

City of Alexandria

*301 King St., Room 2300
Alexandria, VA 22314*



Action Docket - Final

Tuesday, June 11, 2013

7:00 PM

Council Chambers

City Council Legislative Meeting

1 Calling the Roll.

The meeting was called to order by Mayor Euille, and the City Clerk called the roll. All the members of Council were present.

2 Moment of Silence and Pledge of Allegiance

City Council observed a moment of silence and recited the Pledge of Allegiance.

3 Reading and Acting Upon the Minutes of the Following Meetings of City Council:

[13-1560](#)

The Public Hearing Meeting Minutes of May 18, 2013; and
The Regular Meeting Minutes of May 28, 2013.

City Council approved the public hearing meeting minutes of May 18, 2013 and the regular meeting minutes of May 28, 2013.

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**PROCLAMATIONS**

4 [13-1557](#)

Presentation of a Proclamation Recognizing the Work of the Beauregard Rezoning Advisory Group.

City Council endorsed the proclamation.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)**CONSENT CALENDAR (5-23)****(Resignations and Uncontested Appointments)**

5 [13-1561](#)

Receipt of the Following Resignations from Boards, Commissions and Committees:

(a) Commission for Women
Belinda Jackson Farrier

(b) Torpedo Factory Art Center Board
Charlotte Hall

Uncontested Appointments to Boards, Commissions and Committees:

6 [13-1567](#)

Uncontested Appointments to Boards, Commissions and Committees:

- (a) Affordable Housing Advisory Committee
1 Representative of a Group That Promotes and Maintains Affordable Housing
- (b) Alexandria-Gyumri Sister City Committee
1 Citizen Member
- (c) Commission on Employment
1 Citizen Member
- (d) Commission on HIV/AIDS
1 Citizen Member
1 Member From and Representing Alexandria Hospital
- (e) Emergency Medical Services Council
1 Citizen Member
- (f) Local Emergency Planning Committee
1 Representative of Broadcast or Print Media
- (g) Public Records Advisory Commission
1 Citizen Member

(Reports and Recommendations of the City Manager)

- 7 [13-0945](#) Consideration of the Monthly Financial Report for the Period Ending April 30, 2013.
- 8 [13-1429](#) Consideration of a Non-Competitive Grant Application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for Funding to Support the Adopt-A-Park Litter Control Program.
- 9 [13-1464](#) Consideration of Appointment of a Representative to the Post-Employment Benefits Trust Board.
- 10 [13-1417](#) Consideration of the Appointment of a Management Representative to the City of Alexandria Supplement Retirement Plan Board.
- 11 [13-1525](#) Consideration of Submission of a Grant Application to the Virginia Department of Housing and Community Development for Trust Stabilization Program Funding. **THIS ITEM HAS BEEN REMOVED**
- 12 [13-1523](#) Consideration of the Receipt of Results of FY 2013 Fair Housing Testing.

(Ordinances for Introduction)

- 13** [13-1478](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing the Owners of the Property Located at 1800 Main Line Boulevard (Tax Map #035.03-10-13) in the City of Alexandria to Construct and Maintain an Encroachment for Stoops, Stairways and a Ramp at That Location. (Ordinance to Implement the Encroachments for the Potomac Yard Land Bay J Multifamily Building that City Council Approved on November 17, 2012)
- 14** [13-1534](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sheet No. 48.03 of the "Official Zoning Map, Alexandria, Virginia," Adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by Rezoning the Property at 34A and 36 South Reynolds Street From CG/Commercial General to RC/High Density Apartment Zone in Accordance with the Said Zoning Map Amendment Heretofore Approved by City Council as Rezoning No. 2013-0001. (The Ordinance Implementing the Rezoning for the Washington Suites Project Approved by City Council on May 18, 2013.)
- 15** [13-1536](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain the Master Plan of the City of Alexandria, Virginia, by Adopting and Incorporating Therein the Amendment to the Landmark/Van Dorn Chapter of the Master Plan Heretofore Approved by City Council as Master Plan Amendment No. 2013-0001 and No Other Amendments, and to Repeal All Provisions of the Said Master Plan as May Be Inconsistent With Such Amendment. (The Ordinance to Implement the Master Plan Amendment for the Washington Suites Project Approved by City Council on May 18, 2013).
- 16** [13-1481](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Sheet Nos. 010.02, 010.04, 011.03, 018.04, 019.01, 019.02, 019.03, 20.01, 029.01 and 029.03 (CDD 21) and Sheet No. 030.01 (CDD 22) of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by Rezoning the Properties at 5066, 5105, 5106, 5115, 5118, 5121 and 5129 Fairbanks Avenue; 2638, 2641, 2648, 2658, 2627, 2623 and 2618 Foster Avenue; 5055, 5165, 5173 and 5183 Seminary Road; 5501, 5600, 5711 and 5900A Sanger Avenue; 5650 Rayburn Avenue; and 1250, 1350, 1460, 1500, 1600, 1700, 1800, 1900 and 2000 North Beauregard Street from CDD 4, RA/Multifamily Zone, RC/High Density Apartment Zone and the R-12/Single Family Zone District to CDD 21; and 4800 and 4801 Kenmore Avenue from RA/Multifamily Zone and RC/High Density Apartment Zone, Respectively, to CDD 22, in Accordance with the Said Zoning Map Amendment Heretofore Approved by City Council as Rezoning No. 2012-0002 (CDD 21) and No. 2012-0005 (CDD 22)(Ordinance Implementing the Map Amendment Approved by City Council on April 13, 2013 for the Zoning of the Properties in the Beauregard

Small Area Plan)

- 17 [13-1483](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 5-600 (CDD/Coordinated Development District) of Article No. V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in Accordance with the Text Amendments Heretofore Approved by City Council as Text Amendment No. 2012-00007 (CDD 21), Text Amendment No. 2012-00008 (CDD 22) and Text Amendment No. 2012-00010 (Beauregard Urban Design Advisory Committee) (Ordinance Implementing the Text Amendment Approved by City Council on April 13, 2013 Establishing the New CDDs and the Advisory Committee for the Beauregard Small Area Plan)
- 18 [13-1359](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing Amendments to Section 9-13 of the City Code - Towing and Storage of Motor Vehicles.
- 19 [13-1116](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Make Appropriations for the Support of the City Government for Fiscal Year 2014.
- 20 [13-1524](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Implement the Utility Tax Rate Increases Included in the FY 2014 Approved Budget.
- 21 [13-1423](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Computation of Relief Rates and Setting the Relief Rates by Resolution Under the Personal Property Tax Relief Act of 1998.
- 22 [13-1511](#) Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2013.
- 23 [13-1562](#) Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Chapter 7 (Bicycles), Title 10 (Motor Vehicles and Traffic) of the Code of the City of Alexandria, Virginia.

END OF CONSENT CALENDAR

City Council adopted the consent calendar, with the removal of items 8, 16, 17, 18 and 19, which were considered under separate motion, as follows:

5. City Council received the following resignations: (a) Belinda Jackson Farrier, Commission for Women; and (b) Charlotte Hall, Torpedo Factory Art Center Board.

6. City Council made the following appointments to boards, commissions and committees: (a) waived the residency requirement and appointed Katharine Dixon as the one representative of a group that promotes and maintains affordable housing to the Affordable Housing Advisory Committee; (b) appointed Raymond Crowell as the

one citizen member to the Alexandria-Gyumri Sister City Committee; (c) reappointed Carl Glad as the one citizen member to the Commission on Employment; (d) reappointed David Hoover as the one citizen member and appointed Hanna Felleke as the one member from and representing Alexandria Hospital to the Commission on HIV/AIDS; (e) reappointed Paul Prevost as the one citizen member to the Emergency Medical Services Council; (f) reappointed Jeanne Theismann as the one representative of broadcast or print media to the Local Emergency Planning Committee; and (g) appointed Darah Franklin as the one citizen member to the Public Records Advisory Commission.

7. City Council received the monthly financial report for the period ending April 30, 2013.

8. City Council: 1. approved a non-competitive grant application to the Virginia Department of Environmental Quality, Litter Prevention and Recycling Program, for funding in the approximate amount of \$24,347 for the adopt-a-park litter control program (the exact amount to be determined by the Virginia Department of Environmental Quality by September 30, 2013); and 2. authorized the City Manager to execute all necessary documents that may be required. (separate motion)

9. City Council appointed Nelsie Smith, Director of the Office of Management and Budget, as the citizen representative to the Post-Employment Benefits Trust Board.

10. City Council appointed Nelsie Smith, Director of the Office of Management and Budget, to the City of Alexandria Supplemental Retirement Plan Board as the management representative.

11. This item was removed from the docket.

12. City Council received the results of fair housing tests conducted in fiscal year 2013 for discrimination in mortgage lending on the basis of race.

13. City Council introduced the ordinance on first reading and set it for public hearing on June 15, 2013.

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16. City Council introduced the ordinance on first reading and set it for public hearing on June 15, 2013. (separate motion)

17. City Council introduced the ordinance on first reading and set it for public hearing on June 15, 2013. (separate motion)

18. City Council introduced the ordinance on first reading and set it for public hearing on June 15, 2013. (separate motion)

19. City Council introduced the ordinance on first reading and set it for public hearing on June 15, 2013. (separate motion)

20. City Council introduced the ordinance on first reading and set it for public hearing on June 15, 2013.

Arbelo, Lacy Court and Longview Terrace (“Trilogy”) Apartments and Proposed Restructuring of Existing City Loans.

City Council: 1. endorsed AHDC's plan to renovate and refinance the Arbelo, Lacy and Longview portfolio, including the proposed earlier repayment restructuring of the City's loans; 2. approve modifications to the City's \$14.1 million in loans in order to:

- a. Preserve affordability of 101 units at 60% area median income (AMI), with the 18 HOME-funded units at Lacy Court remaining designated to be affordable at 50% AMI;*
- b. secure \$7.7 million as a subordinate loan on the Trilogy properties when they are conveyed to AHDC's tax credit entity for renovation and refinancing;*
- c. convert \$6.4 million into a Right of First Option that provides the City an equity position in Year 15 through which is can be fully repaid on the \$7.7 million loan as well as place new debt on the properties to facilitate repayment on the \$6.4 million balance by Year 40; and*
- d. conform the terms of the new City loan agreement to address requirements of the proposed FHA/HUD financing and a tax credit partnership agreement, subject to the City Attorney's approval.*

3. authorized the City Manager to provide an updated comfort letter to the BB&T Bank reaffirming the City's support for AHDC and the ALL properties during the proposed short term extension of the existing BB&T loan; 4. authorized the City Manager to submit a letter of support for AHDC's application for 4% low income housing tax credits to the Virginia Housing Development Authority (VHDA); and 5. authorized the City Manager to execute such other documents necessary, consistent with the Plan described herein, to effect AHDC's renovation and refinancing plan.

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Mayor Euille said the City received word Friday that the General Services Administration has selected the Hoffman site at Eisenhower Avenue to be the new site for the National Science Foundation, which will be relocating from Arlington County. He thanked the Alexandria Economic Development Partnership, the Planning staff, Planning Commission, the Council, City Manager and staff who all had a hand in making it become a reality. The Hoffman site will provide construction of a 660,000 square foot LEED Gold certified facility that will bring 2,400 employees to the City and will attract an average of 200,000 scientist, students, researchers and visitors each year and generates 60,000 hotel room nights.

2. Mayor Euille noted that many members of Council have had one-on-one meetings with citizens representing members of the Northern Virginia Move to Amend initiative, and the purpose of the initiative is requesting local governments and the cities and towns across America to support a resolution as an amendment to the U.S. Constitution that would reverse the erroneous and harmful decision of the U.S. Supreme Court, the Citizens United v. Federal Election Commission and other related decisions of the Federal Courts which have allowed unlimited corporate spending in federal and state elections. He asked the City Manager to docket this resolution for the first legislative meeting in September so it can then be scheduled for public hearing at the Saturday public hearing in September, to be followed by formal adoption.

3. Councilwoman Pepper said Mayor Euille will be representing the City tomorrow at World Innovative Forum with three other mayors to an audience of 800 business

leader executives in New York City.

Mayor Euille said the topics that will be discussed are centered on sustainability, economic development, transportation infrastructure, and Eco-City, all things the City has successfully accomplished and it is being hosted by Atlantic Magazine. The Mayor of Asheville, North Carolina, the Mayor of Bridgeport, Connecticut and the Mayor of Minneapolis, Minnesota will also be presenting on the panel.

4. Vice Mayor Silberberg said the Arlington County BAR Foundation, the Fairfax Law Foundation, the Foundation of the Alexandria BAR Association and Legal Services of Northern Virginia sponsored their annual Northern Virginia Pro-Bono Reception at the Alexandria Courthouse. She said she attended and made a few brief remarks on behalf of the City. She noted that it was so inspiring to be part of it.

5. Vice Mayor Silberberg said SisterMentors is part of a non-profit called EduSeed, which is a program that helps women of color finish their PhD programs. She said that as the women are going through the program, the D.C. based non-profit has those women mentor young girls of color who are in the schools primarily in Alexandria, and four of those girls graduated from T.C. Williams, from college and are looking at graduate school programs. She said it was a great honor to be there and speak.

6. Councilman Wilson said he and Mayor Euille represent the Council on the Potomac Yard Metro Implementation Work Group and last night it had a regular update meeting. He said its been reported over the last couple of weeks about the delay in the EIS, and they did discuss a new schedule they will try to stick to over the next several months with an eye to having a preliminary EIS out in early Fall, along with a series of community meetings to discuss it as well as present it to the public and hold the public hearing with an idea of having a locally preferred option adopted by the Council later this year to finalize the EIS next year.

7. Councilman Smedberg said Mayor Euille, representing the City and he, representing NVTC and VRE, testified at the Commonwealth Transportation Board hearing in Fairfax a couple of weeks ago, where they outlined the priorities for each of the organizations. More specifically is the fact that the Mayor testified on behalf of the City, outlining its funding priorities for that Commission. Based on the general response, the Northern Virginia jurisdictions in general were well received and priorities were well received.

8. Councilman Smedberg alerted Council that he and Councilman Wilson submitted a memo to the Mayor and Council following up on a discussion Council had on May 28 concerning the community partnership fund and wanting to not lose the momentum it had to move ahead with a study of all the relevant stakeholders to review, examine and explore new directions, concepts and mechanisms for the Alexandria Fund for Human Services.

9. Councilwoman Pepper said that earlier this evening, City Council had been invited to attend the Potomac Yard Fire Station to view 10 new fire trucks and a new ladder truck. She said the fire trucks are spectacular and they were very much needed. She said a plaque was given to the Mayor and Members of City Council and the City Manager for its continued commitment to the Alexandria Fire Department.

10. Councilman Chapman stated that last week he, along with other members of Council, went to the Scholarship Fund of Alexandria, and it was a great opportunity to see the work the community does in supporting the students. It gave away over 150 scholarships to students.

11. Councilman Chapman said he had the opportunity this weekend to go to the Taste of Del Ray, and they had food critic Jordan Wright at the event. It was a great event with a great turnout.

12. Councilman Chapman said he attended the annual Waterfront Walk that is put on to see the latest and greatest updates of the waterfront as it moves toward reenergizing that area of the City.

13. Councilman Chapman said congratulations go to Alec Grosser from T.C. Williams, who was drafted to the Atlanta Braves this past week.

14. Councilman Chapman said the Spring all-met awards were given out and T.C. Williams, as well as St. Stephens and Episcopal students received awards.

ORAL REPORT FROM THE CITY MANAGER

ORDINANCES AND RESOLUTIONS

- 30 [13-1512](#) Consideration of a Resolution Approving the Alexandria Housing and Redevelopment Housing Authority's (ARHA) Issuance of Revenue Bonds as Interim Financing for Alexandria Housing Development Corporation's (AHDC) Proposed Renovation and Permanent Financing of the Arbelo, Lacy Court and Longview Terrace ("Trilogy") Apartments. [ROLL-CALL VOTE]
- City Council approved the resolution regarding ARHA's issuance of up to \$17,500,000 in short-term bridge financing revenue bonds to facilitate AHDC's proposed renovation and long-term refinancing of the Arbelo, Lacy Court and Longview Terrace (Trilogy) Apartments. (RES. NO. 2564)*
- 31 [13-1571](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 3-1-2 of the City Code to Remove the Real Estate Tax Dedication to the Open Space Trust Fund Account. (Alternatively, Consideration of a Resolution to Reaffirm The Dedication to the Open Space Trust Fund Account.)
- City Council introduced the ordinance to remove the real estate tax dedication to the Open Space Trust Fund Account and set it for public hearing for June 15, 2013*
- 32 [13-1572](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend and Reordain Section 3-1-5 of the City Code to Remove the Real Estate Tax Dedication To the Affordable Housing Initiatives Account. (Alternatively, Consideration of a Resolution to Reaffirm the Tax Dedication to the Affordable Housing Initiatives Account.)
- City Council adopted the resolution to reaffirm the continuation of the dedicated set-aside for the Affordable Housing Initiatives Account. (RES. NO. 2565)*
- 33 [13-1135](#) Consideration of a Resolution to Proceed with the Acquisition of Right of Way to Construct the Eisenhower Avenue Widening and Roadway Improvements Project. [ROLL-CALL VOTE]
- City Council adopted the resolution approving the acquisition of right of way required*

to construct the Eisenhower Avenue widening and roadway improvements project. (RES. NO. 2566)

- 34 [13-1141](#) Consideration of a Resolution to Opt Out of the Virginia Retirement System (VRS) Virginia Local Disability Program (VLDP). [ROLL-CALL VOTE]

City Council adopted the resolution to opt out of the Virginia Retirement System Virginia Local Disability Program. (RES. NO. 2567)

- 35 [13-1231](#) Consideration of a Resolution in Support of the Alexandria Union Station - King Street Metrorail Station Pedestrian Tunnel Project. [ROLL-CALL VOTE]

City Council adopted the resolution supporting the Alexandria Union Station-King Street Metrorail Station pedestrian tunnel project. (RES. NO. 2568)

OTHER

- 36 [13-0697](#) Consideration of City Council Schedule.

City Council received the updated calendar schedule for June-August 2013 and September 2013-June 2014.

EXECUTIVE SESSION

- 37 [13-1563](#) Consideration of Convening a Closed Meeting for Consultation with Legal Counsel and Staff Regarding Actual or Probable Litigation and Consultation with Legal Counsel Regarding Specific Legal Matters and for Discussion of a Prospective Business Opportunity, and to Discuss Personnel Matters.

At 10:52 p.m., City Council convened in executive session for the discussion and consideration of the performance of specific appointees of city Council, for the purpose of discussion regarding a prospective business where no previous announcement has been made, and to consult with staff and legal counsel regarding threatened or pending litigation; specifically, the annual evaluation of Council appointees, an unsolicited business proposal regarding a lease of City property and a settlement of two legal claims, pursuant to Section 2.2-3711(a)(1), (a)(1)(5) and (a)(1)(7) of the Code of Virginia.

At 1:20 a.m., City Council reconvened the meeting.

City Council adopted a resolution pertaining to the Executive Session. (RES. NO. 2569)

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The meeting adjourned at 1:20 a.m.

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Note: The action docket is a summary of Council's meeting deliberations prepared largely for staff follow-up. Formal minutes of the meeting, when approved by Council, become the official record of the meeting and of Council decisions made at the meeting.

