections up $636,367 from the same period last year.
2. Availability fees up $16,040 from same period last fiscal year.
3. Capital expenditures to date are $60,712

Operating Cash

* Total Cash:	$13,271,773	Fund balance	
Reserved		Committed to date	
cash:	(560,910)		
Available cash:	**$12,710,863**	**$2,117,975**	

* October-13 (General fund only)

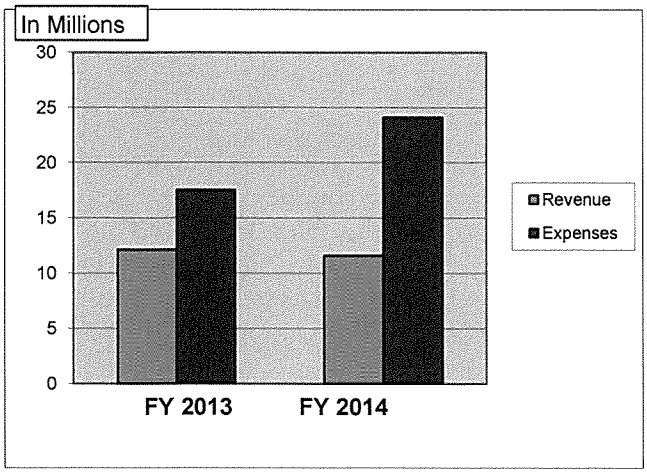
Cash & Investments

Operating Cash:	($2,558,796)
Reserves for CIP:	0
Bond Proceeds:	0
Total:	**($2,558,796)**

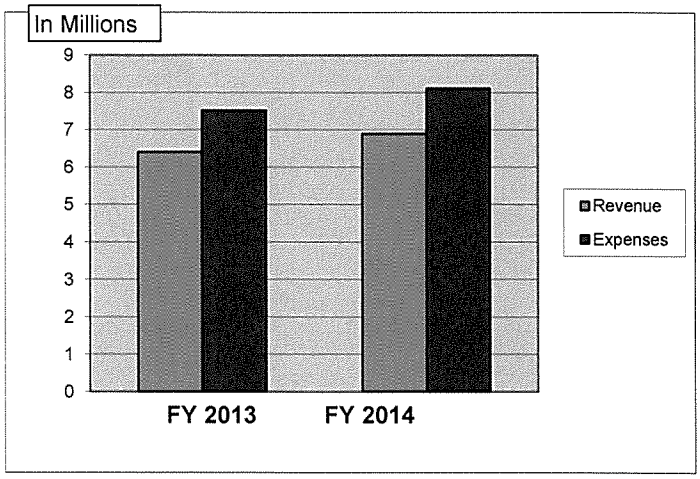
As of Oct 2013

Period to Period Comparison FY 2013 to FY 2014

General Fund



Utilities Fund



REVENUE PERFORMANCE WORKSHEET
FOR FISCAL YEAR 2014
JULY 1, - OCTOBER 31, 2013

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 1 GENERAL PROPERTY TAXES							
111-0000-311.01-01	CURRENT	784,513	24,611,530	25,539,000	25,539,000	168,651	.66
111-0000-311.01-02	DELINQUENT	277,616	1,195,411	900,000	900,000	474,405	52.71
111-0000-311.01-03	DELINQUENT-PRIM/SECOND	7,116	11,410	10,000	10,000	1,868	18.68
111-0000-311.01-04	PRIMARY DISTRICT	2,185	70,321	70,000	70,000	0	.00
111-0000-311.01-05	SECONDARY DISTRICT	2,494	82,567	80,500	80,500	414	.51
111-0000-311.01-06	PENALTIES	27,569	112,900	92,000	92,000	41,841	45.48
111-0000-311.01-07	INTEREST	17,833	87,861	50,000	50,000	41,429	82.86
111-0000-311.02-01	REAL ESTATE	686,590	686,590	670,000	670,000	641,634	95.77
111-0000-311.02-03	PERSONAL PROPERTY	247	247	500	500	267	53.42
111-0000-311.03-01	CURRENT	1,579,336	7,059,459	7,300,000	7,300,000	1,465,101	20.07
111-0000-311.03-02	DELINQUENT	38,834	308,397	250,000	250,000	79,093	31.64
111-0000-311.03-03	MOBILE HOME TAXES	472	1,866	1,000	1,000	35	3.51
111-0000-311.03-04	MACHINERY & TOOLS	80,120-	1,636,534	1,900,000	1,900,000	1,127	.06
111-0000-311.03-06	PENALTIES	28,485	141,455	120,000	120,000	30,451	25.38
111-0000-311.03-07	INTEREST	5,362-	31,929	50,000	50,000	13,673	27.35
*	GENERAL PROPERTY TAXES	3,367,806	36,038,477	37,033,000	37,033,000	2,959,990	7.99
SUB 2 OTHER LOCAL TAXES							
111-0000-312.01-01	STATE SALES TAX	1,332,714	8,718,682	8,500,000	8,500,000	1,362,733	16.03
111-0000-312.01-02	COMMUNICATIONS TAXES	559,603	2,199,696	2,200,000	2,200,000	538,233	24.47
111-0000-312.02-01	ELECTRIC UTILITY	351,199	1,325,208	1,300,000	1,300,000	344,798	26.52
111-0000-312.02-02	TELEPHONE UTILITY	0	0	0	0	62	.00
111-0000-312.02-03	GAS UTILITY	20,839	530,538	390,000	390,000	63,644	16.32
111-0000-312.02-51	ELECTRIC CONSUMPTION	36,172	136,308	135,000	135,000	34,778	25.76
111-0000-312.02-52	GAS CONSUMPTION	56,747	22,210	25,000	25,000	875	3.50
111-0000-312.03-01	CONTRACTING	41,214	346,846	400,000	400,000	7,457	1.86
111-0000-312.03-02	RETAIL	23,762	2,064,246	2,150,000	2,150,000	53,394	2.48
111-0000-312.03-03	PROFESSIONAL	45,706	2,245,940	2,200,000	2,200,000	36,591	1.66
111-0000-312.03-04	REPAIR & PERSONAL	20,403	757,698	800,000	800,000	44,149	5.52
111-0000-312.03-05	WHOLESALE	662	183,222	200,000	200,000	9,611	4.81
111-0000-312.03-06	OTHER	235	2,531	4,000	4,000	1,821	45.52
111-0000-312.03-07	PENALTIES	17,454	54,949	75,000	75,000	25,662	34.22
111-0000-312.03-09	TELEPHONE	0	80,321	80,000	80,000	62	.08

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 2 OTHER LOCAL TAXES							
111-0000-312.04-01	CABLE	19,949	0	0	0	0	.00
111-0000-312.04-02	ELECTRICAL	36,740	216,259	200,000	200,000	55,069	27.53
111-0000-312.04-03	TELEPHONE ROW	23,639	95,021	70,000	70,000	30,529	43.61
111-0000-312.04-05	GAS	24,375	48,750	50,000	50,000	24,375	48.75
111-0000-312.05-01	LICENSES	189,036	518,723	550,000	550,000	202,889	36.89
111-0000-312.05-03	PENALTIES	12,620	39,080	40,000	40,000	15,474	38.69
111-0000-312.06-01	BANK FRANCHISE	21,038	490,943	430,000	430,000	0	.00
111-0000-312.07-01	RECORDATION	58,080	218,429	200,000	200,000	67,108	33.55
111-0000-312.07-02	WILL PROBATE	1,276	5,485	10,000	10,000	2,445	24.45
111-0000-312.08-02	CIGARETTES	188,813	530,667	580,000	580,000	178,805	30.83
111-0000-312.09-01	ADMISSIONS	3,037	6,645	100,000	100,000	42,659	42.66
111-0000-312.09-02	PENALTIES	0	65	0	0	792	.00
111-0000-312.09-03	INTEREST	0	7	0	0	0	.00
111-0000-312.10-01	MOTEL	183,287	678,881	650,000	650,000	196,622	30.25
111-0000-312.10-02	PENALTIES	145	856	0	0	376	.00
111-0000-312.10-03	INTEREST	12	108	0	0	21	.00
111-0000-312.11-01	MEALS	1,364,291	5,514,847	5,500,000	5,500,000	1,422,139	25.86
111-0000-312.11-02	PENALTIES	2,330	19,937	20,000	20,000	4,109	20.54
111-0000-312.11-03	INTEREST	25	925	1,000	1,000	65	6.54
111-0000-312.12-01	SHORT TERM	788-	8,029	15,000	15,000	2,409	16.06
111-0000-312.12-02	PENALTIES	16	26	0	0	0	.00
*	OTHER LOCAL TAXES	4,634,631	27,062,078	26,875,000	26,875,000	4,769,757	17.75
SUB 3 PERMITS, PRIVILEGE FEES							
111-0000-313.01-01	DOG	1,448	12,611	11,000	11,000	1,421	12.92
111-0000-313.03-03	ON STREET PARKING	20	135	100	100	40	40.00
111-0000-313.03-05	TRANSFER FEES	168	627	1,000	1,000	179	17.91
111-0000-313.03-24	EROSION, SEDIMENT CONTROL	1,200	3,750	6,000	6,000	1,563	26.04
111-0000-313.03-28	WEAPONS	1,430	7,406	6,500	6,500	1,979	30.45
111-0000-313.03-30	RE TAX APPLICATION FEE	0	160	0	0	20	.00
111-0000-313.03-31	RE PUBLIC HEARING FEE	0	0	0	0	20	.00
111-0000-313.03-36	HAZARDOUS USE	150	1,850	1,000	1,000	50	5.00
111-0000-313.03-37	TAXI	126	360	800	800	234	29.25

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 3 PERMITS, PRIVILEGE FEES							
111-0000-313.03-50	STREET PERMITS	1,590	3,310	2,000	2,000	555	27.75
111-0000-313.04-08	BUILDING	54,056	115,661	100,000	100,000	31,235	31.23
111-0000-313.04-10	ELECTRICAL	234	702	600	600	268	44.72
111-0000-313.04-12	PLUMBING	8,634	23,391	20,000	20,000	7,888	39.44
111-0000-313.04-14	MECHANICAL	11,011	28,146	25,000	25,000	10,030	40.12
111-0000-313.04-15	ELEVATOR	1,140	3,600	3,000	3,000	1,220	40.67
111-0000-313.04-23	OCCUPANCY	150	300	1,500	1,500	300	20.00
111-0000-313.04-32	FIRE PROTECTION	3,226	7,205	7,000	7,000	2,935	41.92
111-0000-313.04-35	GAS	61	363	500	500	218	43.60
111-0000-313.04-37	BUILDING PERMITS - SIGNS	1,200	5,042	4,000	4,000	2,161	54.03
111-0000-313.05-04	LAND USE APPLICATION FEES	11,825	26,675	30,000	30,000	11,075	36.92
111-0000-313.05-06	PLANNING ADVERTISING FEES	225	625	1,000	1,000	200	20.00
111-0000-313.05-07	RE-ZONING & SUBDIV PERMIT	5,100	16,600	10,000	10,000	4,400	44.00
111-0000-313.05-19	SIGNS, PERMITS & INSPECTI	600	2,040	3,000	3,000	400	13.33
111-0000-313.05-33	ARCHITECTURAL REVIEW	300	900	600	600	0	.00
111-0000-313.05-34	BOARD OF ZONING APPEALS	2,550	4,600	10,000	10,000	2,500	25.00
111-0000-313.05-40	MISC FEES	500	2,100	2,500	2,500	350	14.00
111-0000-313.05-41	CIVIL PENALTIES	400	2,200	1,000	1,000	2,500	250.00
111-0000-313.06-02	RNTL HOUSING/INSPECTIONS	2,005	8,940	35,000	35,000	10,580	30.23
111-0000-313.06-03	RNTL HOUSING/PENALTIES	275	3,425	4,000	4,000	1,925	48.13
111-0000-313.06-05	MISC FEES	995	3,023	10,000	10,000	1,550	15.50
*	PERMITS, PRIVILEGE FEES	110,619	285,747	297,100	297,100	97,795	32.92
SUB 4 FINES AND FORFEITURES							
111-0000-314.01-01	COURTS	51,137	157,394	300,000	300,000	33,282	11.09
111-0000-314.01-03	REGISTRAR	100	100	0	0	0	.00
111-0000-314.01-10	INTEREST	1,245	3,909	3,000	3,000	926	30.88
*	FINES AND FORFEITURES	52,482	161,403	303,000	303,000	34,209	11.29
SUB 5 REVENUE-USE OF MONEY/PROP							
111-0000-315.01-01	INTEREST EARNINGS	10,358	65,775	130,000	130,000	15,650	12.04
111-0000-315.02-01	RENTAL - GENERAL PROPERTY	0	500	0	0	0	.00

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 5 REVENUE-USE OF MONEY/PROP							
111-0000-315.02-02	RENTAL REC PROP/FACILITY	33,309	143,401	145,000	145,000	39,758	27.42
111-0000-315.02-03	CONCESSION RENTALS	50	50	0	0	0	.00
*	REVENUE-USE OF MONEY/PROP	43,717	209,726	275,000	275,000	55,408	20.15
SUB 6 CHARGES FOR SERVICES							
111-0000-316.01-03	SHERIFF FEES	2,949	2,949	3,000	3,000	2,949	98.29
111-0000-316.01-05	CASE ASSESSMENT	8,934	28,781	30,000	30,000	9,288	30.96
111-0000-316.01-09	COURTHOUSE SECURITY FEE	14,805	50,360	60,000	60,000	13,601	22.67
111-0000-316.01-11	MISCELLANEOUS FEES	2,137	8,731	7,000	7,000	2,588	36.98
111-0000-316.01-12	COURTHOUSE COMPLIANCE FEE	12,363	39,757	50,000	50,000	11,896	23.79
111-0000-316.02-01	COMMONWEALTH ATTORNEY FEE	1,833	7,333	6,000	6,000	1,715	28.58
111-0000-316.03-02	MISC POLICE FEES	1,360	3,679	4,000	4,000	2,206	55.15
111-0000-316.03-10	POLICE O/T REIMBURSEMENT	0	17,459	0	0	0	.00
111-0000-316.04-03	HAZ/MAT	43,186	61,774	5,000	5,000	0	.00
111-0000-316.04-05	LEPC FUNDS	0	8,135	7,000	7,000	2,054	29.34
111-0000-316.04-06	ALARM FEES	0	3,000	5,000	5,000	0	.00
111-0000-316.04-07	FALSE ALARM FEES	5,200	16,300	20,000	20,000	4,100	20.50
111-0000-316.04-08	FIRE INSPECTION FEES	0	0	50,000	50,000	0	.00
111-0000-316.06-01	ANIMAL IMPOUNDING FEES	558	1,914	2,000	2,000	412	20.60
111-0000-316.06-18	GAS INSPECTION	27,000	54,000	54,000	54,000	18,000	33.33
111-0000-316.08-02	WASTE COLL/DISPOSAL FEES	1,254	3,100	4,000	4,000	1,030	25.75
111-0000-316.08-05	SALE OF RECYCLE MATERIAL	7,559	30,203	50,000	50,000	8,363	16.73
111-0000-316.13-01	RECREATION ACTIVITIES	0	2,900	5,000	5,000	350	7.00
111-0000-316.13-02	INDOOR POOL	28,956	87,010	112,150	112,150	16,596	14.80
111-0000-316.13-06	OUTDOOR POOL	27,601	48,359	91,000	91,000	35,764	39.30
111-0000-316.13-21	ADMISSIONS & MEMBERSHIPS	23,319	98,064	135,000	135,000	22,516	16.68
111-0000-316.13-24	ATHLETICS	19,532	62,440	115,850	115,850	22,494	19.42
111-0000-316.13-26	CHILD CARE	72,204	184,592	180,000	180,000	75,261	41.81
111-0000-316.13-28	CONCESSION SALES	14,734	27,829	28,000	28,000	11,308	40.38
111-0000-316.13-30	PARKS CAPITAL REPL FEES	0	0	0	0	2,596	.00
*	CHARGES FOR SERVICES	315,486	848,669	1,024,000	1,024,000	265,085	25.89

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 8 MISCELLANEOUS REVENUE							
SUB 8 MISCELLANEOUS REVENUE							
111-0000-318.01-01	PAYMENT IN LIEU OF TAXES	0	800,175	845,000	845,000	0	.00
111-0000-318.04-01	SPECIAL EVENTS	0	0	155,000	155,000	52,803	34.07
111-0000-318.04-04	ARTSCAPE PROGRAM	1,050	2,550	1,000	1,000	0	.00
111-0000-318.04-05	OLD TOWN PUBLIC RESTROOM	0	335	0	0	1,658	.00
111-0000-318.98-01	BAD CHECKS	155	455	1,000	1,000	325	32.50
111-0000-318.98-02	ADMIN & COLLECTION FEES	14,538	48,795	40,000	40,000	14,139	35.35
111-0000-318.99-05	SALE OF SUPPLIES	350	769	1,000	1,000	243	24.29
111-0000-318.99-06	SALE OF SURPLUS PROPERTY	0	4,649	10,000	10,000	5,457	54.57
111-0000-318.99-14	SALE OF COPIES & DOCUMENT	221	688	2,000	2,000	252	12.58
111-0000-318.99-22	DONATIONS-FIRE DEPT	0	500	0	0	0	.00
111-0000-318.99-23	DONATIONS-POLICE DEPT.	0	2,870	0	0	0	.00
111-0000-318.99-32	PARKS & RECREATION	317	2,467	60,000	60,000	6,914	11.52
111-0000-318.99-33	SHERIFF	0	1,250	0	0	0	.00
111-0000-318.99-99	MISCELLANEOUS	203	262	0	0	119	.00
*	MISCELLANEOUS REVENUE	16,834	865,765	1,115,000	1,115,000	81,910	7.35
SUB 9 RECOVERED COSTS							
111-0000-319.02-01	MISCELLANEOUS	571	2,094	0	0	202	.00
111-0000-319.02-05	REBATES	0	2,103	0	0	0	.00
111-0000-319.02-22	FIRE DEPARTMENT	124	186	0	0	3,500	.00
111-0000-319.02-24	SOCIAL SERVICES	0	52,875	62,000	62,000	0	.00
111-0000-319.02-34	CIRCUIT COURT	2,108	72,586	70,000	70,000	2,467	3.52
111-0000-319.02-35	JJC BUILDING	78,572	328,187	416,000	416,000	70,035	16.84
111-0000-319.02-40	LANDFILL-RECYCLING	0	165,280	170,000	170,000	0	.00
111-0000-319.02-43	POLICE DEPARTMENT	535	50,815	0	0	310	.00
111-0000-319.02-45	PARKS & RECREATION	100	249	0	0	13	.00
111-0000-319.02-51	DATA PROCESSING	0	54,150	40,000	40,000	0	.00
*	RECOVERED COSTS	82,010	728,525	758,000	758,000	76,528	10.10
**	REVENUE FROM LOCAL SOURCE	8,623,585	66,200,390	67,680,100	67,680,100	8,340,682	12.32

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 31 REVENUE FROM LOCAL SOURCE							
SUB 9 RECOVERED COSTS							
111-0000-322.01-01	ABC PROFITS	0	664	0	0	0	.00
111-0000-322.01-05	MOBILE HOME TITLING TAXES	0	1,800	0	0	0	.00
111-0000-322.01-06	TAX ON DEEDS	15,468	76,009	100,000	100,000	22,522	22.52
111-0000-322.01-08	RAILROAD ROLLING STOCK TX	7,501	7,530	7,000	7,000	8,251	117.87
111-0000-322.01-10	GRANTOR'S TAX	13,714	71,859	75,000	75,000	17,958	23.94
111-0000-322.01-11	RENTAL CARS TAX	75,588	186,910	175,000	175,000	67,421	38.53
111-0000-322.01-12	PERSONAL PROPERTY REIMB.	1,819,718	2,622,084	2,622,100	2,622,100	1,819,718	69.40
*	NON-CATEGORICAL AID	1,931,988	2,966,856	2,979,100	2,979,100	1,935,871	64.98
SUB 3 SHARED EXPENSES							
111-0000-323.01-01	COMMONWEALTH'S ATTORNEY	225,753	713,945	630,000	630,000	175,756	27.90
111-0000-323.02-01	SHERIFF	107,562	344,376	300,000	300,000	84,452	28.15
111-0000-323.02-02	SHERIFF MILEAGE	1,278	2,889	3,000	3,000	2,549	84.98
111-0000-323.03-01	COMMMISSIONER OF REVENUE	42,829	116,055	85,000	85,000	24,737	29.10
111-0000-323.04-01	TREASURER	21,037	93,697	83,000	83,000	18,436	22.21
111-0000-323.06-01	REGISTRAR/ELECTORAL BOARD	0	41,755	40,000	40,000	0	.00
111-0000-323.07-01	CLERK OF CIRCUIT COURT	109,395	367,632	324,000	324,000	84,004	25.93
111-0000-323.07-02	JURY REIMBURSEMENT	2,670	5,760	5,000	5,000	0	.00
111-0000-323.10-01	SHARED-VICTIM WITNESS	6,253	25,010	25,000	25,000	0	.00
*	SHARED EXPENSES	516,777	1,711,119	1,495,000	1,495,000	389,934	26.08
SUB 4 STATE CATEGORICAL FUNDS							
111-0000-324.02-35	DEPT OF HEALTH	0	2,000	0	0	0	.00
111-0000-324.04-02	EMERGENCY SERVICES GRANTS	0	1,136	0	0	0	.00
111-0000-324.04-04	JUV & DOMESTIC RELATIONS	2,890	11,848	10,000	10,000	3,306	33.06
111-0000-324.04-07	LITTER CONTROL	7,575	7,575	6,000	6,000	6,682	111.37
111-0000-324.04-12	FIRE PROGRAMS FUND	63,042	74,733	70,000	70,000	66,253	94.65
111-0000-324.04-13	TWO FOR LIFE GRANT	0	23,291	20,000	20,000	0	.00
111-0000-324.04-17	HAZ MAT FUNDING	15,000	15,000	24,300	24,300	15,000	61.73
111-0000-324.04-23	POLICE	203,201	775,025	820,000	820,000	203,201	24.78
111-0000-324.04-25	JAIL	0	21,327	20,000	20,000	0	.00

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FUND 111 GENERAL OPERATING FUND							
BASIC 32 REVENUE FROM COMMONWEALTH							
SUB 4 STATE CATEGORICAL FUNDS							
111-0000-324.04-42	HEALTH DEPARTMENT	81,954	248,064	252,000	252,000	83,542	33.15
111-0000-324.04-44	GENERAL DISTRICT COURT	1,815	7,684	8,000	8,000	1,971	24.63
111-0000-324.04-98	MISC STATE FUNDS	0	290	0	0	0	.00
111-0000-324.05-23	ASSET FORFEITURE POLICE	1,704	5,430	0	0	4,159	.00
111-0000-324.05-45	ASSET FORFEITURE COMM ATY	627	4,785	0	0	378	.00
111-0000-324.10-38	WIRELESS E911 SERVICE BD	4,211	83,500	49,000	49,000	12,568	25.65
111-0000-324.10-61	PUBLIC ASSISTANCE GRANT	0	90,375	0	0	0	.00
*	STATE CATEGORICAL FUNDS	382,019	1,372,063	1,279,300	1,279,300	397,059	31.04
**	REVENUE FROM COMMONWEALTH	2,830,784	6,050,038	5,753,400	5,753,400	2,722,865	47.33
BASIC 33 REVENUE FROM FEDERAL GOVT							
SUB 3 CATEGORICAL AID							
111-0000-333.01-13	EMERGENCY SERVICE GRANT	0	8,905	0	0	8,905	.00
111-0000-333.01-14	ASSET FORFEITURE FUNDS	183	636	0	0	8,162	.00
111-0000-333.04-15	COMMISSION OF ARTS GRANT	0	0	5,000	5,000	5,000	100.00
111-0000-333.06-04	CHILD/ADULT CARE FOOD	0	5,407	5,000	5,000	554	11.07
111-0000-333.10-11	POLICE - DCJS GRANTS	3,396	6,486	0	0	708	.00
111-0000-333.10-30	COPS	51,700	166,136	0	0	0	.00
111-0000-333.10-40	CDBG GRANT	0	125,525	213,000	213,000	99,350	46.64
111-0000-333.10-42	HAZ/MAT EMERGENCY PLANNIN	0	2,476	0	0	0	.00
111-0000-333.10-46	BALLISTIC VEST PROGRAM	0	0	5,000	5,000	2,238	44.75
111-0000-333.10-49	VICTIM WITNESS	18,758	75,032	75,000	75,000	0	.00
111-0000-333.10-55	DMV GRANTS	6,084	24,062	25,000	25,000	0	.00
111-0000-333.10-61	PUBLIC ASSISTANCE GRANT	0	327,529	0	0	0	.00
111-0000-333.10-63	HOMELAND SECURITY/ODP	872	43,394	15,000	15,000	4,183	27.89
111-0000-333.10-64	NVRDTF GRANT	0	58,019	0	0	0	.00
*	CATEGORICAL AID	80,993	843,607	343,000	343,000	129,100	37.64
**	REVENUE FROM FEDERAL GOVT	80,993	843,607	343,000	343,000	129,100	37.64

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
BASIC 33 REVENUE FROM FEDERAL GOVT							
SUB 3 CATEGORICAL AID							
111-0000-341.01-01	INSURANCE RECOVERIES	27,433	47,216	0	0	3,488	.00
111-0000-341.04-04	CDBG LOANS PRINCIPAL	37	1,000,127	0	0	156	.00
111-0000-341.04-11	CDBG LOANS INTEREST	13	63	0	0	44	.00
111-0000-341.04-20	PREMIUMS ON BONDS	0	4,837,787	0	0	0	.00
111-0000-341.04-58	SALE OF BONDS	161,034	22,125,285	0	0	0	.00
111-0000-341.05-27	UTILITIES FUND	400,000	1,600,000	1,600,000	1,600,000	400,000	25.00
111-0000-341.05-45	OTDB	0	0	50,000	50,000	0	.00
111-0000-341.06-01	FUND BALANCE	0	0	1,084,500	1,084,500	0	.00
111-0000-341.06-04	ASSIGNED FIRE PROGRAMS	0	0	89,000	89,000	0	.00
111-0000-341.07-02	CARRY FORWARD	0	0	3,400,000	3,400,000	0	.00
*	NON-REVENUE RECEIPTS	588,517	29,610,478	6,223,500	6,223,500	403,688	6.49
**	OTHER FINANCING SOURCES	588,517	29,610,478	6,223,500	6,223,500	403,688	6.49
***	GENERAL OPERATING FUND	12,123,878	102,704,513	80,000,000	80,000,000	11,596,334	14.50
		12,123,878	102,704,513	80,000,000	80,000,000	11,596,334	14.50

EXPENDITURES BY DIVISION BY CATEGORY
FOR FISCAL YEAR 2014
JULY 1 - OCTOBER 31, 2013

	ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND							
DEPT 11 LEGISLATIVE							
*	CITY COUNCIL	42,117	114,936	122,400	122,400	53,337	43.58
*	CLERK OF COUNCIL	11,495	37,034	36,600	36,600	12,406	33.90
**	LEGISLATIVE	53,612	151,970	159,000	159,000	65,743	41.35
DEPT 12 GENERAL & FINANCIAL ADMIN							
*	CITY MANAGER	74,001	299,268	387,000	387,000	119,576	30.90
*	CITY ATTORNEY	104,232	283,752	343,400	343,400	81,079	23.61
*	INDEPENDENT AUDITORS	37,470	63,700	80,000	80,000	24,830	31.04
*	HUMAN RESOURCES	103,091	373,712	453,600	453,600	116,970	25.79
*	COMMISSIONER OF REVENUE	155,151	508,317	521,400	521,400	143,436	27.51
*	EQUALIZATION BOARD	0	0	0	0	72	.00
*	TREASURER	134,608	438,887	439,100	439,100	105,936	24.13
*	FINANCE	157,779	508,336	565,000	565,000	137,234	24.29
*	INFORMATION TECHNOLOGY	348,081	1,308,607	1,740,800	1,740,800	341,916	19.64
*	RISK MANAGEMENT	48,535	48,535	50,000	50,000	45,767	91.53
**	GENERAL & FINANCIAL ADMIN	1,162,948	3,833,114	4,580,300	4,580,300	1,116,815	24.38
DEPT 13 BOARD OF ELECTIONS							
*	ELECTORAL BOARD OFFICIALS	6,016	60,680	51,000	51,000	5,251	10.30
*	REGISTRAR	32,937	104,690	140,600	140,600	36,750	26.14
**	BOARD OF ELECTIONS	38,953	165,370	191,600	191,600	42,001	21.92
DEPT 21 COURTS							
*	CIRCUIT COURT	24,361	78,101	81,800	81,800	24,952	30.50
*	GENERAL DISTRICT COURT	5,772	18,958	28,800	28,800	6,234	21.64
*	J & D RELATION DIST COURT	13,847	45,564	50,400	50,400	14,079	27.93
*	CLERK OF CIRCUIT COURT	148,176	501,747	503,100	503,100	151,313	30.08
*	CITY SHERIFF	344,298	991,391	1,032,400	1,032,400	372,416	36.07
*	COURTHOUSE SECURITY	21,959	172,332	173,500	173,500	46,371	26.73
*	JUROR SERVICES	0	20,000	26,000	26,000	0	.00
**	COURTS	558,413	1,828,093	1,896,000	1,896,000	615,365	32.46
DEPT 22 COMMONWEALTH'S ATTORNEY							
*	COMMONWEALTH ATTORNEY	335,128	1,095,657	1,085,100	1,085,100	339,329	31.27
*	VICTIM WITNESS PROGRAM	42,839	139,874	141,100	141,100	43,254	30.65

EXPENDITURES BY DIVISION BY CATEGORY
FOR FISCAL YEAR 2014
JULY 1 - OCTOBER 31, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 22 COMMONWEALTH'S ATTORNEY						
** COMMONWEALTH'S ATTORNEY	377,967	1,235,531	1,226,200	1,226,200	382,584	31.20
DEPT 31 LAW ENFORCEMENT & TRAFFIC						
* POLICE DEPARTMENT	2,173,933	7,194,339	7,500,200	7,500,200	2,208,301	29.44
* POLICE GRANTS	107,902	301,247	47,200	47,200	33,096	70.12
** LAW ENFORCEMENT & TRAFFIC	2,281,835	7,495,586	7,547,400	7,547,400	2,241,397	29.70
DEPT 32 FIRE AND RESCUE SERVICES						
* FIRE DEPARTMENT	1,457,273	4,684,185	4,923,700	4,923,700	1,560,452	31.69
* EMERGENCY MEDICAL	16,054	53,697	0	0	40	.00
* FIRE GRANTS	17,706	80,274	203,100	203,100	26,743	13.17
** FIRE AND RESCUE SERVICES	1,491,033	4,818,156	5,126,800	5,126,800	1,587,235	30.96
DEPT 33 CORRECTION AND DETENTION						
* PROBATION OFFICE	935	2,567	3,500	3,500	1,050	30.00
** CORRECTION AND DETENTION	935	2,567	3,500	3,500	1,050	30.00
DEPT 34 INSPECTIONS						
* INSPECTIONS DEPARTMENT	139,639	449,706	466,000	466,000	150,831	32.37
** INSPECTIONS	139,639	449,706	466,000	466,000	150,831	32.37
DEPT 35 OTHER PROTECTION						
* ANIMAL WARDEN	40,270	137,768	165,600	165,600	71,375	43.10
* EMERGENCY SERVICES CD	39,786	77,098	47,000	47,000	19,629	41.76
* HAZARDOUS MATERIAL	27,233	66,397	41,800	41,800	10,026	23.99
* COMMUNICATION OPERATIONS	319,179	898,264	930,100	930,100	307,728	33.09
** OTHER PROTECTION	426,468	1,179,527	1,184,500	1,184,500	408,757	34.51
DEPT 41 MAINT HIGHWAY, STREET ETC						
* STREETS	12,556	29,219	23,600	23,600	12,019	50.93
* STORM DRAINAGE	5,286	35,978	35,000	35,000	8,047	22.99
* LOUDOUN MALL	16,054	51,695	70,800	70,800	29,874	42.19
** MAINT HIGHWAY, STREET ETC	33,896	116,892	129,400	129,400	49,939	38.59
DEPT 42 SANITARY & WASTE REMOVAL						

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JULY 1 - OCTOBER 31, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 42 SANITARY & WASTE REMOVAL						
* REFUSE COLLECTION	398,563	1,315,126	1,388,300	1,388,300	416,792	30.02
** SANITARY & WASTE REMOVAL	398,563	1,315,126	1,388,300	1,388,300	416,792	30.02
DEPT 43 MAINT GENERAL BLDG/GROUND						
* JOINT JUDICIAL CENTER	169,081	515,138	705,400	705,400	150,139	21.28
* FACILITIES MAINTENANCE	365,266	1,094,213	1,117,300	1,117,300	352,528	31.55
** MAINT GENERAL BLDG/GROUND	534,347	1,609,351	1,822,700	1,822,700	502,667	27.58
DEPT 53 WELFARE/SOCIAL SERVICES						
* ELDERLY - PROP TAX RELIEF	0	496,565	520,000	520,000	0	.00
** WELFARE/SOCIAL SERVICES	0	496,565	520,000	520,000	0	.00
DEPT 71 PARKS & RECREATION						
* SUPERVISION PARKS & REC	134,749	454,602	567,700	567,700	131,355	23.14
* SPECIAL EVENTS TROLLEY	0	0	0	0	2,965	.00
* MAINTENANCE	634,813	1,326,365	971,430	971,430	290,441	29.90
* RECREATION ACTIVITIES	31,393	75,651	73,100	73,100	26,425	36.15
* OUTDOOR SWIMMING POOL	61,242	106,824	110,600	110,600	53,116	48.03
* INDOOR POOL	49,709	161,304	226,450	226,450	48,481	21.41
* WAR MEMORIAL & ADDITIONS	132,374	386,838	377,825	377,825	102,176	27.04
* SCHOOL AGE CHILD CARE	55,533	170,973	183,650	183,650	56,764	30.91
* ATHLETIC PROGRAMS	61,612	174,639	199,525	199,525	60,280	30.21
** PARKS & RECREATION	1,161,425	2,857,196	2,710,280	2,710,280	772,004	28.48
DEPT 72 CULTURAL ENRICHMENT						
* APPLE BLOSSOM FESTIVAL	0	59,685	29,500	29,500	0	.00
** CULTURAL ENRICHMENT	0	59,685	29,500	29,500	0	.00
DEPT 81 PLANNING & COMMUNITY DEVL						
* PLANNING DEPARTMENT	65,277	207,763	278,900	278,900	82,314	29.51
* REDEVELOPMENT & HOUSING	3,463	1,087,168	21,500	21,500	6,409	29.81
* ZONING DEPARTMENT	35,556	141,175	211,200	211,200	54,563	25.83
* ECONOMIC DEVELOPMENT	53,846	1,384,953	799,500	799,500	68,347	8.55
* OLD TOWN WINCHESTER ADMIN	42,836	262,109	437,100	437,100	148,315	33.93
* GIS	33,028	81,259	89,300	89,300	30,530	34.19

EXPENDITURES BY DIVISION BY CATEGORY
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JULY 1 - OCTOBER 31, 2013

ACCOUNT DESCRIPTION	FY 2013 YTD 7/1 - 10/31	FY 2013 Year-end Actual	FY 2014 Original Budget	FY 2014 Amended Budget	FY 2014 YTD 7/1 - 10/31	FY 2014 % of Budget Realized
FUND 111 GENERAL OPERATING FUND						
DEPT 81 PLANNING & COMMUNITY DEVL						
** PLANNING & COMMUNITY DEVL	234,006	3,164,427	1,837,500	1,837,500	390,477	21.25
DEPT 91 NONDEPARTMENTAL						
* OTHER	46,767	456,937	588,144	588,144	50,240	8.54
* OUTSIDE AGENCIES	112,857	182,713	282,713	282,713	122,951	43.49
* REGIONAL AGENCIES	2,187,605	4,862,867	5,065,041	5,065,041	2,240,382	44.23
** NONDEPARTMENTAL	2,347,228	5,502,517	5,935,898	5,935,898	2,413,573	40.66
DEPT 93 TRANSFERS						
* INTERFUND	8,909,026	29,374,347	33,989,702	33,989,702	8,792,359	25.87
** TRANSFERS	8,909,026	29,374,347	33,989,702	33,989,702	8,792,359	25.87
DEPT 95 DEBT SERVICE						
* DEBT	2,154,651	36,195,347	9,255,420	9,255,420	4,172,989	45.09
** DEBT SERVICE	2,154,651	36,195,347	9,255,420	9,255,420	4,172,989	45.09
*** GENERAL OPERATING FUND	22,304,945	101,851,073	80,000,000	80,000,000	24,122,578	30.15
	22,304,945	101,851,073	80,000,000	80,000,000	24,122,578	30.15