

**CITY OF VIRGINIA BEACH**  
**“COMMUNITY FOR A LIFETIME”**

**CITY COUNCIL**

MAYOR ROBERT M. “BOBBY” DYER, *At Large*  
VICE MAYOR JAMES L. WOOD, *Lynnhaven – District 5*  
JESSICA P. ABBOTT, *Kempsville – District 2*  
MICHAEL F. BERLUCCHI, *Rose Hall – District 3*  
BARBARA M. HENLEY, *Princess Anne – District 7*  
LOUIS R. JONES, *Bayside – District 4*  
JOHN D. MOSS, *At Large*  
AARON R. ROUSE, *At Large*  
GUY K. TOWER, *Beach – District 6*  
ROSEMARY WILSON, *At Large*  
SABRINA D. WOOTEN, *Centerville – District 1*



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E-MAIL: CITYCOUNCIL@vbgov.com

**CITY COUNCIL APPOINTEES**

ACTING CITY MANAGER – THOMAS M. LEAHY  
CITY ATTORNEY – MARK D. STILES  
CITY ASSESSOR – RONALD D. AGNOR  
CITY AUDITOR – LYNDON S. REMIAS  
CITY CLERK – AMANDA BARNES

**CITY COUNCIL AGENDA**  
**SPECIAL MEETING**  
**BY ELECTRONIC COMMUNICATION MEANS**  
**APRIL 7, 2020**

**MAYOR ROBERT M. “BOBBY” DYER**  
**PRESIDING**

- I. SPECIAL MEETING BY ELECTRONIC COMMUNICATION MEANS** **3:00 PM**  
**in accordance with Virginia Code § 2.2-3708.2(A)(3)**
- A. CALL TO ORDER** – Mayor Robert M. “Bobby” Dyer
1. READING OF THE MAYOR’S CALL FOR SPECIAL MEETING
- B. ROLL CALL OF CITY COUNCIL**
- C. CITY COUNCIL DISCUSSION**
1. TAX DEFERRALS
2. SUSPENSION OF MEALS TAX
3. REDUCTION OF THE PERSONAL PROPERTY TAX RATE
4. AREAS FOR EXPENDITURE REDUCTION
5. PROVIDE GUIDANCE TO STAFF FOR PREPARATION OF ANY NECESSARY RESOLUTIONS OR ORDINANCES FOR COUNCIL’S CONSIDERATION AT A SUBSEQUENT CITY COUNCIL SPECIAL SESSION
- D. ORDINANCE**
1. Ordinance to **SUSPEND** provisions of the City Code re **Penalties and Interest** upon certain local taxes during the COVID-19 Pandemic  
SPONSORED BY COUNCIL MEMBERS MOSS and TOWER
- E. ADJOURNMENT**



Robert M. "Bobby" Dyer  
MAYOR

# City of Virginia Beach

[VBgov.com](http://VBgov.com)

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April 2, 2020

## **HONORABLE MEMBERS OF CITY COUNCIL**

*On March 12, 2020, Governor Northam declared a state of emergency due to COVID-19. Because of the catastrophic nature of the declared emergency, it is impracticable and unsafe to assemble a quorum of the City Council in a single location. In accordance with the Virginia Beach City Code Section 2-21 and Virginia Code § 2.2-3708.2(A)(3), and by the authority vested in me as Mayor of the City of Virginia Beach, I hereby call for a **SPECIAL MEETING BY ELECTRONIC COMMUNICATION MEANS** of the **VIRGINIA BEACH CITY COUNCIL***

**Tuesday, April 7, 2020  
3:00 P.M.**

*In accordance with Virginia Code § 2.2-3708.2(A)(3), this **SPECIAL MEETING BY ELECTRONIC COMMUNICATION MEANS** will be held virtually with Council Members participating via video/audio conference. The purpose of this Special Meeting is for the City Council Discussion of the following: Tax Deferrals; Suspension of the Meal Tax; Reduction of the Personal Property Tax Rate; Areas for expenditure reductions; and Provide guidance to staff for preparation of any necessary Resolutions or Ordinances for Council's consideration at a subsequent City Council Special Session.*

*Following the discussion, the Council may CONSIDER the adoption of an item to address tax relief necessitated by the COVID-19 Pandemic in the form of an Ordinance to Suspend Provisions of the City Code Regarding Penalties and Interest upon Certain Local Taxes During the COVID-19 Pandemic, which is sponsored by Councilmember Moss.*

*This Special Meeting will be broadcast on cable tv, [www.vbgov.com](http://www.vbgov.com) and Facebook Live. Citizens are encouraged to submit their comments to the City Council prior to the Special Meeting via email at [CityCouncil@vbgov.com](mailto:CityCouncil@vbgov.com).*

Sincerely,

Robert M. Dyer  
Mayor

Cc: City Manager  
City Attorney  
City Clerk  
Deputy City Managers  
FOIA Officer  
Communications Office



## CITY OF VIRGINIA BEACH AGENDA ITEM

**ITEM:** An Ordinance to Suspend Provisions of the City Code Regarding Penalties and Interest upon Certain Local Taxes to Provide Relief to Taxpayers During the COVID-19 Pandemic

**MEETING DATE:** April 7, 2020

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■ **Background:** The Virginia Code empowers a local governing body to impose penalties and interest for late filing or late payment of local taxes, and implicit in such power is the ability to suspend penalties and interest. The City Manager has declared a local emergency during the current COVID-19 Pandemic, and the Governor has issued three executive orders. The Pandemic and the executive orders have required widespread closures, social distancing, and restrictions upon public gatherings. These closures and restrictions have created financial burdens upon all of the taxpayers of the City. The City Council desires to provide additional time for taxpayers to pay certain taxes without penalty and interest. The additional time may give taxpayers the option to delay payment when cash flow is adversely affected by the financial impacts of the Pandemic.

■ **Considerations:** The attached ordinance is modeled after a similar measure adopted by the City of Norfolk. The ordinance will suspend late payment for meals taxes, admissions taxes, and transient occupancy taxes due in April 2020, May 2020, and June 2020. Penalties upon meals taxes, admissions taxes, and transient occupancy taxes would not be assessed until 60 days after the applicable due date. The ordinance also suspends late payment penalties and interest for failure to pay real estate and personal property taxes by June 5, as required by the City Code, until August 1, 2020.

■ **Public Information:** This meeting will be conducted virtually in accordance with Virginia Code § 2.2-3708.2(A)(3). Citizens are encouraged to send their comments on this item to the City Council prior to the meeting via email at [CityCouncil@vbgov.com](mailto:CityCouncil@vbgov.com).

■ **Attachments:** Ordinance

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**Requested by Councilmembers Moss and Tower**

**REQUESTED BY COUNCILMEMBERS MOSS AND TOWER**

1 AN ORDINANCE TO SUSPEND PROVISIONS OF  
2 THE CITY CODE REGARDING PENALTIES AND  
3 INTEREST UPON CERTAIN LOCAL TAXES  
4 DURING THE COVID-19 PANDEMIC  
5

6 WHEREAS, the Virginia Code empowers a local governing body to impose  
7 penalties and interest for late filing or late payment of local taxes, and implicit in such  
8 power is the ability to suspend penalties and interest;  
9

10 WHEREAS, the City Manager has declared a local emergency during the current  
11 COVID-19 Pandemic (the "Emergency");  
12

13 WHEREAS, widespread closures, social distancing, and recommendations to  
14 avoid public gatherings have created financial burdens all of the taxpayers of the City;  
15

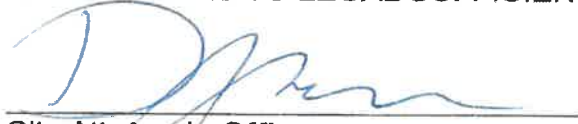
16 WHEREAS, the City Council desires to provide additional time for taxpayers to pay  
17 certain taxes without penalty and interest, which may give taxpayers the option to delay  
18 payment when cash flow is adversely affected by the financial impact of the Emergency;  
19

20 NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY  
21 OF VIRGINIA BEACH, VIRGINIA THAT:  
22

- 23 1. The City Council hereby suspends the late payment and late remittance penalties  
24 set forth in City Code for meals taxes, admissions taxes, and transient occupancy  
25 taxes due in April 2020, May 2020 and June 2020, and no penalty will be assessed  
26 until 60 days after the applicable due date of such taxes. Timely filing is still  
27 required.  
28
- 29 2. The City Council hereby suspends late payment penalties and interest for failure  
30 to pay real estate and personal property taxes from the date prescribed in the City  
31 Code until August 1, 2020. Any payment of such taxes after August 1, 2020 may  
32 incur a late payment penalty and interest upon such payment would begin accruing  
33 on August 2, 2020.

Adopted by the City Council of the City of Virginia Beach, Virginia, on this \_\_\_\_  
day of \_\_\_\_\_, 2020.

APPROVED AS TO LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
City Attorney's Office

CA15038  
R-9  
April 3, 2020