

FINANCE COMMITTEE
WEDNESDAY, February 11, 2015
SECOND FLOOR CONFERENCE ROOM
CITY HALL - MANASSAS, VIRGINIA
AGENDA

5:30 P.M. CALL TO ORDER

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. Approve Minutes of the January 14, 2015, Finance Committee Meeting | 1 Minute
Page 1 |
| 2. Resolution R-2015-37 Authorizing the Purchase of a Rooftop HVAC Unit (Fitzwater) | 2 Minutes
Page 3 |
| 3. Resolution 2015-10-R Amending the FY 2015 Budget by Budgeting and Appropriating a \$8,325 Insurance Reimbursement and \$15,675 of Vehicle Maintenance Fund Balance for the Replacement of a Police Patrol Vehicle (Morgan/Goudarzi) | 2 Minutes
Page 5 |
| 4. Resolution 2015-10-R Amending the FY 2015 Budget by Budgeting and Appropriating \$32,480 of Developer Contributions for Street Paving (Goudarzi) | 2 Minutes
Page 7 |
| 5. Resolution 2015-10-R Amending the FY 2015 Budget by Budgeting and Appropriating \$10,000 of Manassas Re Leaf Revenue for the Restoration of the Historic Landscape at the Liberia House Historic Site (Via-Gossman) | 2 Minutes
Page 9 |
| 6. Resolution 2015-10-R Amending the FY 2015 Budget by Transferring \$10,000 from General Fund Contingency to Provide a One-Time Contribution to Northern Virginia Family Services (Pate) | 2 Minutes
Page 11 |
| 7. Treasurer's Investment Reports as of July 31, 2014 and October 31, 2014 (Perkins) | 10 Minutes
Page 15 |

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8. Review of Ordinance # O-2009-13 Amending and Reenacting the Code of Ordinances, City of Manassas, Virginia (2002), as amended, relating to Tax Relief for the Elderly and Handicapped (Waldron) **15 Minutes**
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- Page 17**
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City Manager's Time

ADJOURNMENT

cc: **Mayor**
Council Members
W. Patrick Pate

Paul York
Diane Bergeron
Tamara Sturm

**MINUTES OF THE CITY COUNCIL FINANCE COMMITTEE
WEDNESDAY, JANUARY 14, 2014
SECOND FLOOR CONFERENCE ROOM
CITY HALL - MANASSAS, VA**

COMMITTEE MEMBERS PRESENT: Council Member Marc Aveni, Chairman
Vice Mayor Jonathan L. Way
Council Member Mark Wolfe
Council Member Sheryl Bass (Alternate)

COMMITTEE MEMBERS ABSENT: None

OTHERS PRESENT: Mayor Harry J. Parrish II, Council Member Ian Lovejoy, Council Member Ken Elston, City Manager W. Patrick Pate, Finance and Administration Director Paul York, Economic Development Director Patrick Small, Airport Director Juan Rivera, Communications Manager Patty Prince, Utilities Finance Manager Glenn Simpson, Accounting Manager Stephanie Scherer, Planning/Zoning Services Manager Matt Arcieri, Fire Marshal Frank Teevan

GUESTS PRESENT: Andrew Grossnickle, CPA (Robinson, Farmer, Cox Associates)

The meeting was called to order at 5:30 p.m. by Chairman Marc Aveni.

AGENDA ITEM #1 Approve Minutes of the November 12, 2014, Finance Committee Meeting

A motion was made and seconded to approve the minutes of the November 12, 2014, Finance Committee Meeting. The Committee approved (2/0/1). Council Member Way abstained.

AGENDA ITEM #2 Presentation of the FY 2014 Comprehensive Annual Financial Report (CAFR) and Auditor's Findings of the Year Ended June 30, 2014

Andrew Grossnickle of Robinson, Farmer, Cox Associates and Paul York presented the FY 2014 Comprehensive Annual Financial Report (CAFR) and Auditor's findings for the year ended June 30, 2014. This presentation will be made to City Council at its January 26, 2015, meeting. No action is required of the Committee.

AGENDA ITEM #3 Resolution 2015-09-R Amending the FY 2015 Budget by Budgeting and Appropriating \$109,007 from Fund Balance / Net Assets for Replacing the Airfield Lighting Control System at the Airport

Juan Rivera presented Staff's recommendation to amend the FY 2015 Budget by budgeting and appropriating \$109,007 from Fund Balance / Net Assets for replacing the Airfield Lighting Control System at the Airport. The committee approved (3/0). This item will be forwarded to the January 26, 2015, City Council meeting for consideration.

AGENDA ITEM #4 Resolution 2015-09-R Amending the FY 2015 Budget by Budgeting and Appropriating \$125,000 for the FY 2014 Urban Area Security Initiative (UASI) Subgrant sponsored by the Department of Homeland Security (DHS)

Frank Teevan presented Staff's recommendation to amend the FY 2015 Budget by budgeting and appropriating \$125,000 for the FY 2014 Urban Area Security Initiative (UASI) Subgrant sponsored by the Department of Homeland Security (DHS). The committee approved (3/0). This item will be forwarded to the January 26, 2015, City Council meeting for consideration.

AGENDA ITEM #5 Resolution 2015-09-R Amending the FY 2015 Budget by Budgeting and Appropriating \$17,500 for the 2014 State Homeland Security Program (SHSP) Citizen Corps Grant from the Virginia Department of Emergency Management (VDEM) to Support the Community Emergency Response Team (CERT)

Frank Teevan presented Staff's recommendation to amend the FY 2015 Budget by budgeting and appropriating \$17,500 for the 2014 State Homeland Security Program (SHSP) Citizen Corps Grant from the Virginia Department of Emergency Management (VDEM) to support the Community Emergency Response Team (CERT). The committee approved (3/0). This item will be forwarded to the January 26, 2015, City Council meeting for consideration.

City Manager's Time

During City Manager's Time, there was a presentation on the City's contract with North Star Destination Strategies for an Economic Development and Marketing Research Initiative.

The meeting was adjourned at 7:45 p.m. by Chairman Aveni.

AGENDA STATEMENTPAGE NO. 3ITEM NO. 2**MEETING DATE:** February 11, 2015 – Finance Committee**TIME ESTIMATE:** 2 Minutes**AGENDA ITEM TITLE:** Resolution R-2015-37 Authorizing the Purchase of a Rooftop HVAC Unit**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A**SUMMARY OF
ISSUE/TOPIC:**

The rooftop HVAC unit for the Operations Center at the Public Works Facility failed in January 2015. The unit had to be replaced as an emergency purchase at a cost of \$9,754, which was available in the Building Maintenance Fund's FY 2015 Budget.

This resolution will authorize the purchase of equipment/machinery capital item for the Public Works Facility as required by City Council Policy Statement #P-2009-02.

**STAFF
RECOMMENDATION:** Approve Resolution R-2015-37**BOARD/COMMISSION/
COMMITTEE:****RECOMMENDATION:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**CITY MANAGER:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**COMMENTS:****DISCUSSION
(IF NECESSARY):** N/A**BUDGET/FISCAL
IMPACT:** N/A**STAFF:** Tim Fitzwater, Building & Grounds Manager, (703) 257-8372

SECOND: _____

RE: PROCUREMENT OF ROOFTOP HVAC UNIT

NOW, THEREFORE, BE IT RESOLVED that the Manassas City Council does hereby approve the purchase of a rooftop HVAC unit.

ATTEST:

Andrea P. Madden City Clerk

Absent from Meeting:

AGENDA STATEMENTPAGE NO. 5ITEM NO. 3**MEETING DATE:** February 11, 2015 – Finance Committee**TIME ESTIMATE:** 2 Minutes**AGENDA ITEM TITLE:** Resolution 2015-10-R Amending the FY 2015 Budget by Budgeting and Appropriating a \$8,325 Insurance Reimbursement and \$15,675 of Vehicle Maintenance Fund Balance for the Replacement of a Police Patrol Vehicle**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A**SUMMARY OF
ISSUE/TOPIC:**

In November 2014, a city police vehicle (PD-91) caught on fire and was declared a total loss. A settlement check will be received from the insurance company in FY 2015 in the amount of \$8,325. The total cost of a new patrol vehicle is estimated to be \$24,000.

This resolution will budget and appropriate \$8,325 of Insurance Reimbursement and \$15,675 of Vehicle Maintenance Fund Balance in the Vehicle Maintenance Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2015-10-R**BOARD/COMMISSION/
COMMITTEE:****RECOMMENDATION:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**CITY MANAGER:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**COMMENTS:****DISCUSSION
(IF NECESSARY):**

The Vehicle Maintenance Fund Balance for June 30, 2015 is estimated at \$921,854

**BUDGET/FISCAL
IMPACT:**

\$ 8,325 – Insurance Reimbursement
\$15,675 – Fund Balance
\$24,000 – Total

STAFF: Mike Morgan, Fleet Manager, (703) 257-8370
Bruce Goudarzi, Deputy Director of Public Works, (703) 257-8251

AGENDA STATEMENTPAGE NO. 7ITEM NO. 4**MEETING DATE:** February 11, 2015 – Finance Committee**TIME ESTIMATE:** 2 Minutes**AGENDA ITEM TITLE:** Resolution 2015-10-R Amending the FY 2015 Budget by Budgeting and Appropriating \$32,480 of Developer Contributions for Street Paving**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A**SUMMARY OF
ISSUE/TOPIC:**

Van Metre Homes provided \$32,480 to the Public Works Department for their share of the required paving, milling and overlay in the vicinity of the Van Metre Homes development. Staff will combine these funds with the city's paving funds to perform a single paving operation that addresses the paving needs of both the city and the developer. This paving project is for the Van Metre development in Old Town in the vicinity of Prescott Avenue, Maple Street, Quarry Road, Zebedee Street, Center Street, and Cherry Street.

This resolution will budget and appropriate \$32,480 of Developer Contributions in the General Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2015-10-R**BOARD/COMMISSION/
COMMITTEE:****RECOMMENDATION:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**CITY MANAGER:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**COMMENTS:****DISCUSSION
(IF NECESSARY):** N/A**BUDGET/FISCAL
IMPACT:** \$32,480 – Developer Contributions**STAFF:** Bruce Goudarzi, Deputy Director of Public Works, (703) 257-8251

AGENDA STATEMENTPAGE NO. 9ITEM NO. 5**MEETING DATE:** February 11, 2015 – Finance Committee**TIME ESTIMATE:** 2 Minutes**AGENDA ITEM TITLE:** Resolution 2015-10-R Amending the FY 2015 Budget by Budgeting and Appropriating \$10,000 of Manassas Re Leaf Revenue for the Restoration of the Historic Landscape at the Liberia House Historic Site**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A**SUMMARY OF
ISSUE/TOPIC:**

The first phase of the restoration of the Liberia House will be grading the front of the house and replanting the historic allée trees that lead to the front porch from the carriage circle. Funding will come from the Manassas Re Leaf Funds, funds that were set aside for trees and other landscaping.

This resolution will budget and appropriate \$10,000 of Miscellaneous Revenue in the General Capital Projects Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2015-10-R**BOARD/COMMISSION/
COMMITTEE:** Beautification Committee – January 15, 2015**RECOMMENDATION:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**CITY MANAGER:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**COMMENTS:****DISCUSSION
(IF NECESSARY):** The balance in the Manassas Re Leaf account is \$18,980.57**BUDGET/FISCAL
IMPACT:** \$10,000 – Miscellaneous Revenue**STAFF:** Elizabeth S. Via, AICP, Community Development Director, (703) 257-8224

Account number . . . : 100-0000-221.25-14 Db/Cr . . : C

Fund : 100 General Fund
Department : 00
Division : 00
Activity basic . . . : 22 Current Liability
Sub activity : 1 Other Deposits
Element : 25 Public Works
Object : 14 Manassas Re Leaf

	<u>Debits</u>	<u>Credits</u>	<u>Account balance</u>
			18,980.57
Current :	.00	.00	
Unposted :	.00	.00	
Total :	.00	.00	18,980.57

F7=Project data	F8=Misc inquiry	F9=Misc update	F10=Detail trans
F11=Account activity	F12=Cancel	F16=Pending trans	F24=More keys

AGENDA STATEMENT

PAGE NO. 11

ITEM NO. 6

MEETING DATE: February 11, 2015 – Finance Committee

TIME ESTIMATE: 2 Minutes

AGENDA ITEM TITLE: Resolution 2015-10-R Amending the FY 2015 Budget by Transferring \$10,000 from General Fund Contingency to Provide a One-Time Contribution to Northern Virginia Family Services

DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:

N/A

SUMMARY OF
ISSUE/TOPIC:

Northern Virginia Family Services (NVFS) has asked for additional support for SERVE due to the reduction of \$200,000 of State funds. They have requested that the City provide a one-time contribution for this purpose in the amount of \$10,000.

This resolution will transfer \$10,000 from contingency in the General Fund.

STAFF

RECOMMENDATION: Approve Resolution 2015-10-R

BOARD/COMMISSION/
COMMITTEE:

RECOMMENDATION: ☒ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS:

DISCUSSION
(IF NECESSARY):

BUDGET/FISCAL
IMPACT:

\$10,000 – General Fund Contingency

STAFF:

W. Patrick Pate, City Manager, (703) 257-8212

RESOLUTION 2015-10-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this 23rd day of February, 2015, that the following funds be budgeted and appropriated as shown.

<u>ACCOUNT NO.</u>		<u>AMOUNT</u>
VEHICLE MAINTENANCE FUND		
<u>Revenue:</u>		
605-0000-318-15-16	Insurance Reimbursement	\$ 8,325
605-0000-346-04-00	Unrestricted Fund Balance	\$ 15,675
		<u>\$ 24,000</u>
<u>Expenditure:</u>		
605-2555-419-73-00	Vehicle Purchase	\$ 24,000
For: Replacement of Police Patrol Vehicle (PD-91)		

<u>ACCOUNT NO.</u>		<u>AMOUNT</u>
GENERAL FUND		
<u>Revenue:</u>		
100-0000-318-25-01	Developer Contribution	\$ 32,480
<u>Expenditure:</u>		
100-2550-431-39-04	Streets - Work for Others - Paving	\$ 32,480
For: Developer Contribution for Van Metre development paving		

<u>ACCOUNT NO.</u>		<u>AMOUNT</u>
GENERAL FUND		

Revenue:

100-0000-318-31-01	Museum Miscellaneous Revenue	\$	10,000
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Expenditure:

100-9600-491-92-31	Transfer to Capital Projects	\$	10,000
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GENERAL CAPITAL PROJECTS FUND

Revenue:

310-0000-345-10-00	CP3122	Transfer from General Fund	\$	10,000
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Expenditure:

310-3122-505-62-00	CP3122	Liberia House Restoration Project	\$	10,000
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Actual Transfers

100-0000-221-25-14	\$ 10,000.00	Manassas Re Leaf
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For: Manassas Re Leaf Funds for Liberia House Landscaping

<u>ACCOUNT NO.</u>		<u>AMOUNT</u>
GENERAL FUND		

Expenditure:

100-9600-411-95-01	General Fund Contingency	\$	(10,000)
100-9607-441-56-76	SERVE	\$	10,000

For: Contribution to Northern Virginia Family Services for SERVE

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk

AGENDA STATEMENT

PAGE NO. 15

ITEM NO. 7

MEETING DATE: February 11, 2015 – Finance Committee

TIME ESTIMATE: 10 Minutes

AGENDA ITEM TITLE: Treasurer's Investment Reports as of July 31, 2014 and October 31, 2014

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A

**SUMMARY OF
ISSUE/TOPIC:** Treasurer will present the July 2014 and October 2014 Investment Reports.

**STAFF
RECOMMENDATION:** INFORMATION ONLY

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):** REPORTS WILL BE DISTRIBUTED AT THE MEETING

**BUDGET/FISCAL
IMPACT:** N/A

STAFF: Robin R. Perkins, City Treasurer, (703) 257-8246

FINANCE COMMITTEE AGENDA STATEMENT

PAGE NO. 17

ITEM NO. 8

MEETING DATE: February 11, 2015

TIME ESTIMATE: 15 Minutes

AGENDA ITEM TITLE: Review of Ordinance #O-2009-13 Amending and Reenacting the Code of Ordinances, City of Manassas, Virginia (2002), as amended, relating to Tax Relief for the Elderly and Handicapped

DATE THIS ITEM WAS LAST CONSIDERED BY COUNCIL: February 10, 2014

SUMMARY OF ISSUE/TOPIC: The City offers an income and asset based Real Estate tax relief program for the elderly and handicapped. The program uses HUD income figures to determine eligibility.

Note that Virginia Code 58.1-3506.1 limits the City's ability to establish income figures for eligibility for personal property tax relief, requiring the City to use current HUD figures even if they decrease from one year to the next.

BOARD/COMMISSION/ COMMITTEE: Finance Committee reviewed Jan. 29, 2014. Reported out for Council consideration without a recommendation. Council took no action to change program Feb. 10, 2014.

RECOMMENDATION: ☐ Approve ☐ Disapprove ☒ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS: _____

DISCUSSION (IF NECESSARY):

BUDGET/FISCAL IMPACT: Impact would vary if eligibility requirements were changed

DEPARTMENT: Douglas Waldron (Commissioner of the Revenue) 703-257-8220

ORDINANCE O-2009-13

First Reading	January 12, 2009
Second Reading	January 26, 2009
Enacted	January 26, 2009
Effective	January 26, 2009

RE: AN ORDINANCE TO AMEND AND REENACT SECTIONS 110-52, 110-54, 110-55 AND 110-82 OF CHAPTER 110 OF THE CODE OF ORDINANCES, CITY OF MANASSAS, VIRGINIA (2002), AS AMENDED, RELATING TO TAX RELIEF FOR ELDERLY AND DISABLED

BE IT ORDAINED by the Council of the City of Manassas, Virginia, meeting in _____ Regular _____ session this 26th day of January, 2009:

1. That Sections 110-52, 110-54, 110-55 and 110-82 of Chapter 110 of the Code of Ordinances of the City of Manassas, Virginia (2002), is hereby amended and reenacted as follows:

Sec. 110-52. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Base shall be the low income family income limit based upon a family of two, annually published by the U.S. Department of Housing and Urban Development for qualifying for the "Section 8 Housing Assistance Program." The total combined income for all sources during the preceding calendar year by owners of the dwelling who use it as their principal residence and owners' relatives who live in the dwelling are within the following limits:

Household Income	Net Financial Worth	Exemption
Up to base	\$340,000.00	100%
Base plus 15%	\$340,000.00	25%
Base plus 30%	\$340,000.00	15%
Base plus 45%	\$340,000.00	10%
Over limit	\$340,000.00	0%

Deferral means that a proportion of the tax bill, as provided in the article, shall be allowed to accumulate without penalty. Interest, however, shall accrue on the deferred portion of the tax bill at no more than the maximum rate of interest for deferred taxes as allowed under Virginia law.

Disabled means unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life; however, a certification pursuant to 42 USC 423(d) by the Social Security Administration, so long as the person remains eligible for such Social Security benefits, shall be deemed to satisfy such definition.

Elderly means an individual who has attained the age of 65 years on or before January 1 of the year for which relief is sought under this division.

Elderly or disabled owner vehicle means a vehicle which is qualified for the relief provided by this division.

Household income means the aggregate of the gross income of owners of the dwelling who use it as their principle residence and their relatives living in the dwelling, provided that any amount up to \$10,000.00 of income of each relative living in the dwelling who is not the spouse of the owner and \$7,500.00 of income received by an owner during the preceding calendar year as compensation for permanent disability shall be excluded.

Limit shall be 145 percent of the base, provided that such limit shall not exceed the limit as set by the Code of Virginia.

Net financial worth means the net combined financial worth, including the present value of all equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding 1 acre, upon which it is situated, and also excluding furniture, household appliances and other items typically used in a home. - -

Vehicle includes only automobiles and pickup trucks. The fact that a vehicle has been modified to accommodate a person with a disability does not disqualify the vehicle from the relief provided under this division.

Sec. 110-54. Income eligibility requirements.

The total combined income received by an elderly or disabled vehicle owner and the spouse of the owner, during the calendar year immediately preceding the tax year for which the relief provided by this division is sought shall not exceed the limit as defined in section 110-52 of the article. This income limitation shall be computed by aggregating the income of a husband and wife who reside in the same dwelling and shall be applied to any owner of the vehicle who seeks the benefit of the preferential tax rate permitted under this division, irrespective of how such vehicle may be titled.

Sec. 110-55. Net worth eligibility requirements.

The net financial worth of an elderly or disabled vehicle owner and the spouse of the owner, as of December 31 of the immediately preceding calendar year and for each day of the tax year shall not exceed -\$340,000.00. This net worth limitation shall be computed by excluding the unencumbered fair market value of the elderly or disabled owner's principal residence and up to one acre of land on which the principal residence is situated and - excluding the value of household furnishings, furniture, appliances and other items typically used in a home, which shall include any specialized equipment typically used in a home by a person with a disability. The assets - of a husband and wife who reside in the same dwelling shall be aggregated regardless of how the elderly or disabled owner vehicle may be titled.

Sec. 110-82. Exemption or deferral for elderly and handicapped.

(a) Taxation of real property and manufactured homes as defined in Code of Virginia, § 36-85.3, or any portion thereof, owned by and occupied as the sole dwelling of anyone at least 65 years of age or anyone found to be permanently and totally disabled, as defined in Code of Virginia, § 58.1-3217, shall be deferred, exempt, partially exempt, or a combination thereof from taxation subject to the following limitations, restrictions and conditions:

(1) The total combined income, excluding the first \$7,500.00 of any income received by an owner as permanent disability compensation, during the immediately preceding

calendar year from all sources, of the owner or owners of the dwelling living therein and of the owner's or owner's relatives living in the dwelling does not exceed the limit as defined in section 110-52 of the article - Total combined income shall include all income from all sources of the owner, his spouse, and of the owner's and owner's relatives living in the dwelling for which the deferral, exemption, or combination thereof is claimed, except that the first \$10,000.00 of income of each relative, other than the spouse, of the owner or owners who are living in the dwelling shall not be included in such total.

(2) The net combined financial worth, including present value of all equitable interests, furniture, household appliances and other items typically used in a home, as of December 31 of the immediately preceding calendar year, of the owner or owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre upon which it is situated, does not exceed \$340,000.00.

(3) The person claiming such tax deferral, exemption, or combination thereof must file annually with the commissioner of the revenue of the city, on forms to be supplied by the city, an affidavit setting forth the ownership interest, location, assessed value of the property, and the names of the related persons occupying such real estate, their total combined net worth, including equitable interests, and their combined income from all sources. Such affidavit shall be filed after January 1 of each year, but before April 1. The commissioner of the revenue shall also make any other reasonably necessary inquiry of persons seeking such deferral, exemption, or combination thereof, requiring answers under oath, to determine the qualifications there for as specified in this section. The commissioner of the revenue may, in addition, require the production of certified tax returns to establish the income or financial worth of any applicant for such tax relief, deferral, exemption or combination thereof.

(4) If such person is under 65 years of age, such form shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs or the Railroad Retirement Board, or if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors who are licensed to practice medicine in the Commonwealth or are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that the person is permanently and totally disabled, as defined in Code of Virginia, § 58.1-3217; however, a certification pursuant to 42 USC 423(d) by the Social Security Administration so long as the person remains eligible for such social security benefits shall be deemed to satisfy such definition in Code of Virginia, § 58.1-3217. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by such doctor. The affidavit of one of the doctors may be based upon medical information contained in the records of the Civil Service Commission which is relevant to the standards for determining permanent and total disability as defined in Code of Virginia, § 58.1-3217.

(b) An exemption or deferral under this division may be granted for any year following the date that the qualifying individual occupying such dwelling and owning title or partial title thereto reaches the age of 65 years or for any year following the date the disability occurred. Changes in income, financial worth, ownership of property or other factors

occurring during the taxable year for which an affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided in this section shall nullify any exemption or deferral for the remainder of the current taxable year and the taxable year immediately following. However, the city may by ordinance provide a prorated exemption or deferral for the portion of the taxable year during which the taxpayer qualified for such exemption or deferral.

(c) A change in ownership to a spouse, when such change resulted solely from the death of the qualifying individual, or a sale of such property shall result in a prorated exemption or deferral for the then current taxable year. The proceeds of the sale which would result in the prorated exemption or deferral shall not be included in the computation of net worth or income as provided in subsection (b) of this section. Such prorated portion shall be determined by multiplying the amount of the exemption or deferral by a fraction wherein the number of complete months of the year such property was properly eligible for such exemption or deferral is the numerator and the number "12" is the denominator.


(d) In the event of a deferral of real estate taxes granted by this section, the accumulated amount of taxes deferred shall be paid to the city by the vendor upon the sale of the dwelling, or from the estate of the decedent within one year after the death of the last owner thereof who qualifies for tax deferral by the provisions of this section. Such deferred real estate taxes shall be paid without penalty, except that the council may provide by ordinance for interest not to exceed eight percent per annum on any amount so deferred, and such taxes and interest, if applicable, shall constitute a lien upon the real estate as if it had been assessed without regard to the deferral permitted by this division. Any such lien shall, to the extent that it exceeds in the aggregate ten percent of the price for which such real estate may be sold, be inferior to all other liens of record.

(e) The fact that persons who are otherwise qualified for the tax deferral, exemption, or combination thereof are residing in hospitals, nursing homes, convalescent homes or other facilities for physical or mental care for extended period of time shall not be construed to mean that the real estate for which the deferral, exemption, or combination thereof is sought does not continue to be the sole dwelling of such persons during such extended period of other residence so long as such real estate is not used by or leased to others for consideration.

(f) Any person falsely claiming tax deferral, exemption, or combination thereof under this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 1-14.

2. This ordinance shall take effect upon second reading.

BY ORDER OF THE COUNCIL


Harry J. Parrish, II, Mayor
On Behalf of the City Council of
Manassas, Virginia

ATTEST:

Andrea P. Madden
Andrea P. Madden, City Clerk

MOTION: Smith

SECOND: Wolfe

Date: January 26, 2009

Regular Meeting

Ord. No. 0-2009-13

RE: Tax Relief for Elderly and Disabled

ACTION: Adopted

Votes:

Ayes: Aveni, Harrover, Randolph, Smith, Way, Wolfe

Nays: None

Absent from Vote: None

Absent from Meeting: None

CERTIFIED COPY

Andrea P. Madden, City Clerk