

**INTERIM REPORT OF THE ADVISORY
COMMISSION ON INTERGOVERNMENTAL
RELATIONS ON THE**

Condition and Future of Virginia's Cities

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



SENATE DOCUMENT NO. 38

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2001**



COMMONWEALTH of VIRGINIA

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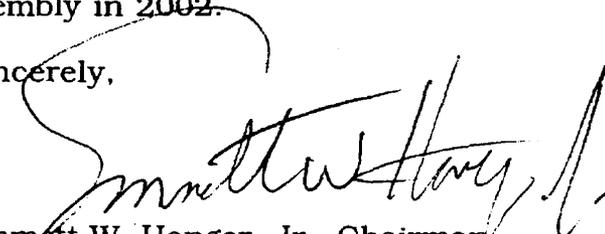
May 9, 2001

The Honorable James S. Gilmore, III
Governor of Virginia
and
Members of the General Assembly of Virginia

As required by Senate Joint Resolution 218 (2000), the Virginia Advisory Commission on Intergovernmental Relations (ACIR) is pleased to submit this interim report, which reflects the results of the ACIR's initial research into the current condition of Virginia's urban areas and the prospects for their future. This study builds on the earlier work of the Commission on the Condition and Future of Virginia's Cities, which was chaired by then Speaker of the House, Honorable Thomas W. Moss, Jr., and was authorized by House Bill 432 (1998).

This report gives an overview of the condition and future of Virginia's urban areas and summarizes the progress of the study to date. Because the subject is so important to citizens, to communities, and to the State as a whole, the ACIR hopes that this summary will increase understanding and awaken further interest in the issue. The ACIR expects to submit its final report to the Governor and the General Assembly in 2002.

Sincerely,



Emmett W. Hanger, Jr., Chairman
and Member, Virginia Senate

c: Members, Advisory Commission on
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Executive Summary

Senate Joint Resolution 218 (SJR 218), which was enacted by the 2000 General Assembly, directed the Advisory Commission on Intergovernmental Relations (ACIR) to conduct a two-year follow-up study of the work of the Commission on the Condition and Future of Virginia's Cities (Cities Commission). Specifically, the ACIR was requested to study the recommendations of the Cities Commission and to make additional recommendations for measures to alleviate the growing social and economic problems confronting Virginia's urban localities.

The previous study was completed in 1999 and resulted in a set of thirty-five specific recommendations. Of those, eleven dealt with various aspects of Virginia's complex State-local tax structure and were assigned for further review to a special commission comprised of citizens with financial and tax expertise, the Commission on Virginia's State and Local Tax Structure for the 21st Century. The ACIR was requested to study the remaining twenty-four, which encompassed a broad array of relevant issues such as education funding, transportation, social services, and blight control.

Like the Cities Commission, the ACIR determined that the best approach to the study would be to seek consensus about the issues and to build broad-based support for any resulting recommendations in order to improve their chance of success in the General Assembly. Toward that end, the ACIR held two work sessions, which included panels of local government experts, in the summer and early fall of 2000. As a result of the first work session, the ACIR adopted a set of broad goals for the SJR 218 study. The primary outcome of the second one was consensus about the need to coordinate the work of concurrent study commissions. The ACIR's first regional conference was held at Mary Washington College on October 16, 2000. Its goal was to increase awareness about some of the quality of life issues that had emerged as central to the study and to broaden the dialogue.

The testimony and discussions the ACIR has heard to date indicate that some of Virginia's urban areas, especially its older core cities, face social and economic problems. Evidence shows that the quality of life in these cities is steadily declining with human costs that are unacceptably high. These conditions call for new market-based solutions to increase the tools available to local governments. To the extent such localities are allowed to languish, the State as a whole will suffer the consequences. Virginia's future prosperity will depend in part on how successful we are in reversing these trends and reinvigorating our urban and metropolitan areas so that they can compete effectively with comparable regions in other states.

Introduction

Urban Virginia

Virginia has forty cities that vary widely in population size, geographic area, and economic condition. Over the course of the last three decades the character of Virginia's urban landscape has changed as the Commonwealth has experienced many of the same demographic shifts that have occurred in the rest of the country. As a result, many once thriving city centers have been largely abandoned by those with the means to leave, while new suburbanized areas in neighboring counties have burgeoned and prospered. One outcome is that the roles of cities, counties, and towns have changed. Even terminology used to describe localities has evolved, since the word "urban" now aptly describes certain counties and towns in Virginia as well as cities. More serious, however, is the increasing social and economic vulnerability of the Commonwealth's older cities and their environs. The toll is especially high for their low-income and minority populations, and the human consequences are demonstrable.

Local Government Context

While these social and economic changes have been gathering momentum, the legal framework of Virginia's local government structure has remained largely unchanged. One of its principal characteristics is that Virginia courts follow the Dillon Rule, a rule of statutory construction applied in disputes involving local government authority. It requires that all doubts about an apparent grant of authority be resolved against the local government unless the court finds that the power was granted expressly, by implication, or by necessity. Although in many areas the legislature has given localities broad authority, the Dillon Rule is often criticized as a burdensome constraint on local decision-making and therefore an obstacle to self-help.

A second major feature of Virginia's local government legal structure is the independent-city system, unique to Virginia, in which all cities exist as distinct political entities, separate from all counties. Such well defined city-county separation lends clarity and simplicity to Virginia's local government classifications, since one can easily determine which entity is responsible for providing which

service. However, the independent-city system is also viewed as problematic.

First, it historically has set cities and counties in opposition to one another. In the 1960's and 1970's such competition became fierce as growing cities attempted to annex portions of adjacent counties, while affected counties confronted the prospect of reduced tax bases, population loss, and diminished land area in direct proportion to cities' potential gains. To reduce further interlocal conflict, the General Assembly in the early 1980's established a system of quasi-judicial review for future annexation actions. In 1987 the legislature also imposed a ban on city-initiated annexations that remains in effect today and is not scheduled to be lifted until 2010. Until that time, all cities will remain essentially landlocked. Those with neighboring jurisdictions that are not subject to annexation will not be able to expand their boundaries even then.

Another consequence of the independent-city system is that cities and counties bear essentially the same service responsibilities although their resources and the demand for services within their jurisdictions may vary markedly. The result has been described as an imbalance of service obligations that exacerbates existing economic disparities among localities and further divides Virginia's have's from its have-not's.

These problems are compounded by a variety of other State laws that strain local budgets. One such area of difficulty is the State's tax structure, which, among other concerns, segregates slow-growing real and personal property taxes for local government use but funnels faster-growing service sector revenues to the Commonwealth through State income taxes. As a result, the opportunity to share in such robust revenue growth continues to elude localities struggling to meet their fiscal obligations. Another area of concern is the proliferation of mandates imposed by the State. These laws require either local financial support for various State-defined programs or else restrict local revenue-raising authority. Some impose such significant costs that distressed communities have had to scale back other public services in order to fulfil these obligations.

The Consequences for Virginia's Urban Localities

The cumulative effect of such problems is that Virginia's urban areas, especially its older core cities, confront mounting difficulties both socially and economically. A major issue is the problem of poverty. Middle class residents continue to be drawn to the suburbs by a high quality of life offering greater job opportunities, new homes, good schools, safe streets, and affordable taxes. As these wealthier customers leave, businesses follow. The city's poor are left behind.

At the same time, because cities offer a variety of public services that may be scarce elsewhere, such as low-income housing and public transportation, they attract indigent citizens and populations with special needs, such as the mentally ill, from neighboring communities. These new residents often have multiple needs and require high-cost public services they cannot afford. Since city officials have no control over migration into or out of their communities and since many human services are mandated, officials can do little to prevent the resulting erosion of the city's tax base except raise taxes or cut other services. As urban services and other amenities are reduced, quality of life further declines.

New economic development is generally recognized as one of the best opportunities cities currently have to address these problems, because it offers the promise of new jobs, higher tax revenues, and economic self-sufficiency. However, cities and older suburban areas often find themselves at a competitive disadvantage in trying to attract new business and industry because of the lack of suitable land within their boundaries for development. One option is to renovate or raze existing structures and to sell the property for new development, but the costs of such redevelopment can be high. Rather than pay those costs, many companies opt to build in outlying areas where taxes and building expenses are generally lower and where they can begin construction right away. Regional approaches to problem-solving such as regional economic development projects, revenue-sharing agreements, and other joint ventures also hold out hope for reinvigorating the State's urban areas. Some of these are relatively new strategies that are still being monitored and evaluated.

However, the more such innovative regional arrangements demonstrate a record of success, the more they are accepted and the more common they become.

Background

ACIR's Predecessor: the Commission on the Condition and Future of Virginia's Cities

In 1998, the General Assembly established the Commission on the Condition and Future of Virginia's Cities (Cities Commission) to address many of the serious problems confronting Virginia's urban localities. See HJR 432 (Appendix A). The twenty-four member legislative commission, chaired by then-Speaker of the House, Thomas Moss, was directed to conduct a comprehensive study of these needs and to propose viable alternatives to the Governor and the 2000 General Assembly.

To fulfil this charge, the new commission held a series of public meetings in different parts of the State and sponsored a conference on October 13, 1998 in Charlottesville. This first event was known as Summit I and was attended by approximately 250 State and local officials, community and business leaders, media representatives, and others. The purpose of Summit I was to develop consensus around problems that Virginia's urban areas had in common but not to attempt to identify solutions. By the conclusion of the conference, participants had reached substantial agreement about the most pressing fiscal problems (tax structure, schools, social and health issues, and infrastructure needs), the greatest structural barriers (city-county issues, tax structure, and the Dillon Rule), and the most significant service deficiencies of urban localities (schools, social and health issues, transportation, and infrastructure needs).

The following year the Cities Commission further explored these concerns in a second series of public meetings throughout the State. It also sponsored a follow-up conference in Charlottesville on June 7, 1999, Summit II, to identify solutions to those problems it considered to have the highest priority. The result was a list of thirty-five specific recommendations, several of which became legislative initiatives

in the 2000 General Assembly session. (See Appendix B.) Thereafter the Cities Commission remained in existence only to receive the report of the Commission on Virginia's State and Local Tax Structure for the 21st Century discussed below.

ACIR's Sister Commission: The Commission on Virginia's State and Local Tax Structure for the 21st Century

Eleven of the City Commission's thirty-five recommendations concerned proposed changes in the State-local tax structure. The decision was made to delegate consideration of these complex tax-related issues to a separate entity comprised entirely of private citizens with significant financial and tax expertise. Therefore, in 1999, the legislature enacted House Joint Resolution 578, which established the Commission on Virginia's State and Local Tax Structure for the 21st Century (Tax Study Commission). Its charge was to examine the current State-local tax structure and to make recommendations about the proper division of revenues and responsibilities between the State and local governments. Several additional bills directed the new Tax Study Commission to consider various other aspects of Virginia's tax structure.

To accomplish its mission, the Tax Study Commission held ten hearings throughout the State from July to December 2000 and submitted a detailed report at the final meeting of the Commission on the Condition and Future of Virginia's Cities on December 19, 2000.

SJR 218 Study: Methodology

ACIR Work Sessions and Conferences

Similarly, the Advisory Commission on Intergovernmental Relations (ACIR) was directed by Senate Joint Resolution 218 (2000) to study the Cities Commission's remaining twenty-four recommendations and to make additional recommendations based on them. (See Appendix C.) Toward that end, at its April 24, 2000 meeting, the ACIR adopted a work plan that included both a series of ACIR work sessions and three regional conferences designed to continue the dialogue about the problems

of Virginia's urban localities and to build consensus around proposed solutions, including but not limited to those the Cities Commission had advanced.

The ACIR's first work session took place on July 12, 2000. Beforehand, ACIR staff and staff from the Conflict Resolution Institute of Richmond developed a questionnaire about a broad range of issues and administered it in face-to-face interviews with fifteen local government experts, including State and local practitioners, business leaders, and academicians. (See Appendix D.) Their comments were then synthesized and compiled into a summary that was distributed to members of the ACIR before the July meeting. Six of those who had been interviewed then met with the ACIR for a full day and helped ACIR members develop a set of broad goals for the study. (See Appendix E.) The panel members were Dr. John Moeser, a professor with Virginia Commonwealth University's Department of Urban Studies and Planning; Mr. Hugh Keogh, Executive Director of the Virginia Chamber of Commerce; Mr. Ted McCormack, Deputy Director of the Commission on Local Government; Mr. Jim Eason, President and Chief Executive Officer of the Hampton Roads Partnership; Ms. Connie Bawcum, City of Richmond Deputy City Manager; and Mr. Jim Campbell, Executive Director of the Virginia Association of Counties. Each panelist was also invited to submit a written statement to the ACIR to further explore any aspect of the issues under consideration. The Honorable G. Bryan Slater, Secretary of Administration, also addressed the ACIR.

The ACIR's second work session was held on September 18, 2000. Participants included representatives of four concurrent study commissions whose work bore on the ACIR's study: The Joint Legislative Audit and Review Commission's study of Standards of Quality Funding, the Rural Prosperity Commission, the Commission on Virginia's State and Local Tax Structure for the 21st Century, and the House Counties, Cities, and Towns Committee Study of High Growth Communities. The consensus was that one role for the ACIR might be to serve as a "broker" for such parallel study commissions by coordinating their efforts so that each commission was aware of the others' work, and they could all speak with a

single voice in the General Assembly.

On October 16, 2000 the ACIR sponsored a one-day conference at the Mary Washington College in Fredericksburg entitled, "Quality of Life: The Future of Virginia's Cities and Landscapes," which attracted approximately 100 State and local officials and members of the public. Its purpose was to increase awareness of issues related both to the SJR 218 study and to the results of a previous study the ACIR had conducted on visual quality. The Honorable John Paul Woodley, Secretary of Natural Resources, gave the opening remarks. Guest speakers included Mr. Ed McMahan, Director of the Greenways Program of the Conservation Fund, and Mr. Bruce Katz, Senior Economist with the Brookings Institution. The conference also included a regular meeting of the ACIR to give ACIR members and participants an opportunity to engage in further dialogue.

Future Directions

The ACIR plans to continue the dialogue about the issues raised in the SJR 218 study, about the study's goals, and about specific recommendations. Additional work sessions may be called following the 2001 General Assembly session. The next regional conference is expected to take place in late summer or fall of 2001 on a date and at a place to be determined. Its focus will be a discussion about the ACIR's draft final report, including findings and recommendations based on the recommendations of the Commission on the Condition and Future of Virginia's Cities.

Conclusion

Clearly, the State has a strong interest in ensuring the economic and social vitality of every locality and every region. Over the years, it has undertaken numerous initiatives to address local government concerns. The creation of the Commission on the Condition and Future of Virginia's Cities and the SJR 218 study are but two of the more recent manifestations of the Commonwealth's concern about the state of its urban localities and the importance of providing assistance where necessary. In addition to these two commissions, numerous other groups are exploring related

issues. However, there is a need for greater coordination of such efforts.

There is widespread agreement among government officials and business leaders that the economic viability and the overall quality of life of Virginia's local governments are critical to the strength of its regions, which in turn are essential to the health and well-being of the Commonwealth as a whole. In effect, then, despite the artificial construct of Virginia's independent-city system, Virginia's localities are fundamentally interdependent. As a result, the long-term prosperity of the Commonwealth depends in large measure on its ability to develop policies and marshal resources that will help local governments solve problems of mutual concern.

Appendices

HOUSE JOINT RESOLUTION NO. 432

Establishing a Commission on the Condition and Future of Virginia's Cities.

Agreed to by the House of Delegates, March 12, 1998

Agreed to by the Senate, March 13, 1998

WHEREAS, until the close of World War II and the subsequent suburbanization of America, cities were the focal points of American economic prosperity; however, over the last 30 years cities have witnessed a marked decline in their quality of life and economic prospects due to profound social, cultural, and economic changes; and

WHEREAS, the decline in the quality of life in cities was evidenced by rising poverty, high violent crime rates, increased incidents of substance abuse, illiteracy, homelessness, and unemployment; increased costs for health, public education, and public assistance programs; declining population, a deteriorating infrastructure, fiscal exigency, racial disparity, and other indicators of urban decline; and

WHEREAS, the movement of middle class families to the suburbs and the relocation of businesses and industries to outlying malls, and office and industrial parks, exacerbated the strained social and economic conditions in distressed cities, and many local governments found their ability to raise revenue insufficient to overcome a shrinking tax base and to continue all public services; and

WHEREAS, cities must struggle to serve the most fragile and neediest of residents according to state and federal requirements, although state and federal assistance has been inadequate to alleviate this urban crisis; and

WHEREAS, according to recent news reports, local governments in Virginia believe that the Commonwealth has not lived up to its commitments to help pay for a number of vital public services, noting that localities have paid \$1.5 billion more for public education than was required to meet the Standards of Quality and \$24.6 million more than their share to provide a wide range of social services; and

WHEREAS, local governments have found that the state never completed its commitment to fund an additional \$7.7 million annually to local health departments; and

WHEREAS, although, according to news reports, "Virginia cities receive less than \$4.5 million annually as payments to substitute for real estate taxes on government-owned land and buildings, tax-exempt government property is valued at \$20.9 billion, according to the cities' assessors"; and

WHEREAS, it has been reported that although "the state funds an average of thirty percent of local government budgets across Virginia, and, generally, cities receive more assistance than suburban areas, some urban areas and inner cities receive less state funds than their residents pay in income and sales tax and less than some wealthy suburban communities"; and

WHEREAS, it is the position of Virginia cities that state law treats them differently from counties, and that the 1979 annexation moratorium permanently constrains cities from expanding their boundaries and limits their ability to attract corporate investment essential to economic viability; and

WHEREAS, the 1998 State of the Cities Report by the U.S. Department of Housing and Urban Development states that "while urban America is on the rebound, it still faces a number of problems as well as new challenges for the new century," challenges of welfare reform, immigration, public education reform, poverty and its attendant problems, violent crime, health care, long-term care, migration, unemployment, and globalization; and

WHEREAS, because the Commonwealth's future is inextricably linked to the survival of its cities, Virginia must prepare for the 21st century by building strong communities and empowering localities to create conditions in which all families can flourish; and

WHEREAS, to ensure the social and economic recovery, revitalization, and the future of Virginia's cities, it is imperative that a comprehensive examination of the condition of Virginia's cities be conducted, giving particular attention to its inner cities, and that appropriate and feasible alternatives be explored to ensure the future of Virginia's cities; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a Commission on the Condition and Future of Virginia's Cities be established. The Commission shall be composed of 24 members, which shall include 15 legislative members, 6 nonlegislative citizens, and 3 ex officio members as follows: 8 members of the House of Delegates to be appointed by the Speaker of the House in accordance with Rule 16 of the House Rules; 7 members of the Senate to be appointed by the Senate Committee on Privileges and Elections; a mayor of a rural city, a city manager of an urban inner city, and 1 member of the local governing body of a city with a population of 100,000 or more to be appointed by the Speaker of the House; 1 member of the local governing body of a city with a population less than 100,000, 1 representative of the Virginia Municipal League upon the

recommendation of the League, and 1 representative of the Virginia Association of Commissioners of the Revenue upon the recommendation of the association to be appointed by the Senate Committee on Privileges and Elections; and the Secretary of Education, the Secretary of Health and Human Resources, and the Secretary of Commerce and Trade, or their designees, to serve ex officio without voting rights.

In conducting its study, the Commission shall perform the following:

1. Identify the strengths and needs of Virginia's cities, giving particular attention to the unique problems and the condition of inner cities;
2. Develop a demographic profile of Virginia's cities, and ascertain any population, social, and economic projections which should be considered in determining the future needs of cities;
3. Review all state laws pertaining to the jurisdictional boundaries and governing structure of Virginia's cities, and any other state and federal laws which tend to preserve or confirm geographical boundaries and demographic differences, including the moratorium on annexation;
4. Ascertain whether and the extent to which such statutes, including the moratorium on annexation, have contributed to the urban crisis in cities;
5. Assess the current social and economic condition of Virginia cities, including their fiscal strengths and needs, the ability to provide vital public services and to attract and sustain business and industry;
6. Determine the impact of state and federal laws and regulations on the ability of cities to provide required services, for example, public education, health and social services, support services for the elderly and infirm, persons and families in need, the homeless, and other human services with limited resources;
7. Analyze the impact of the migration of middle class families from cities and the relocation of business and industry, particularly in the inner city, on the city's tax base, public schools, racial polarization, and quality of life;
8. Analyze the funding formulas for state aid to localities, and determine whether such formulas are equitable and how cities may be assisted in meeting their special needs and delivering vital public services more efficiently;
9. Determine how Virginia's cities compare socially, economically, financially, and in the delivery of vital public services to comparable cities in other states;
10. Initiate a statewide summit of all relevant parties for the purpose of discussing the condition and needs of Virginia cities, and fashioning appropriate remedies to ensure the future of the Commonwealth;
11. Explore and examine any area related to the objectives of the Commission, and seek the assistance of federal and state agencies, local governments, and persons with expertise in urban renewal and revitalization in the furtherance of its work;
12. Consider the issues cited in House Joint Resolution No. 219 (1998) and include appropriate recommendations in the Commission's report; and
13. Recommend such statutory, policy, and regulatory changes and initiatives as the Commission may deem necessary.

The direct costs of this study shall not exceed \$34,200.

The Division of Legislative Services shall provide staff support for the study. Technical assistance shall be provided by the staffs of the House Committee on Appropriations, the Senate Committee on Finance, and the Commission on Local Government. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The Commission shall submit an interim report to the Governor and 1999 Session of the General Assembly and shall complete its work in time to submit its final findings and recommendations to the Governor and the 2000 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

Summary of the Recommendations of the Commission on the Condition and Future of Virginia's Cities

Numbers in () refer to previous listings of potential Commission recommendations

1. Revise the Standards of Quality (SOQ) and adjust the formulas for distributing funds to meet the Standards to assure that localities are receiving from the state funding for 55% of the actual cost of public education and review and revise the Standards and formulas biennially to meet this objective.
2. Adopt legislation requiring the Governor to include in his budget recommendations for FY2002 language and adequate funds to implement the Commission's recommendation regarding the SOQs and the funding formulas.
3. Assure sufficient funding for the administration and remedial programs associated with the Standards of Learning. (1c)
4. Create a Housing Enterprise Zone program aimed at revitalizing blighted areas and increasing investment in housing development in areas that are close to work centers. (10b)
5. Increase VDOT funding for public transit programs. Assure that new transportation funding is apportioned so that the public transit allocation applies to these funds. (13b)
6. Increase state funding levels for school construction assistance to local school divisions by making permanent the allocation from lottery proceeds. (4a)
7. Develop a comprehensive state urban policy that clearly articulates how the state will take into account the effect that its policies, programs and new incentives will have on the state's urban areas. (27)
8. Enable localities to create a regional authority to undertake joint economic development projects and share in their costs and revenues. (20)
9. Increase the appropriation for the Virginia Removal or Rehabilitation of Derelict Structures Fund to \$10 million per year. (10c)
10. Give a preference to city locations when siting public facilities, and whenever possible lease such facilities. (12)
11. Increase funding for the early intervention reading program and the child care subsidy program. (5a)
12. Create a state grant or long-term, no-interest loan program to enable localities to assemble, plan, clear and remediate downwardly transitioning sites for sale to private corporations for redevelopment. (10a)
13. Restore the appropriation to the Virginia Housing Partnership Fund. (10bi)
14. Increase funding for the Regional Competitiveness Act by \$15 million per year and restrict the new funding to newly implemented regional services. (14ci)
15. Raise the cap on tax credits for rehabilitation projects in urban enterprise zones to \$250,000. (10d)
16. Provide increased funding for shared services, such as social services, mental

health and public health, whenever the cost per capita (based on locality population) of providing the service exceeds by at least 10% the statewide average per capita cost of providing the same service. (9)

17. Revise the distribution formula for VDOT road maintenance funding to better recognize the higher traffic volume in urban areas. (11b)

18. Increase funding for the transportation revenue sharing program by \$10 million and restrict the use of the additional amount to regional public transit and other transportation projects. (14cii)

19. Expand an adequately funded pre-school intervention program for children in poverty by increasing coverage from 60% to 100% of eligible children. (5i)

20. Create a new class of city that would permit, in consultation with an adjoining county, the transfer of selected functions to that county without loss of the city's identity; and, the city would be able to expand its territorial boundaries in a "town-like" arrangement. (16)

21. Expand an adequately funded pre-school intervention program for children in poverty by making the state share of funding a minimum of 55%. (5ii)

22. Transfer the funding for programs serving "at-risk" children into the SOQ, thereby assuring their continuation. (1ai) 23. Assume 100% of the costs of funding the Comprehensive Services Act. (8a)

24. Adopt a resolution to reconstitute the Commission to receive the report of the Commission on Virginia's State and Local Tax Structure for the 21st Century.

Proposals to be Forwarded to the Tax Study Commission

13a. Allow the various regions in Virginia to create regional transportation districts with the authority to levy regional taxes within the district for highway and public transit projects.

14a. Dedicate a portion of the state corporate income tax to the regions of the state, and within regions a disproportionately higher share should go to fiscally stressed localities.

17a. Raise the brackets for the personal income tax from \$0 - 3,000 to \$0 - 4,000 and from \$3,000 - \$5,000 to \$4,000 - 6,000.

17b. Fund the Work Incentive Program (or Earned Income Tax Credit) from the General Fund.

19. Enable a regional sales tax that would fund only inter-jurisdictional services.

21. Expand eligibility for the Water Quality Improvement Fund.

22. Share state tax revenues with localities, such as personal income tax.

23. Expand options for local revenues, such as a split real estate tax rate, payroll tax, etc.

24. Compensate localities more equitably for revenues lost on state-owned tax-exempt properties.

25. Create local or state tax credits for including transit subsidies as employee benefits.

26. Enact a personal income tax deduction for individuals using public transit.

SENATE JOINT RESOLUTION NO. 218

Requesting the Advisory Commission on Intergovernmental Relations to study and develop recommendations of the Commission on the Condition and Future of Virginia's Cities.

Agreed to by the Senate, March 9, 2000

Agreed to by the House of Delegates, March 8, 2000

WHEREAS, House Joint Resolution No. 432 (1998) established a Commission on the Condition and Future of Virginia's Cities; and

WHEREAS, the Commission has completed its charge and will issue a report with recommendations to the 2000 Session of the General Assembly; and

WHEREAS, the Commission hosted two statewide summits for the purpose of soliciting input from the Commonwealth's cities and other interested parties; and

WHEREAS, the Commission received and considered dozens of excellent suggestions; and

WHEREAS, by necessity the Commission was forced to focus on a manageable number of recommendations for introduction to the 2000 General Assembly; and

WHEREAS, the Commonwealth and its localities may benefit from a continued study of issues which were not fully explored by the Commission during its deliberations; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Advisory Commission on Intergovernmental Relations be requested to study and develop recommendations of the Commission on the Condition and Future of Virginia's Cities. Technical assistance shall be provided to the Advisory Commission on Intergovernmental Relations by the Commission on Local Government.

All agencies of the Commonwealth shall provide assistance to the Advisory Commission on Intergovernmental Relations for this study, upon request.

The Advisory Commission on Intergovernmental Relations shall submit an interim report to the Governor and to the 2001 Session of the General Assembly, and shall complete its work in time to submit its findings and recommendations to the Governor and the 2002 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SJR 218 Study

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ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SJR 218 Study
July 12, 2000 Work Session

Goals

The members of the Advisory Commission on Intergovernmental Relations (ACIR) reached consensus at their July 12, 2000 work session about the following goals and priorities for the Condition and Future of Virginia's Urban Areas study authorized by SJR 218:

I. **Quality of Life**

A goal of the SJR 218 study will be to improve the quality of life for all Virginians by ensuring improvements in the following four areas:

A. Reduce Fiscal Disparities between the State and Its Localities and among Different Localities (Issues 2, 4, 12, 16)

1. **State Income Tax Redistribution.** Return a portion of the State income tax to localities based on a formula that takes into account a taxpayer's place of residence and where the income is earned.
2. **Public Education Funding.** Ensure adequate State funding of K-12 public education.
3. **Barriers to Regional Cooperation.** Change the perception that what benefits one locality hurts another one.
4. **Incentive Fund.** Provide incentives for localities that cooperate in providing services.

B. Reduce Local Fiscal Stress (Issues 2, 3, 4, 13)

1. **State Income Tax Redistribution.** Return a portion of the State income tax to localities based on a formula that takes into account a taxpayer's place of residence and where the income is earned.
2. **Realignment of Service Responsibilities.** Assume the funding of specified services, such as human services.
3. **Public Education Funding.** Ensure adequate State funding of K-12 public education.
4. **State Assistance Priorities.** Give priority to localities with the highest fiscal stress.

C. Direct Growth to Areas of Decline (Issues 1, 6, 7, 8)

1. Economic and Physical Development. Provide incentives for economic and physical development in areas that need to grow.
 - a. Fund housing revitalization zones.
 - b. Infrastructure. Develop a State policy on infrastructure that takes into account local impacts.
2. Barriers to Regional Cooperation. Eliminate barriers to regional cooperation and change the perception that what benefits one locality hurts another.
3. Impediments to Economic Growth. Identify legal impediments to economic growth.

D. Manage Growth in Areas of Rapid Development (Issues 7, 9)

1. Infrastructure. Develop a State policy on infrastructure that takes into account local impacts.
2. Land Use. Decrease State restrictions on local land use.

II. Governmental Structures (Issues 10, 11, 17)

A. Annexation

B. Independent City System

C. Perception that regionalism dilutes citizen voice in communities.

Table A
1997/98 Fiscal Stress Profile Locality and Region: All Cases

Locality	Region	Revenue Capacity Per Capita Classification, 1997/98	Revenue Effort Classification, 1997/98	Median AGI Classification, 1997	Stress Index Classification, 1997/98
Norfolk City	Tidewater (PD 23)	Very Weak	Very Strong	Very Weak	High
Emporia City	Southside (PD's 13, 14, 19)	Moderately Weak	Very Strong	Very Weak	High
Portsmouth City	Tidewater (PD 23)	Very Weak	Very Strong	Very Weak	High
Newport News City	Tidewater (PD 23)	Very Weak	Very Strong	Moderately Weak	High
Petersburg City	Southside (PD's 13, 14, 19)	Very Weak	Very Strong	Very Weak	High
Covington City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Weak	Very Strong	Very Weak	High
Hopewell City	Southside (PD's 13, 14, 19)	Very Weak	Very Strong	Moderately Weak	High
Clifton Forge City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Weak	Very Strong	Very Weak	High
Lynchburg City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Strong	Moderately Weak	High
Richmond City	Richmond (PD 15)	Moderately Strong	Very Strong	Moderately Weak	High
Galax City	Southwest Virginia (PD's 1, 2, 3)	Moderately Weak	Very Strong	Very Weak	High
Hampton City	Tidewater (PD 23)	Very Weak	Very Strong	Moderately Strong	High
Roanoke City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Strong	Very Weak	High
Franklin City	Tidewater (PD 23)	Moderately Weak	Very Strong	Very Weak	High
Bristol City	Southwest Virginia (PD's 1, 2, 3)	Moderately Weak	Very Strong	Moderately Weak	High
Martinsville City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Strong	Very Weak	High
Charlottesville City	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Very Strong	Moderately Weak	High
Buchanan County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Moderately Strong	Very Weak	High
Buena Vista City	Northern Valley (PD's 6, 7)	Very Weak	Very Strong	Moderately Weak	High
Norton City	Southwest Virginia (PD's 1, 2, 3)	Moderately Weak	Very Strong	Very Weak	High
Greensville County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Strong	Very Weak	High
Lexington City	Northern Valley (PD's 6, 7)	Very Weak	Very Strong	Moderately Weak	High
Bedford City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Moderately Strong	Very Weak	High
Waynesboro City	Northern Valley (PD's 6, 7)	Moderately Weak	Very Strong	Moderately Weak	High
Danville City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Weak	Moderately Strong	Very Weak	Above Average
Sussex County	Southside (PD's 13, 14, 19)	Moderately Weak	Moderately Strong	Very Weak	Above Average
Radford City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Weak	Moderately Strong	Moderately Weak	Above Average
Northampton County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Weak	Moderately Strong	Very Weak	Above Average
Staunton City	Northern Valley (PD's 6, 7)	Moderately Weak	Moderately Strong	Moderately Weak	Above Average
Suffolk City	Tidewater (PD 23)	Moderately Weak	Very Strong	Moderately Strong	Above Average
Lee County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Moderately Weak	Very Weak	Above Average
Williamsburg City	Tidewater (PD 23)	Very Strong	Very Strong	Very Weak	Above Average
Lunenburg County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Weak	Very Weak	Above Average
Dickenson County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Moderately Strong	Very Weak	Above Average
Fredericksburg City	Northern Piedmont (PD's 9, 10, 16)	Very Strong	Very Strong	Moderately Strong	Above Average
Harrisonburg City	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Strong	Moderately Weak	Above Average
Accomack County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Weak	Moderately Weak	Very Weak	Above Average
Salem City	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Strong	Very Strong	Moderately Strong	Above Average
Wise County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Moderately Strong	Moderately Weak	Above Average
Nottoway County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Weak	Very Weak	Above Average
Smyth County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Moderately Weak	Moderately Weak	Above Average
Brunswick County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Weak	Very Weak	Above Average
Prince Edward County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Weak	Very Weak	Above Average
Virginia Beach City	Tidewater (PD 23)	Moderately Weak	Very Strong	Moderately Strong	Above Average
Charlotte County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Weak	Very Weak	Above Average
Winchester City	Northern Valley (PD's 6, 7)	Very Strong	Moderately Strong	Moderately Weak	Above Average
Russell County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Moderately Weak	Moderately Weak	Above Average
Charles City County	Richmond (PD 15)	Moderately Strong	Moderately Strong	Moderately Strong	Above Average

Source: Staff, Commission on Local Government

Table A
1997/98 Fiscal Stress Profile by Locality and Region: All Cases

Locality	Region	Revenue Capacity Per Capita Classification, 1997/98	Revenue Effort Classification, 1997/98	Median AGI Classification, 1997	Stress Index Classification, 1997/98
Chesapeake City	Tidewater (PD 23)	Moderately Strong	Very Strong	Very Strong	Above Average
Alleghany County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Strong	Moderately Strong	Moderately Strong	Above Average
Colonial Heights City	Southside (PD's 13, 14, 19)	Very Strong	Very Strong	Moderately Strong	Above Average
Tazewell County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Very Weak	Moderately Weak	Above Average
Carroll County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Very Weak	Moderately Weak	Above Average
Wythe County	Southwest Virginia (PD's 1, 2, 3)	Moderately Weak	Moderately Weak	Moderately Weak	Above Average
Buckingham County	Southside (PD's 13, 14, 19)	Very Weak	Very Weak	Moderately Weak	Above Average
Grayson County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Very Weak	Very Weak	Above Average
Henry County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Weak	Moderately Weak	Above Average
Pulaski County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Moderately Weak	Moderately Strong	Above Average
Page County	Northern Valley (PD's 6, 7)	Moderately Weak	Very Weak	Moderately Weak	Above Average
Southampton County	Tidewater (PD 23)	Moderately Weak	Moderately Weak	Moderately Strong	Above Average
Manassas Park City	Northern Virginia (PD 8)	Moderately Strong	Very Strong	Very Strong	Above Average
King and Queen County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Strong	Moderately Strong	Moderately Strong	Above Average
Montgomery County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Weak	Moderately Weak	Moderately Strong	Above Average
Caroline County	Northern Piedmont (PD's 9, 10, 16)	Moderately Weak	Moderately Weak	Moderately Strong	Above Average
Dinwiddie County	Southside (PD's 13, 14, 19)	Moderately Weak	Moderately Weak	Moderately Strong	Above Average
Cumberland County	Southside (PD's 13, 14, 19)	Moderately Weak	Very Weak	Very Weak	Above Average
Richmond County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Strong	Very Weak	Moderately Weak	Below Average
Scott County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Very Weak	Moderately Weak	Below Average
Giles County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Moderately Weak	Moderately Strong	Below Average
Westmoreland County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Strong	Very Weak	Very Weak	Below Average
Mecklenburg County	Southside (PD's 13, 14, 19)	Moderately Weak	Very Weak	Very Weak	Below Average
Amelia County	Southside (PD's 13, 14, 19)	Moderately Strong	Moderately Strong	Moderately Strong	Below Average
Patrick County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Weak	Moderately Weak	Below Average
Amherst County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Weak	Moderately Strong	Below Average
Rockbridge County	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Weak	Moderately Strong	Below Average
Washington County	Southwest Virginia (PD's 1, 2, 3)	Moderately Weak	Very Weak	Moderately Weak	Below Average
Isle of Wight County	Tidewater (PD 23)	Moderately Strong	Moderately Strong	Moderately Strong	Below Average
Appomattox County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Weak	Moderately Weak	Below Average
Bland County	Southwest Virginia (PD's 1, 2, 3)	Very Weak	Very Weak	Moderately Strong	Below Average
Gloucester County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Strong	Moderately Strong	Moderately Strong	Below Average
Campbell County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Moderately Weak	Moderately Strong	Below Average
Pittsylvania County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Weak	Very Weak	Moderately Weak	Below Average
King George County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Moderately Strong	Very Strong	Below Average
Shenandoah County	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Weak	Moderately Strong	Below Average
Rockingham County	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Weak	Moderately Strong	Below Average
Floyd County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Weak	Moderately Strong	Below Average
Culpeper County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Moderately Strong	Moderately Strong	Below Average
Halifax County	Southside (PD's 13, 14, 19)	Moderately Strong	Very Weak	Moderately Weak	Below Average
Essex County	Chesapeake Fringe (PD's 17, 18, 22)	Very Strong	Very Weak	Moderately Weak	Below Average
Madison County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Very Weak	Moderately Strong	Below Average
Highland County	Northern Valley (PD's 6, 7)	Very Strong	Very Weak	Very Weak	Below Average
Nelson County	Northern Piedmont (PD's 9, 10, 16)	Very Strong	Moderately Weak	Moderately Strong	Below Average
Warren County	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Weak	Moderately Strong	Below Average
Frederick County	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Strong	Very Strong	Below Average
York County	Tidewater (PD 23)	Moderately Strong	Moderately Strong	Very Strong	Below Average
Greene County	Northern Piedmont (PD's 9, 10, 16)	Moderately Weak	Moderately Weak	Very Strong	Below Average

So: Staff, Commission on Local Government

1997/98 Fiscal Stress Profile by Locality and Region: All Cases

Locality	Region	Revenue Capacity Per Capita Classification, 1997/98	Revenue Effort Classification, 1997/98	Median AGI Classification, 1997	Stress Index Classification, 1997/98
Prince George County	Southside (PD's 13, 14, 19)	Very Weak	Moderately Weak	Very Strong	Below Average
Franklin County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Strong	Very Weak	Moderately Weak	Below Average
Orange County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Moderately Weak	Moderately Strong	Below Average
Craig County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Weak	Very Weak	Moderately Strong	Below Average
Roanoke County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Strong	Moderately Strong	Very Strong	Below Average
Mathews County	Chesapeake Fringe (PD's 17, 18, 22)	Very Strong	Moderately Weak	Moderately Strong	Below Average
Manassas City	Northern Virginia (PD 8)	Very Strong	Moderately Strong	Very Strong	Below Average
Augusta County	Northern Valley (PD's 6, 7)	Moderately Strong	Moderately Weak	Moderately Strong	Below Average
Prince William County	Northern Virginia (PD 8)	Moderately Strong	Very Strong	Very Strong	Below Average
Fluvanna County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Moderately Weak	Very Strong	Below Average
Henrico County	Richmond (PD 15)	Very Strong	Moderately Strong	Very Strong	Below Average
Middlesex County	Chesapeake Fringe (PD's 17, 18, 22)	Very Strong	Very Weak	Moderately Weak	Below Average
Northumberland County	Chesapeake Fringe (PD's 17, 18, 22)	Very Strong	Very Weak	Very Weak	Below Average
Lancaster County	Chesapeake Fringe (PD's 17, 18, 22)	Very Strong	Very Weak	Very Weak	Below Average
Spotsylvania County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Moderately Strong	Very Strong	Below Average
Clarke County	Northern Valley (PD's 6, 7)	Very Strong	Moderately Weak	Very Strong	Below Average
Bedford County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Moderately Strong	Very Weak	Very Strong	Below Average
King William County	Chesapeake Fringe (PD's 17, 18, 22)	Moderately Strong	Very Weak	Very Strong	Below Average
Poquoson City	Tidewater (PD 23)	Moderately Strong	Moderately Strong	Very Strong	Below Average
Botetourt County	Southern Piedmont-Valley Industrial Zone (PD's 4, 5, 11, 12)	Very Strong	Moderately Weak	Very Strong	Below Average
Alexandria City	Northern Virginia (PD 8)	Very Strong	Very Strong	Very Strong	Below Average
Louisa County	Northern Piedmont (PD's 9, 10, 16)	Very Strong	Moderately Weak	Moderately Strong	Low
James City County	Tidewater (PD 23)	Very Strong	Moderately Strong	Very Strong	Low
Stafford County	Northern Piedmont (PD's 9, 10, 16)	Moderately Strong	Moderately Strong	Very Strong	Low
Chesterfield County	Richmond (PD 15)	Very Strong	Moderately Strong	Very Strong	Low
Fairfax City	Northern Virginia (PD 8)	Very Strong	Very Strong	Very Strong	Low
Albemarle County	Northern Piedmont (PD's 9, 10, 16)	Very Strong	Moderately Weak	Very Strong	Low
New Kent County	Richmond (PD 15)	Very Strong	Moderately Weak	Very Strong	Low
Powhatan County	Richmond (PD 15)	Moderately Strong	Very Weak	Very Strong	Low
Fauquier County	Northern Piedmont (PD's 9, 10, 16)	Very Strong	Moderately Strong	Very Strong	Low
Rappahannock County	Northern Piedmont (PD's 9, 10, 16)	Very Strong	Very Weak	Moderately Strong	Low
Arlington County	Northern Virginia (PD 8)	Very Strong	Moderately Strong	Very Strong	Low
Hanover County	Richmond (PD 15)	Very Strong	Moderately Weak	Very Strong	Low
Fairfax County	Northern Virginia (PD 8)	Very Strong	Moderately Strong	Very Strong	Low
Goochland County	Richmond (PD 15)	Very Strong	Very Weak	Very Strong	Low
Surry County	Southside (PD's 13, 14, 19)	Very Strong	Moderately Weak	Moderately Weak	Low
Falls Church City	Northern Virginia (PD 8)	Very Strong	Very Strong	Very Strong	Low
Loudoun County	Northern Virginia (PD 8)	Very Strong	Moderately Strong	Very Strong	Low
Bath County	Northern Valley (PD's 6, 7)	Very Strong	Very Weak	Moderately Weak	Low

Source: Staff, Commission on Local Government

