

# **City of Alexandria**

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



## **Docket - Final**

**Tuesday, September 10, 2013**

**7:00 PM**

**Council Chambers**

**City Council Legislative Meeting**

- 1 **Calling the Roll.**
- 2 **Moment of Silence and Pledge of Allegiance.**
- 3 **Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

[14-1797](#) The Public Hearing Meeting Minutes of June 15, 2013  
The Regular Meeting Minutes of June 25, 2013

**Attachments:** [14-1797\\_june 15 minutes.rtf](#)  
[14-1797\\_june 25 minutes](#)

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

None.

#### **PROCLAMATIONS**

None.

#### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)**

#### **CONSENT CALENDAR (4-17)**

##### **(Resignations and Uncontested Appointments)**

- 4 [14-1820](#) Receipt of the Following Resignations from Members of Boards, Commissions and Committees:
  - (a) Affordable Housing Advisory Committee  
Marcus Allen
  - (b) Alcohol Safety Action Program Policy Board  
Sean Holihan
  - (c) Alexandria-Caen Sister City Committee  
Michelle Lore
  - (d) Children, Youth and Families Collaborative Commission  
Emma Beall
  - (e) Citizen Corps Council  
Bobby Mahoney

(f) Commission on Employment  
Chris Applegate

(g) Human Rights Commission  
Betty Morrison

(h) Public Records Advisory Commission  
Bill Toye  
Anthony Jones

**Attachments:** [14-1820 board resignations sept 10 2013.doc](#)

**5**      [14-1821](#)      Uncontested Appointments to Boards, Commissions and Committees:

(a) Alcohol Safety Action Program Policy Board  
1 Citizen-at-Large

(b) Alexandria-Gyumri Sister City Committee  
1 Citizen Member

(c) Beauregard Urban Design Advisory Committee  
1 Citizen Member

(d) Citizen Corps Council  
1 Citizen Member

(e) Commission on Aging  
1 Citizen Member Who Is 60 Years of Age or Older

(f) Commission on Employment  
2 Business Representatives From Among Recognized Area Businesses  
Including Minority-Owned and Small Businesses

(g) Commission on Persons With Disabilities  
3 Citizen Members

(h) Historic Alexandria Resources Commission  
1 Citizen Member  
1 Planning District I Representative  
1 Public Records Advisory Commission Representative

(i) Industrial Development Authority  
2 Citizen Members

(j) Landlord-Tenant Relations Board

1 Landlord or Representative of Landlords

(k) Potomac Yard Design Advisory Committee

1 Qualified Professional Skilled in Architecture

(l) Torpedo Factory Art Center Board

1 Representative of the Alexandria Convention and Visitors Association

(m) Waterfront Commission

1 Commission for the Arts Representative

1 Citizen Representative Who Resides East of Washington Street and South of King Street

**Attachments:** [14-1821 board uncontested appoints sept 10 2013.docx](#)

### **(Reports and Recommendations of the City Manager)**

- 6      [14-1759](#)      Ratification of Submission of a Grant Application to the Virginia Office of Attorney General for Police Department Equipment and Training.
- 7      [14-1806](#)      Ratification of an Urban Area Security Initiative (UASI) Grant Application for Police Electronic Surveillance Equipment Upgrades.
- 8      [14-1702](#)      Consideration of a Request to Authorize the Release of Contingent Reserve Funds for Recycling Programs to be Implemented by the Department of Transportation & Environmental Services.  
**Attachments:**    [14-1702 Attachment 1 Letter of Contingent Reserve.pdf](#)  
                         [14-1702 Attachment 2 Contingent Reserve Fund.pptx](#)
- 9      [13-1543](#)      Consideration of a Grant Application to the 2013 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Emergency Response Equipment.
- 10     [14-1704](#)      Consideration of Acceptance of a Funding Allocation from the 2013 Local Emergency Management Program Grant in the Amount of \$60,904.43 for the City's Emergency Management Program.  
**Attachments:**    [2013 Work Elements](#)
- 11     [14-1756](#)      Consideration of a Grant Application to the Rescue Squad Assistance Fund (RSAF) Grant Program, Commonwealth of Virginia, Department of Health.
- 12     [14-1758](#)      Consideration of a Grant Application to the Virginia Alliance for Emergency Medical Education and Research (AEMER) EMS Research Grant For Up To \$20,000.

- 13      [14-1779](#)      Consideration of Acceptance of a Grant Award From the Federal Emergency Management Agency (FEMA) through the Virginia Department of Emergency Management (VDEM) in the Amount of \$25,611 for the City's Stream Monitoring System.

**Attachments:**    [14-1779 Attachment 1 - Stream monitoring system map](#)  
                              [14-1779 Attachment 2 - Stream warning station picture](#)

- 14      [14-1766](#)      Consideration Of A Grant Application To The Virginia Department Of Behavioral Health And Developmental Services To Expand The Department Of Community And Human Services System Of Care Funding.

### **(Ordinances for Introduction)**

- 15      [13-1251](#)      Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Extend Metered Parking Zones.

**Attachments:**    [13-1251 Attachment 1 parking meter.docx](#)  
                              [13-1251 Attachment 2 cover.doc](#)  
                              [13-1251 Attachment 3 Ordinance.doc](#)

- 16      [13-1678](#)      Introduction and First Reading. Consideration, Passage on First Reading of an Ordinance to Amend Section 3-2-353 (Contested Parking Citations) of the Code of the City of Alexandria, Virginia.

**Attachments:**    [13-1678 Pkg Adj Elim Ord Cover Attachment 1](#)  
                              [13-1678 Park adj elim ordinance](#)

- 17      [14-1800](#)      Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Repeal Chapter 7 (Personal Grooming Establishments) of Title 11 (Health, Environmental and Sanitary Regulations) of the Code of the City of Alexandria, Virginia, 1981 as amended.

**Attachments:**    [14-1800 11-7-1 cover.doc](#)  
                              [14-1800 11-7-1 ord.doc](#)

### **END OF CONSENT CALENDAR**

### **CONTESTED APPOINTMENTS**

- 18      [14-1824](#)      Beauregard Urban Design Advisory Committee  
                              2 Qualified Professional Members Skilled in Architecture, Planning,  
                              Landscape Architecture and/or Urban Design

**Attachments:**    [14-1824 beauregard design advisory.docx](#)

- 19      [14-1825](#)      Beautification Commission  
                              1 Citizen Member

**Attachments:** [14-1825 beautification comm.docx](#)

- 20     [14-1826](#)     Commission for the Arts  
1 Member Who Represents Arts Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives as Marketing, Finance/Funding, Tourism Promotion and Organizational Development

**Attachments:** [14-1826 comm for the arts.docx](#)

- 21     [14-1827](#)     Commission on Aging  
1 Individual With Leadership Experience in a Volunteer Organization

**Attachments:** [14-1827 comm on aging.docx](#)

- 22     [14-1835](#)     Commission on HIV/AIDS  
1 Citizen Member

**Attachments:** [14-1835 comm on HIV AIDS.docx](#)

- 23     [14-1833](#)     George Washington Birthday Celebration Committee  
1 Citizen Member

**Attachments:** [14-1833 GW Birthday Celebration Comm.docx](#)

- 24     [14-1828](#)     Sister Cities Committee  
1 Citizen Member

**Attachments:** [14-1828 sister cities comm.docx](#)

- 25     [14-1829](#)     Social Services Advisory Board  
2 Citizen Members  
1 Parent Member

**Attachments:** [14-1829 social services advisory.docx](#)

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (60 min.)**

- 26     [14-1757](#)     Consideration of a Wesley Housing Development Corporation Funding Request for Lynhaven Apartments.

**Attachments:** [14-1757 WHDC Lynhaven Sources and Uses.pdf](#)

[14-1757 Lynhaven Civic Assoc Letter of Support.pdf](#)

- 27     [13-1496](#)     Update on the Implementation of the DASH Efficiency Study Recommendations.

## **REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES**

## **ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

**ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL****ORAL REPORT FROM THE CITY MANAGER**

- 28      [14-1799](#)      Combined Sewer System Permit Report.

**Attachments:**    [14-1799 Attachment 1 Combined Sewer Permit - Final Revised.pptx](#)

**ORDINANCES AND RESOLUTIONS**

- 29      [14-1714](#)      Consideration of a Resolution in Support of Virginia's Day to Serve.  
[ROLL-CALL VOTE]

**Attachments:**    [14-1714 resolution](#)

- 30      [14-1715](#)      Consideration of a Resolution to Establish as a Position of the City Council of the City of Alexandria, Virginia, to Support an Amendment to Reverse Citizens United v. Federal Election Commission, That Corporations Should Not Receive the Same Legal Rights as Natural Persons, That Money is Not Speech, and that Political Expenditures Can Be Regulated. [ROLL-CALL VOTE]

**Attachments:**    [14-1715 Resolution](#)

- 31      [14-1710](#)      Consideration of a Resolution Authorizing the Issuance of Refunding Bonds by the Industrial Development Authority for Volunteers of America. [ROLL-CALL VOTE]

**Attachments:**    [14-1710 Resolution - AIDA Bonds \(Volunteers of America\) Attachment 1](#)  
[14-1710 Notice and Certificate of Public Hearing Attachment 2](#)  
[14-1710 Financial Impact Statement Attachment 3](#)  
[14-1710 IDA Resolution Attachment 4](#)

- 32      [14-1796](#)      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.

**Attachments:**    [14-1796 Utility Tax docket ordinance cover - Attachment 1](#)  
[14-1796 Utility Tax ordinance](#)

- 33      [14-1753](#)      Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 200 North Royal Street.

**Attachments:**    [14-1753 Information on Proposed Ordinance.doc](#)  
[14-1753 Proposed Ordinance.doc](#)  
[14-1753 PC report](#)

- 34      [14-1747](#)      Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement 106 of the City

Code. [ROLL-CALL VOTE]

**Attachments:** [14-1747\\_supp106c.doc](#)  
[14-1747\\_supp106.doc](#)

- 35      [14-1780](#)      Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Zoning Supplement Number 58. [ROLL-CALL VOTE]

**Attachments:** [14-1780\\_ZOSUPP59c.doc](#)  
[14-1780\\_ZOSUPP59.doc](#)

## OTHER

- 36      [14-1785](#)      Consideration of City Council Schedule.

**Attachments:** [14-1785\\_Proposed Council Calendar\\_September2013 to June2014.docx](#)

*The Cablecast schedule of Government meetings on Channel 70 can be found here:  
<http://apps.alexandriava.gov/Calendar/AltDisplay/VideoList.aspx>*

*This docket is subject to change.*

\* \* \* \* \*

*Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council. Meeting materials are also available on-line at [alexandriava.gov/council](http://alexandriava.gov/council).*

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*Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703-746-4550 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.*

*City Council meetings are closed-captioned for the hearing impaired.*

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## Legislation Details (With Text)

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**File #:** 14-1797      **Name:**

**Type:** Minutes      **Status:** Agenda Ready

**File created:** 8/21/2013      **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013      **Final action:**

**Title:** The Public Hearing Meeting Minutes of June 15, 2013  
The Regular Meeting Minutes of June 25, 2013

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1797\\_june 15 minutes.pdf](#)  
[14-1797\\_june 25 minutes](#)

Date	Ver.	Action By	Action	Result
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The Public Hearing Meeting Minutes of June 15, 2013  
The Regular Meeting Minutes of June 25, 2013

**City of Alexandria  
Meeting Minutes  
City Council Public Hearing Meeting  
Council Chambers  
Saturday, June 15, 2013, 9:30 a.m.**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg and Justin M. Wilson.

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Spera, Deputy City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Police Captain Wemple, Police Department; Officer Lloyd, Police Department; Ms. Hamer, Director, Planning and Zoning; Ms. Anderson, Acting Deputy Director, Planning and Zoning; Ms. Wright, Planning and Zoning; Ms. Eischer, Planning and Zoning; Mr. Wagner, Planning and Zoning; Mr. Randall, Planning and Zoning; Ms. Willger, Planning and Zoning; Mr. Catlett, Director, Office of Code Administration; Ms. Blackford, Office of Communications; Fire Chief Thiel; Mr. Baier, Director, Transportation and Environmental Services; Mr. Skrabak, Environmental Quality; Mr. Garbacz, Transportation and Environmental Services; Ms. Dastgheib, Transportation and Environmental Services; Ms. Sanders, Transportation and Environmental Services; Ms. Smith, Director, Office of Management and Budget; Ms. Taylor, Office of Management and Budget; Ms. Triggs, Director, Office of Finance; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Martinez, Information Technology; and Mr. Lloyd.

Recorded by: Jacqueline M. Henderson, City Clerk and Clerk of Council.

**OPENING**

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. Public Discussion Period.

1. Ernest Lehmann, 621 N. St. Asaph Street, speaking as a citizen and as a board member, North Old Town Independent Citizens Association, urged Council to reinstate the dedicated funding for both affordable housing fund and open space. He also spoke of what will happen to the NRG site, noting that the plan will require courage, boldness and allow them to point with great pride to the model for every responsible community to emulate. He said their citizens association proposes that the entire NRG site be devoted to a sustainable and endowed park and urges the rezoning of the site from UT to Public Open Space and asked Council to take action on it as soon as possible.

2. Cynthia Dinkins, 1315 Duke Street, CEO of the Northern Virginia Urban League, introduced herself to Council and spoke of the advocacy and programs they have been

working on and have coming up in the future.

3. Mindy Lyle, 5235 Tancreti Lane, spoke of the implementation of a pedestrian safety program in the West End and said she has asked over the last 18 months about the program and has been told they were looking into it. She spoke of the pedestrians and cyclists being hit by cars in the area and the hazards on Duke Street, South Pickett, Beauregard and Van Dorn from Edsall Road to Landmark Mall. She spoke of the education program put on by the Police Department in the past to educate children on public safety and crossing streets safely. Ms. Lyle said the City needs to develop and implement a program immediately, as there are special use permits coming before Council over the next several months and she asked Council to require pedestrian improvements for every SUP and implement a program in the schools for pedestrian education.

4. Jesi Carlson, Moncure Drive, president, Taylor Run Citizens Association, spoke of the neighborhood's strong opposition to any rezoning proposal made by Cambridge Health Care to put an assisted living facility on a small parcel of land adjacent to the Woodbine Nursing Home. She said they put together a petition where 100 signatures were gathered and more will most likely be gathered, which they will submit at a later time.

5. Brett Egusa, 612 Melrose Street, spoke of the opposition to the assisted living facility, noting that there have got to be other places in Alexandria that have a proper zoning and are more appropriate for this type of use, and he spoke of the increased emergency calls to a facility of this type.

6. Michael Cook, 2724 King Street, spoke to why the assisted living facility should not be built on the small parcel of land.

7. Pat Troy, 310 Wolfe Street, spoke of the American flag and what it means to him as an immigrant from Ireland 51 years ago. He said the beautiful flag is not flying over City Hall anymore, and he spoke of watching the tourists standing under the flag that flew on the building. He asked that the flag be put back up.

9. Bea Porter, 1727 Cameron Street, spoke of the parking between 1500 and 1700 on Cameron Street. She said the Durant Center was said to have only three or four employees that need parking, but it did not account for all the visitors that use the center, the swim events that take place at the Old Town pool and all the City events that start and end at the Durant Center, the Masonic Temple or along King Street, which causes parking congestion along Cameron Street and the adjacent streets.

10. Kathryn Papp, 504 Cameron Street, thanked the City for the help they have received in the little park on Washington Way from both Jack Browand and John Walsh from the Recreation and Parks Department. Ms. Papp said the tree wells are now being filled with flowers and look wonderful along King Street. She said she is happy to see that the Environmental Policy Commission is beginning to do serious work on addressing climate change. She also spoke about doing something called Colonial U, that might be on-line and classroom sessions could be held in any of the historic places in the City.

11. Poul Hertel, 1217 Michigan Court, spoke of hearing Council speak about sidewalks and the notion that brick sidewalks are dangerous. He said they have concrete sidewalks in his neighborhood and he took a fall on the concrete sidewalk, and they also have brick sidewalks

and they are in perfect condition, so he said that instead of brick versus concrete, it is a maintenance issue. He spoke of bicycles and pedestrians and noted the friction between bicyclists and pedestrians, as urbanism has always been about pedestrianism first. He said the Bicycle and Pedestrian Committee consist mostly of bicyclists and the City is taking a short cut in going to them on pedestrian issues and that doesn't serve them well. Mr. Hertel spoke of open space in which Council said it had reached the goal, and he urged Council to think differently and to think in terms of the green they are losing. Mr. Hertel thanked Gwen Wright, from Planning and Zoning, for her service to the City.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

### **ACTION CONSENT CALENDAR (3-8)**

#### **Planning Commission**

3. Special Use Permit #2013-0014

701 Prince Street Suite 200 (Parcel Address: 119 S. Washington Street) - Radiance Yoga  
Public Hearing and Consideration of a request to operate a commercial school with more than 20 students; zoned CD/Commercial Downtown. Applicant: Masuda Mohamadi  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3, 6/15/13, and is incorporated as part of this record by reference.)

4. Special Use Permit #2013-0021

2900 Eisenhower Avenue - Private Academic School  
Public Hearing and Consideration of a request to operate a private academic school; zoned OCM (100)/Office Commercial Medium (100). Applicant: Stratford University  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4, 6/15/13, and is incorporated as part of this record by reference.)

5. Special Use Permit #2013-0026

5234 Seminary Road - Child Care Home  
Public Hearing and Consideration of a request for a child care home; zoned R-12/Single-family. Applicant: Maria I. Robles  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5, 6/15/13, and is incorporated as part of this record by reference.)

6. Special Use Permit #2013-0019

1116 King Street - Restaurant Expansion  
Public Hearing and Consideration of a request to expand an existing grandfathered restaurant; zoned KR/King Street Urban Retail. Applicant: Cyrille Brenac  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6, 6/15/13, and is incorporated as part of this record by reference.)

7. Special Use Permit #2013-0023

805 King Street - Apartment Hotel

Public Hearing and Consideration of a request to operate an apartment hotel and for required parking to be located more than 500 feet from the business; zoned KR/King Street Urban Retail. Applicant: PMA Properties 805 LLC

Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7, 6/15/13, and is incorporated as part of this record by reference.)

8. Special Use Permit #2013-0022

600A S. Pickett St. - Auto Repair Shop

Public Hearing and Consideration of a request to operate a general automobile repair business; zoned I/Industrial. Applicant: Perfect Auto Detail, Inc.

Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8, 6/15/13, and is incorporated as part of this record by reference.)

## **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously, City Council adopted the consent calendar, which the removal of items 5, 7 and 8, which were considered under separate motion.

3. City Council approved the Planning Commission recommendation.

4. City Council approved the Planning Commission recommendation.

6. City Council approved the Planning Commission recommendation.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

5. Special Use Permit #2013-0026

5234 Seminary Road - Child Care Home

Public Hearing and Consideration of a request for a child care home; zoned R-12/Single-family. Applicant: Maria I. Robles

Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5, 6/15/13, and is

incorporated as part of this record by reference.)

Councilman Wilson asked for clarification on condition #4 to note that it should be contingent upon the child care home being licensed by the Virginia Department of Social Services.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation, with an amendment to condition #4 to read: the special use permit shall be contingent upon the child care home being licensed by the Virginia Department of Social Services." The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

7. Special Use Permit #2013-0023

805 King Street - Apartment Hotel

Public Hearing and Consideration of a request to operate an apartment hotel and for required parking to be located more than 500 feet from the business; zoned KR/King Street Urban Retail. Applicant: PMA Properties 805 LLC

Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7, 6/15/13, and is incorporated as part of this record by reference.)

Ms. Anderson, Acting Deputy Director, Planning and Zoning, responded to questions about parking and the staff on the site.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

8. Special Use Permit #2013-0022

600A S. Pickett St. - Auto Repair Shop

Public Hearing and Consideration of a request to operate a general automobile repair business; zoned I/Industrial. Applicant: Perfect Auto Detail, Inc.

Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8, 6/15/13, and is incorporated as part of this record by reference.)

Ms. Anderson, Acting Deputy Director, Planning and Zoning, responded to questions of City Council regarding redevelopment in the area and the staff recommendation.

Mr. Samuel Osei, applicant and owner, Perfect Auto Detail, responded to questions from Council that he is clear that redevelopment in the area could be happening.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

9. Public Hearing to Consider the Recommendation of the City Council Naming Committee to Name the Alexandria Fire Department Professional Development Center at the Lee Center in Honor of Paramedic Joshua A. Weissman.

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9, 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the recommendation of the City Naming Committee to name the Alexandria Fire Department Professional Development Center at the Lee Center in honor of Paramedic Joshua A. Weissman. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **Planning Commission (continued)**

10. Special Use Permit #2013-0017

4740 Eisenhower Avenue - Dog Daycare

Public Hearing and Consideration of a request to operate a dog daycare with boarding and grooming services and overnight accommodation and a request for a parking reduction; zoned OCM (100) / Office Commercial Medium (100). Applicant: Mary Kenkel

Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10, 6/15/13, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, made a presentation of the staff report. He said staff recommends new condition language, item #15, that requires the installation of fencing to the satisfaction of the Director of Planning and Zoning, and the applicant has agreed to the condition.

**WHEREUPON**, upon motion by Councilwoman Pepper and seconded by Councilman Wilson, City Council closed the public hearing and approved the Planning Commission recommendation, with the addition of condition #15, which reads: 15. The applicant shall install adequate fencing around the outdoor pet play area to the satisfaction of the Director of Planning and Zoning to contain all pets and prevent them from entering neighborhood property or tenant space or interacting with neighboring occupants.

Ms. Anderson, Acting Deputy Director, Planning and Zoning, along with Ms. Hamer, Director, Planning and Zoning, spoke to permitted uses in the building – the state parole office and the church that will have a day care center, and the administrative SUP for the shared parking agreement for a proposed day care center and the church.

Council asked that the combination of items come to Council for consideration of any uses and not be done administratively by Planning staff.

Ms. Mary Kenkel, owner, 5869 Colfax Avenue, in response to discussion about a five year renewal for the special use permit, stated that she needs a ten year loan to start the business and would not be able to do it with a five year renewal. She noted that the State has a 20-year lease with the owner of the building.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

11. Special Use Permit #2013-0018  
1024 Cameron Street - Restaurant  
Public Hearing and Consideration of a request to operate a restaurant; zoned CD/Commercial Downtown. Applicant: Peyman Eskandari  
Planning Commission Action: Recommend Approval with Amendments 5-0

This item was deferred due to lack of notice by the applicant.

The following item was taken out of turn:

15. Master Plan Amendment #2013-0002  
CDD Concept Plan #2013-0001  
Development Special Use Permit #2012-0028  
TMP SUP #2013-0027  
Encroachment #2013-0001  
2250 Mill Road - Eisenhower East Block 19 - Residential  
Public Hearing and Consideration of requests for: A) an amendment to the Eisenhower East Small Area Plan chapter of the Master Plan to increase the building height and floor area for Block 19; B) an amendment to the CDD concept plan to adjust floor area and height limits and to correct a use designation; C) an amendment to a previously approved development special use permit, with site plan, (DSUP #2012-0023) to construct a residential building and open space including a density bonus for affordable housing per Section 7-700; D) an amendment to a previously approved transportation management plan, TMP SUP #2012-0065; E) encroachments into the public right-of-way; zoned CDD #2/Coordinated Development District. Applicant: Paradigm 2250 Mill LLC by Mary Catherine Gibbs attorney  
Planning Commission Action: MPA #2013-0002 - Adopted the Resolution and Recommended Approval 5-0; CDD Concept Plan #2013-0001 - Recommended Approval 5-0; DSUP #2012-0028 - Recommended Approval 5-0; TMP SUP #2013-0027 - Recommended Approval 5-0; ENC #2013-0001 - Recommended Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15, 6/15/13, and is



incorporated as part of this record by reference.)

Mr. Wagner, Planning and Zoning, along with Mr. Skrabak, Department of Environmental Quality, made a presentation of the staff report and they, along with Ms. Wright, Planning and Zoning, responded to questions of City Council.

The following person spoke on this item:

1. Mary Catharine Gibbs, attorney for the applicant, 307 N. Washington Street, thanked Gwen Wright for all her professional work throughout the years and her work will be seen for years to come. Ms. Gibbs spoke in support of the item and introduced the principals with the project.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

\* \* \* \* \*

City Council took a ten minute break at this time – 11:45 a.m.

\* \* \* \* \*

12. Special Use Permit #2013-0020  
216 S. Peyton Street (Parcel Addresses: 210-216 S. Peyton Street and 335 Commerce Street) - Capital Hostel  
Public Hearing and Consideration of a request to operate a hostel (hotel) and a request for a parking reduction; zoned CD/Commercial Downtown. Applicant: Capital Hostels, LLC  
Planning Commission Action: Recommend Approval 4-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12, 6/15/13, and is incorporated as part of this record by reference.)

Mr. Randall, Planning and Zoning, made a presentation of the report.

The following persons participated in the public hearing on this item:

1. Charlotte Kraebel, 3522 S. Wakefield Street, Arlington, said she owns a townhouse at 340 Commerce Street, and she spoke in opposition to the request.

2. Steven Able, 808 N. Iverson Street, #403, spoke in opposition to the request.

3. Dino Drudi, 315 N. West Street, spoke about Council rubber-stamping requests for exceptions and said it would be smart for Council to turn down the request and let it be an apartment building.

4. Paul Cianciolo, 2721 Jefferson Drive, the applicant, spoke in support of the

request.

5. James Brogan, 2721 Jefferson Drive, the applicant, spoke in support of the request and responded to questions of Council regarding alcohol sales and staffing.

6. Rikki George, 1600 Prince Street, #314, spoke in support of the request.

**WHEREUPON**, upon motion by Councilmember Lovain, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

Ms. Anderson, Acting Deputy Director, Planning and Zoning, and Mr. Spera, Deputy City Attorney, responded to questions of Council regarding violations within the facility and what staff's options are.

**WHEREUPON**, a motion was made by Councilmember Lovain and seconded by Councilwoman Pepper, that City Council approve the Planning Commission action.

Councilman Smedberg asked for an amendment to condition #17 to add a second review at one year.

The amendment was acceptable to the maker and seconder of the motion and becomes part of the motion.

Mr. Spera clarified that it would be an identical set of review terms so they could add additional conditions at each review.

The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

13. Rezoning #2013-0002

Development Special Use Permit #2013-0004

Transportation Management Plan SUP #2013-0025

5801 and 5815 Duke Street - Landmark Mall

Public Hearing and Consideration of requests for: A) a zoning map amendment to change the zoning from CR/Commercial Regional to CRMU-M/Commercial Residential Mixed Use Medium; B) a development special use permit and site plan, with modifications, to construct a mixed-use town center including special use permits for retail over 20,000 sq. ft., increase in allowed floor area ratio, and an amusement enterprise; C) approval of a transportation management plan; zoned CR/Commercial Regional. Applicant: The Howard Hughes Corporation represented by Jonathan Rak, attorney.

Planning Commission Action: REZ #2013-0002 - Recommend Approval 5-0; DSUP #2013-0004 - Recommend Approval with Amendments 5-0; TMP SUP #2013-0025 - Recommend Approval with Amendments 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13, 6/15/13, and is

incorporated as part of this record by reference.)

Ms. Wright, Planning and Zoning, made a presentation of the report and she, along with Mr. Baier, Director, Transportation and Environmental Services, and Ms. Sanders, Pedestrian and Bicycle Program Manager, responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Mindy Lyle, 5235 Tancreti Lane, vice president, Cameron Station Civic Association, also a member of the Landmark-Van Dorn Advisory Group, spoke in support of the request.
2. Annabelle Fisher, 5001 Seminary Road, spoke in support of the request.
3. Jonathan Rak, 1750 Tysons Blvd., McLean, attorney representing the applicant, spoke in support of the request and introduced John Simon with Howard Hughes Corporation. He spoke about the change to the condition as noted in his letter sent earlier to City Council and agrees with Mr. Baier that it is focused on the first phase of Landmark Mall in terms of limiting the funding and only speaks to the capacity increase that is needed for the Holmes Run Trunk Sewer. He said he agreed with inserting "i.e." before the phrase "with full credit" as discussed by Council.
4. John Simon, executive vice president of Howard Hughes Corporation, in response to a question from Council about rental rates, noted that the rents will be market rent for the area.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the Planning Commission recommendation, with amendments to condition #75 to read as follows: The applicant shall submit a letter to the Director of Transportation and Environmental Services prior to release of the final site plan acknowledging that this property will participate, if the City adopts a plan prior to release of the building permit, to require equal and proportionate participation in an improvements plan to mitigate wet weather surcharging in the Holmes Run Trunk Sewer sanitary sewer shed. Participation in the funding shall be limited to the net increase in sewer capacity, i.e., with full credit for the existing capacity authorized by site plan #85-052. This limitation shall only apply to DSUP 2013-0004 and shall not affect the sewer connection fees. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

14. Development Special Use Permit #2013-0008  
2210 Eisenhower Ave. - Hoffman - Blocks 11 & 12  
Public Hearing and Consideration of a request for an extension of a previously approved development special use permit with site plan (DSUP #2009-0004) to construct

residential/retail mixed use buildings; zoned CDD #2 / Coordinated Development District.  
Applicant: Hoffman Company, LLC by Jonathan Rak, attorney  
Planning Commission Action: Recommend Approval 5-0

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of item #14, 6/15/13, and is incorporated as part of this record by reference.)

The following person participated in the public hearing on this item:

1. Mr. Kenneth Wire, 1750 Tysons Blvd., McLean, attorney representing the applicant, noted that there was a clerical change, on the stormwater, that they wish to refer back to the original condition #104 and not the amended version by staff.

Planning staff responded that that is correct.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, noting that there is no change to condition #104. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

16. Section 9.06 Case #2013-0003

Eisenhower Avenue - Between Mill Road and Holland Lane

Public Hearing and Consideration of a request for Planning Commission to review whether the acquisition of property for use as public right-of-way for the Eisenhower Widening Project is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.  
Staff: Department of Transportation and Environmental Services

Planning Commission Action: Recommend Approval 5-0

FOR COUNCIL'S INFORMATION ONLY

(A copy of the Planning Commission report, dated June 15, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16, 6/15/13, and is incorporated as part of this record by reference.)

This item was before Council for information only.

## **ORDINANCES AND RESOLUTIONS**

17. Public Hearing, Second Reading and Final Passage 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. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17, 6/15/13, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 6/15/13, and is

incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 17; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried 6-1 by roll-call vote, City Council adopted the ordinance to remove the Real Estate Tax Dedication to the Open Space Trust Fund Account. The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

The ordinance reads as follows:

#### ORDINANCE NO. 4811

AN ORDINANCE to amend and reordain Section 3-1-2 (OPEN SPACE TRUST FUND ACCOUNT) of Chapter 1 (GENERAL PROVISIONS) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-1-2 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is amended and reordained to read as follows:

#### Sec. 3-1-2 - Open Space Trust Fund Account.

(a) *Establishment of account.* There is hereby established for the City of Alexandria a permanent account within the Capital Projects Fund to be known and designated as the City of Alexandria Open Space Trust Fund Account, which account shall be accounted for and maintained separate and apart from all other accounts maintained by the City of Alexandria.

(b) *Funding of account.* There is hereby assigned and appropriated to such account, and for the fiscal year commencing ~~January~~ July 1, 2009~~13~~ and in each succeeding fiscal year, from the tax on real estate levied pursuant to section 3-2-181 of this code, in addition to all other appropriations made to such account, if any, the sum of 0.30 percent of the total amount of tax so levied.

(c) *Expenditures from account.* Notwithstanding any contrary provision of law, appropriations from the said account shall be authorized and made exclusively to finance permanent open space public improvements included in the capital budget. Unexpended appropriations to such account shall not lapse or expire at the end of the fiscal year in which made, irrespective of whether such appropriations were encumbered within such fiscal year.

(d) *Open space public improvements defined.* As used in this section, permanent open space public improvements means land acquired by the city in fee or by perpetual easement, and dedicated to outdoor recreational and park uses, whether active, passive or

natural resource area, for the use of the general public, together with accessory buildings and structures incidental and subordinate to the outdoor recreational and park uses of such acquired land, and capital expenditures including but not limited to, demolition, clean-up, grading, engineering and design work, and the acquisition and installation of furniture, structures, landscaping, apparatus and facilities, for such use and improvement of the site.

Section 2. That this ordinance shall become effective on July 1, 2013.

18. Public Hearing, Second Reading and Final Passage 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. **THIS ITEM HAS BEEN REMOVED FROM THE DOCKET**

This item was removed from the docket.

19. Public Hearing, Second Reading and Final Passage 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) [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 19; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for the encroachments for the Potomac Yard Land Bay J multifamily building. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4812

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.

WHEREAS, Potomac Yard Development, LLC is the Owners ("Owners") of the property located at 1800 Main Line Boulevard (Tax Map #035.03-10-13) in the City of Alexandria, Virginia; and

WHEREAS, Owners desire to establish and maintain stoops, stairs and a ramp which will encroach into the public sidewalk right-of-way on Jefferson Davis Highway (Route 1) and Main Line Boulevard at that location; and

WHEREAS, the public sidewalk right-of-way at that location will not be significantly impaired by this encroachment; and

WHEREAS, in Encroachment No. 2012-0003 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on November 8, 2012 which recommendation was approved by the City Council at its public hearing on November 17, 2012 and

WHEREAS, it has been determined by the Council of the City of Alexandria that this encroachment is not detrimental to the public interest; now, therefore,

**THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:**

Section 1. That Owners be, and the same hereby is, authorized to establish and maintain an encroachment into the public sidewalk right-of-way at 1800 Main Line Boulevard (Tax Map #035.03-10-13), in the City of Alexandria as shown in the Stoops and Stair Encroachment Exhibit prepared by Bowman Consulting dated July 2012 and updated as of November 17, 2012 attached hereto as Exhibit A and incorporated herein by this reference, said encroachment consisting of stairs, stoops and a ramp, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owners of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owners maintaining, at all times and at their own expense, liability insurance, covering both bodily injury and property damage, with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

Bodily Injury:	\$1,000,000 each occurrence \$1,000,000 aggregate
Property Damage:	\$1,000,000 each occurrence \$1,000,000 aggregate

This liability insurance policy shall identify the City of Alexandria and Owners as named insureds and shall provide for the indemnification of the City of Alexandria and Owners against any and all loss occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owners shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the

encroachment at the expense and risk of Owners. Nothing in this section shall relieve Owners of its obligations and undertakings required under this ordinance.

Section 3. That the authorization hereby granted to establish and maintain said encroachment shall in addition be subject to and conditioned upon the following terms:

- (a) Neither the City of Alexandria nor any public or private utility company shall be responsible for damage to Owners' or Tenant's property encroaching into the public right-of-way during repair, maintenance or replacement of the public right-of-way or any public facilities or utilities in the area of encroachment.
- (b) The Owners shall be responsible for replacement and repairs to the adjacent City right-of-way, including any areas damaged during construction activity.
- (c) In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City.

Section 4. That by accepting the authorization hereby granted to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, Owners shall be deemed to have promised and agreed to save harmless the City of Alexandria from any and all liability (including attorneys' fees and litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

Section 5. That the authorization herein granted to establish and maintain the encroachment shall be subject to Owners maintaining the area of the encroachment at all times unobstructed and free from accumulation of litter, snow, ice and other potentially dangerous matter.

Section 6. That nothing in this ordinance is intended to constitute, or shall be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.

Section 7. That the authorization herein granted to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right-of-way for any purpose whatsoever and, by written notification, demands from Owners the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by Owners without cost to the city. If Owners cannot be found, or shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of Owners, and shall not be liable to Owners for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.

Section 8. The terms "Owners" shall be deemed to include Owner and their respective successors in interest.

Section 9. That this ordinance shall be effective upon the date and at the time of its final passage.



20. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Sheet Nos. 010.02, 010.04, 011.03, 018.04, 019.01, 019.02, 019.03, 020.01, 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) [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 20; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried 6-1 by roll-call vote, City Council closed the public hearing and adopted the ordinance for the rezoning of the properties in the Beauregard Small Area Plan. The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

The ordinance reads as follows:

#### ORDINANCE NO. 4813

AN ORDINANCE to amend and reordain Sheet Nos. 010.02, 010.04, 011.03, 018.04, 019.01, 019.02, 019.03, 020.01, 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).

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2012-0002, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on April 2, 2013 of a rezoning of 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, which recommendation was approved by the City Council at public hearing on April 13, 2013;

2. In Rezoning No. 2012-0005, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on April 2, 2013 of a rezoning of the properties at 4800 and 4801 Kenmore Avenue from RA/Multifamily Zone and RC/High Density Apartment Zone, respectively, to CDD 22, which recommendation was approved by the City Council at public hearing on April 13, 2013.

3. The said rezonings are in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

4. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet Nos. 010.02, 010.04, 011.03, 018.04, 019.01, 019.02, 019.03, 020.01, 029.01 and 029.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION:

Addresses: 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,

Tax Map Nos. 011.03-01-01, 010.02-03-11, 010.04-03-16, 010.02-03-12, 010.04-03-15, 010.04-03-13, 010.04-03-14, 010.04-03-18, 010.04-03-17, 010.04-03-21, 010.04-03-22, 011.03-01-02, 011.03-01-03, 011.03-01-04, 020.01-01-03, 010.04-03-23, 010.04-03-24, 010.04-03-25, 029.03-01-06, 018.04-01-27, 018.04-01-26, 029.01-01-08, 019.01-01-50, 029.01-01-01, 019.03-01-05, 019.03-01-03, 019.02-01-03.S1, 019.02-01-03.S2, 019.02-01-03.S3, 019.02-01-03.S4, 019.02-01-03.S7 and 019.02-01-03.S8

From: CDD 4, RA/Multifamily Zone, RC/High Density Apartment Zone and the R-12/Single Family Zone District

To: CDD 21

Section 2. That Sheet No. 030.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION:

Addresses: 4800 and 4801 Kenmore Avenue,

Tax Map Nos.: 030.01-01-01 and 030.01-01-02

From: RA/Multifamily Zone and RC/High Density Apartment Zone

To: CDD 22

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 4. That Sheet Nos. 010.02, 010.04, 011.03, 018.04, 019.01, 019.02, 019.03, 020.01, 029.01, 029.03 and 030.01 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 5. That this ordinance shall become effective on the date and at the time of its final passage.

21. Public Hearing, Second Reading, and Final Passage 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) [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 21; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman

Pepper and carried 6-1 by roll-call vote, City Council closed the public hearing and adopted the ordinance implementing the text amendment establishing the new CDD's and the Beauregard Advisory Committee. The voting was as follows: In favor, Mayor Euille, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, Vice Mayor Silberberg.

The ordinance reads as follows:

#### ORDINANCE NO. 4814

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).

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2012-00007 (CDD 21) and No. 2012-00008 (CDD 22), the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on April 2, 2013 of a text amendment to the Zoning Ordinance to create CDD No. 21 and CDD No. 22 and create the Beauregard Design Review Board, which recommendation was approved by the City Council at public hearing on April 9, 2013;

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 5-602 of the Zoning Ordinance be, and the same hereby is, amended by adding CDD 21 and 22 and inserting the following additions to Table 1 therein, as shown:

**Table #1: Proposed Revision to Section 5-602 of the Zoning Ordinance**

CDD #	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			Maximum FAR and/or Development Levels	Maximum Height	Uses
21	Beauregard	The RA zone shall apply to the existing residential portion of the Garden District, Greenway and Town Center neighborhoods. The CG zone regulations shall apply to the existing shopping center in the Town Center neighborhood. In addition to the requirements herein, in the	Maximum development levels shall be as depicted in the Development Summary Table in the CDD	Maximum heights shall be as depicted in the Beauregard Urban Design Standards	Mixed-use development to include, office, residential, retail and personal service, hotel,

		<p>Greenway. Garden District and Town Center neighborhoods, the following shall apply:</p> <ul style="list-style-type: none"> <li>-The FAR of the existing development shall not increase over the existing FAR.</li> <li>-No building shall be constructed within 50 feet of curb of North Beauregard Street</li> </ul> <p>The OC zone regulations shall apply to the Adams Neighborhood.</p> <p>The R-12 zone regulations shall apply to the Upland Park Neighborhood</p> <p>The RC zone regulations shall apply for the Southern Towers Neighborhood.</p> <p>The neighborhoods as referenced herein, shall be the boundaries depicted in the CDD Concept Plan.</p>	Conditions.	and Guidelines_ dated March 18, 2013.	parks and open spaces, public buildings and community facilities.
22	Seminary Overlook	<p>The RC regulations shall apply for the portion of the property west of the existing Kenmore Avenue as configured as of the date of City Council's initial approval of CDD #22, and the RA zone regulations shall apply for the portion of the property east of Kenmore Avenue.</p>	Maximum development levels shall be as depicted in the Development Summary Table in the CDD Conditions.	Maximum heights shall be as depicted in the Beauregard Urban Design Standards and Guidelines_ dated March 18, 2013.	Residential, Multifamily Residential.

Section 2. That a new Section 5-612 be and hereby is created, as follows:

5-612 - Beauregard Urban Design Advisory Committee.

- (A) There is hereby established by ordinance the Beauregard Urban Design Advisory Committee.
- (B) The Beauregard Urban Design Advisory Committee shall consist of nine members appointed by city council as follows:
  - (1) Four qualified professional members skilled in architecture, planning, landscape architecture and/or urban design;
  - (2) Three citizen members;
  - (3) One member representing the business community; and
  - (4) One at-large member.
- (C) The purpose of the Beauregard Urban Design Advisory Committee is to review applications under this ordinance, within CDD No. 21 and CDD No. 22. Applications within CDD No. 21 and CDD No. 22 are to be reviewed for compliance with the Beauregard Small Area Plan and the Beauregard Urban Design Standards and Guidelines, as adopted by the planning commission. The board will make

recommendations on such applications to the planning commission and city council through the director.

(D)The director shall send to the board a copy of any application subject to its review, and the board shall send its comments to the director in time to be sent to the planning commission together with the staff report on the application. Each applicant shall discuss their application with the board prior to filing.

(E)The board and director shall establish a regular schedule which provides for meeting at least once per calendar quarter. Additional meetings may be called by the chair of the board and the director.

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 4. That Section 5-602, as amended pursuant to Section 1 of this ordinance, and Section 5-612, as created pursuant to Section 2 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 5. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

22. Public Hearing, Second Reading and Final Passage 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 17, 2013.) [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 22; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for the rezoning of the Washington Suites project. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

## ORDINANCE NO. 4815

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.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2013-0001, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on May 7, 2013 of a rezoning of the property at 34A and 36 South Reynolds Street from CG/Commercial General to RC/High Density Apartment Zone, which recommendation was approved by the City Council at public hearing on May 18, 2013;

2. The said rezoning is in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 48.03 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

#### LAND DESCRIPTION:

34A South Reynolds Street, Tax Map # 048.03-01-09 and  
36 South Reynolds Street, Tax Map # 048.03-01-07

#### ZONE:

From: CG/Commercial General  
To: RC/High Density Apartment Zone

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 3. That Sheet No. 48.03 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

23. Public Hearing, Second Reading and Final Passage 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). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 23; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for the Landmark/Van Dorn Chapter of the Master Plan for the Washington Suites project. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4816

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.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2013-0001, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on May 7, 2013 of an amendment to the Landmark/Van Dorn Small Area Plan Chapter of the Master Plan of the City of Alexandria, to amend Land Use Maps 10 and 11 and Zoning Maps 13 and 14 to reflect the land use designation and zoning change from CG/Commercial General to RH/ Residential High for the properties located at 34A and 36 South Reynolds Street, which recommendation was approved by the City Council at public hearing on May 18, 2013;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.



3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Landmark/Van Dorn Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended to revise Land Use Maps 10 and 11 and Zoning Maps 13 and 14 to change the land use designation and zoning from CG/Commercial General to RH/ Residential High for the properties located at 34A and 36 South Reynolds Street.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan map amendments, as part of the Landmark/Van Dorn Small Area Plan Chapter of Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Landmark/Van Dorn Small Area Plan Chapter of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

24. Public Hearing, Second Reading, and Final Passage 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. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24, 6/15/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 24; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 24; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance on the computation of relief rates and adopted the resolution setting the

relief rates. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance and resolution read as follows:

#### ORDINANCE NO. 4817

AN ORDINANCE to amend and reordain Section 3-2-224 (LEVIED ON AUTOMOBILES TRUCKS, TRAILERS, SEMI-TRAILERS, ANTIQUE MOTOR VEHICLES, TAXICABS, MOTORCYCLES, CAMPERS AND OTHER RECREATIONAL VEHICLES, BOATS AND TRAILERS; AMOUNT) of Division 3 (TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS) of Article M (LEVY AND COLLECTION OF PROPERTY TAXES) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-224 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is amended and reordained to read as follows:

Sec. 3-2-224 Levied on automobiles, trucks, trailers, semi-trailers, antique motor vehicles, taxicabs, motorcycles, campers and other recreational vehicles, boats and trailers; amount.

(a) Except as provided in subsections (b), (c) and (d), there shall be levied and collected for the calendar year 2013 on all automobiles, trucks, trailers, semi-trailers, antique motor vehicles (as defined in Section 46.2-100 of the Code of Virginia, 1950, as amended, which may be used for general transportation purposes as provided in subsection C of Section 46.2-730 of the Code of Virginia, 1950, as amended), taxicabs, motorcycles, campers and other recreational vehicles, boats and boat trailers owned or held by residents or citizens of the city or located within the territorial boundaries of the city or otherwise having a situs for taxation in the city, a tax of \$5.00 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(b) There shall be levied on and collected for the calendar year 2013 on all automobiles, trucks, trailers and semi-trailers with a gross vehicle weight of 10,000 pounds or more which are used to transport property for hire by a motor carrier engaged in interstate commerce, and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$4.50 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(c) There shall be levied on and collected for the calendar year 2013 on all automobiles and trucks which are equipped with specially designed equipment for use by the handicapped and are owned or held by residents or citizens of the city, are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$3.55 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(d) There shall be levied on and collected for the calendar year 2013 on all privately owned pleasure boats and watercraft, which are used for recreational purposes only, and are owned or held by residents or citizens of the city, or are located within the territorial boundaries of the city or otherwise have a situs for taxation in the city, a tax of \$.01 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(e) For tax years commencing in 2006, the city adopts the provisions of Item 503.E of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, the "2005 Appropriations Act"), providing for the computation of tax relief under the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as amended, as a specific dollar amount to be offset against the total taxes that would otherwise be due but for the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as amended, and the reporting of such specific dollar relief on the tax bill.

(i) The city shall, following adoption of the annual budget adopted pursuant to Chapter 25 of Title 15.2 of the Code of Virginia and Sections 6.01 through 6.15 of the City Charter, set the rates of tax relief under this subsection at such a level that it is anticipated fully to exhaust relief funds under the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the Commonwealth. ~~Any amount of relief funds under the Personal Property Tax Relief Act of 1998, Section 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the commonwealth, not used within the city's fiscal year shall be carried forward and used to increase the funds available for personal property tax relief under this subsection in the following fiscal year.~~

(ii) Personal property tax bills shall set forth on their face the specific dollar amount of relief under this subsection credited with respect to each qualifying vehicle, together with an explanation of the general manner in which such relief is allocated.

(iii) Allocation of relief under this subsection shall be provided in accordance with the general provisions of this section, as implemented by ~~the specific provisions of the city's annual budget resolution~~ relating to relief under this subsection.

(iv) Relief under this subsection shall be allocated in such as manner as to eliminate personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less.

(v) Relief under this subsection with respect to qualifying vehicles with assessed values of more than \$1,000 shall be provided at a the following rates, annually fixed ~~in the city budget by resolution~~, and applied to the first \$20,000 in value of each such qualifying vehicle, that is estimated fully to use all relief funds under the Personal Property Tax Relief Act of 1998, sections 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the commonwealth. that achieve to the extent feasible the following general relationships between the rates applicable to classes of vehicle value established herein and that is estimated fully to use all relief funds under the Personal Property Tax Relief Act of 1998, sections 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the commonwealth:

(A) Relief with respect to vehicle value up to and including \$20,000 shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection (B) of this section;

(B) Relief with respect to vehicle value in excess of \$20,000, but not more than \$25,000, and applied to the first \$20,000 in value, shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection (C) of this section; and

(C) Relief with respect to vehicles in excess of \$25,000, and applied to the first \$20,000 in value.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

## RESOLUTION NO. 2570

### RESOLUTION TO SET THE RELIEF RATES UNDER THE PERSONAL PROPERTY TAX RELIEF ACT

WHEREAS, pursuant to Section 58.1-3524 of the Code of Virginia and Section 3-2-224 of the City Code, City Council has the authority to establish the relief rates assessed for vehicles; and

WHEREAS, pursuant to Section 3-2-224(e)(v) of the City Code, the City is required to set the relief rates annually by resolution; and

WHEREAS, City Council has now determined that it is necessary and desirable to set the relief rates as follows.

#### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA:

1. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(A) is 62%; and
2. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(B) is 52%; and
3. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(C) is 42%; and
4. That the rates set forth above may vary due to changes related to the vehicles subject to the tax that occur before the tax bills are issued; and
5. That this Resolution shall be effective July 1, 2013.

25. Public Hearing, Second Reading and Final Passage of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2013. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25, 6/15/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 25; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 25; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance for the support of the City government for Fiscal Year 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4818

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for fiscal year 2013.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2013 the source of such amount being external grant awards for which the proceeds were received or accepted prior to June 30, 2012, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2013, as follows:

#### SPECIAL REVENUE FUND

##### ESTIMATED REVENUE:

Housing	\$169,594
Community and Human Services	122,859
Fire	<u>\$32,943</u>
Total Estimated Revenue	<u>\$324,796</u>

#### SPECIAL REVENUE FUND

##### APPROPRIATION:

Housing	\$169,594
Community and Human Services	122,859
Fire	<u>\$32,943</u>
Total Estimated Revenue	<u>\$324,796</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2013 the source of such

amount being Committed General Fund Balance, and further that the Council does hereby allot the amount so appropriated to the city departments, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Committed General Fund Balance	\$15,240,503
Spendable General Fund Balance	<u>\$ 60,000</u>
Total Estimated Revenue	<u>\$15,300,503</u>

APPROPRIATION:

Non-Departmental - Cash Capital	\$15,240,503
Officer of Voter Registration	<u>\$ 60,000</u>
Total Appropriation	<u>\$15,300,503</u>

Section 3. That the Council of the City of Alexandria, Virginia, does authorized the transfer from the Capital Project Fund to the General Fund and does make provision for and appropriate to the latter fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2013, the source of such amount being Capital Project Fund, and further that the Council does hereby allot the amount so appropriated for fiscal year 2013, as follows to Non-Departmental – Debt Service:

CAPITAL PROJECT FUND

FINANCE SOURCE:

Transfer Out to General Fund	<u>\$1,729,436</u>
Total Transfer Out	<u>\$1,729,436</u>

GENERAL FUND

ESTIMATED REVENUE:

Transfer in from Capital Project Fund	<u>\$1,729,436</u>
Total Financial Source	<u>\$1,729,436</u>

APPROPRIATION:

Non-Departmental – Debt Service	<u>\$1,729,436</u>
Total Appropriation	<u>\$1,729,436</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2013, the source of such amount being Spendable Other Special Revenue Fund Balance, and further that the Council does hereby allot the amount so appropriated for fiscal year 2013, as follows:

## OTHER SPECIAL REVENUE

### ESTIMATED REVENUE:

Spendable Other Special Revenue Fund Balance	<u>\$200,000</u>
Total Estimated Revenue	<u>\$200,000</u>

### APPROPRIATION:

Office of Building and Fire Code Administration	<u>\$200,000</u>
Total Appropriation	<u>\$200,000</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2013, the source of such amount being Special Revenue, and further, that the council does hereby allot the amount so appropriated, as follows:

## SPECIAL REVENUE

### ESTIMATED REVENUE:

Intergovernmental Revenue	<u>\$13,980,117</u>
Total Estimated Revenue	<u>\$13,980,117</u>

### APPROPRIATION:

Transit Subsidies	<u>\$ 13,980,117</u>
Total Appropriation	<u>\$ 13,980,117</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

## GENERAL FUND

### APPROPRIATION:

Office of Planning and Zoning	\$300,000
Office of Project Implementation	<u>\$(300,000)</u>
Total Appropriation	<u>\$ 0</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2013, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for fiscal year 2013, as follows:

## CAPITAL PROJECTS

### ESTIMATED REVENUE:

Capital Projects	<u>\$66,262</u>
Total Estimated Revenue	<u>\$66,262</u>

### APPROPRIATION:

Capital Projects	<u>\$66,262</u>
Total Appropriation	<u>\$66,262</u>

Section 8. That this ordinance shall be effective upon the date and at the time of its final passage.

26. Public Hearing, Second Reading, and Final Passage of an Ordinance to Make Appropriations for the Support of the City Government for Fiscal Year 2014. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26, 6/15/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 26; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 26; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance to make appropriations for the support of the City government for Fiscal Year 2014. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

### ORDINANCE NO. 4819

AN ORDINANCE making appropriations for the support of the government of the City of Alexandria, Virginia, for Fiscal Year 2014.

### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That, pursuant to Section 6.07 of the City Charter, the sum of \$804,538,724 be, and the same hereby is, appropriated for the support of the government of the City of



Alexandria in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014.

Section 2. That, pursuant to Section 6.07 of the City Charter, the sum of \$804,538,724 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014 be, and the same hereby is, further appropriated to the following City departments, major operating units, component units, and major categories of expenditures in the amounts set forth below:

<u>Department/Unit/Component Unit/ Category of Expenditure</u>	<u>Appropriation</u>
18 <sup>th</sup> Circuit Court	\$1,609,069
18 <sup>th</sup> General District Court	62,452
18 <sup>th</sup> Juvenile Court	36,129
City Attorney	2,715,438
City Clerk and Clerk of Council	463,282
City Council	527,725
City Manager	2,432,507
Clerk of Court	1,665,830
Code Administration	6,196,852
Commonwealth's Attorney	3,068,294
Contingent Reserves	1,448,885
Court Services Unit	1,733,396
Economic Development	5,085,724
Emergency Communications	6,699,221
Finance	11,743,918
Fire	42,720,641
General Debt Service	56,664,478
General Services	12,589,431
Health	6,851,046
Human Resources	3,011,789
Human Rights	697,584
Human and Community Services	89,239,307
Information Technology Services	8,384,972
Internal Audit	723,098
Law Library	177,452
Non-Departmental	11,304,314
Office of Communications	1,913,177
Office of Historical Alexandria	3,265,142
Office of Housing	3,293,260
Office of Management and Budget	1,277,825

Office of Project Implementation	337,568
Other Correctional Activities	5,645,113
Other Educational Activities	11,785
Other Health Activities	1,374,000
Planning & Zoning	6,085,811
Police	55,051,466
Real Estate Assessments	1,856,591
Recreation, Parks & Cultural Activities	22,047,522
Registrar of Voters	1,215,161
Sheriff	29,688,741
Transit Subsidies	25,536,010
Transportation and Environmental Services	33,478,512
Capital Projects	76,735,227
Component Unit-Library	7,289,752
Component Unit-Schools	243,921,824
Internal Services	6,661,403
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 804,538,724</b>

Section 3. That, pursuant to Section 6.07 of the City Charter, the sum of \$804,538,724 appropriated in Section 1 of this ordinance for the support of the City of Alexandria in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014 be, and the same hereby is, further appropriated to the following principal objects of city expenditures:

Object of ExpendituresAppropriation

Personnel Service	\$ 267,782,606
Non-Personnel Services	185,886,480
Capital Outlay	215,800
Component Unit-Library	7,289,752
Component Unit-Schools	243,921,824
Component Unit-Alexandria Transit Company	16,045,632
Equipment Replacement	6,661,403
Capital Projects	76,735,227
<b>TOTAL APPROPRIATIONS</b>	<b>\$804,538,724</b>

Section 4. That the sum of \$804,538,724 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
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General Property Taxes	\$ 404,708,572
Other Local Taxes	129,514,000
Permits, Fees and Licenses	8,782,974
Fines and Forfeitures	5,322,000
Intergovernmental Revenue	150,834,812
Charges for Services	45,026,764
Revenue from Use of Money and Property	5,890,000
Miscellaneous Revenue	8,145,588
Bond Proceeds - Future Sale	24,876,105
Spendable Fund Balance - General Fund: Subsequent Year's Budget as Committed	18,138,196
Spendable Fund Balance – Capital Projects Fund	250,000
Spendable Fund Balance – Stormwater Fund	1,133,113
Spendable Fund Balance – Code Administration Fund	500,000
Spendable Fund Balance – Transportation	812,000
Spendable Fund Balance – Internal Service	604,600
<b>TOTAL ESTIMATED REVENUE</b>	<b>\$804,538,724</b>

Section 5. That, pursuant to Section 6.14 of the City Charter, the sum of \$76,735,227 be, and the same hereby is, appropriated for Capital Improvement Project expenditures of the City of Alexandria and the Alexandria City Public Schools in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014. This sum, which consists of the \$76,735,227 appropriated as Capital Projects in Section 3 of this ordinance, is appropriated as follows: (i) \$62,594,366 capital projects that are included in the City government Fiscal Year 2014 - 2023 Capital Improvement Program adopted by City Council on May 6, 2013; and (ii) \$14,150,911 to the capital projects identified in the Alexandria City Public Schools' capital budget approved by the School Board on May 23, 2013.

Section 6. That the sum of \$76,735,227 appropriated in Section 5 of this ordinance for capital improvement project expenditures of the City of Alexandria and the Alexandria City Public Schools in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
Intergovernmental Revenue	\$ 11,291,999
Transfer In from Special Revenue	1,471,507
Transfer In from Special Revenue – Stormwater	903,172
Transfer In from Transportation Fund	10,369,201
Transfer In from General Fund	12,309,531
Transfer In from Special Revenue Fund – Sewer	273,384

Use of Money and Property	1,895,000
Miscellaneous Revenue	5,646,174
Spendable Fund Balance	7,699,154
Bond Proceeds - Future Sale	<u>24,876,105</u>
<b>TOTAL ESTIMATED REVENUE</b>	<b><u>\$ 76,735,227</u></b>

Section 7. That the sum of \$272,693,861 be, and the same hereby is, authorized to be transferred between the following funds maintained by the City, as set forth below:

<u>From</u>	<u>Amount</u>	<u>To</u>	<u>Amount</u>
General Fund	\$ 37,870,491	Special Revenue Fund - General	\$ 37,870,491
Special Revenue Fund - Sewer	2,541,151	General Fund	2,541,151
Special Revenue Fund - Stormwater	353,178	General Fund	353,178
Special Revenue Fund	1,471,507	Capital Projects	1,471,507
Transportation Fund	242,000	General Fund	242,000
General Fund	2,313,228	Special Revenue Fund - Affordable Housing	2,313,228
Special Revenue Fund - Sewer	903,172	Capital Projects	903,172
Special Revenue Fund - Stormwater	273,384	Capital Projects	273,384
General Fund	17,757,911	Capital Projects Fund	17,757,911
Transportation Fund	4,920,821	Capital Projects Fund	4,920,821
General Fund	185,611,472	Component Unit-Schools	185,611,472
General Fund	11,585,632	Component Unit-Alexandria Transit Company	11,585,632
General Fund	<u>6,849,914</u>	Component Unit-Library	<u>6,849,914</u>
<b>TOTALS</b>	<b><u>\$ 272,693,861</u></b>	<b>TOTALS</b>	<b><u>\$ 272,693,861</u></b>

Section 8. That the sum of \$804,538,724 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014 is, for accounting purposes and in accordance with generally accepted accounting principles, attributed, for each City department, major operating unit, component unit, and major category of expenditure, to the funds maintained by the City as shown in Table I on the pages following this ordinance.

Section 9. That the sum of \$804,538,724 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day

of July 2013 and ending on the thirtieth day of June 2014 is, for accounting purposes and in accordance with generally accepted accounting principles, attributed, for each major source of revenue, to the funds maintained by the City as shown in Table II on the pages following this ordinance.

Section 10. That the sum of \$200,000 be appropriated from the designated General Fund balance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2013 and ending on the thirtieth day of June 2014 in the amounts set forth below:

**ESTIMATED REVENUE:**

Designated General Fund Balance	<u>\$ 200,000</u>
Total Estimated Revenue	<u>\$ 200,000</u>

**APPROPRIATION:**

Non Departmental	<u>\$ 200,000</u>
Total Appropriation	<u>\$ 200,000</u>

Section 11. That the City Council of the City of Alexandria, Virginia does hereby make provision for and appropriation to the funds hereafter named in the amounts required to defray the expenditures and liabilities of the City for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2013 but which are payable in fiscal year 2014 and for which amounts were appropriated but not expended in fiscal year 2013 and further, that the City Council does hereby allot the amounts so appropriated to the several City departments for fiscal year 2014 as follows:

**GENERAL FUND**

City Attorney	\$ 20,000
Code Administration	26,000
Commonwealth's Attorney	50,000
Community and Human Services	837,000
Court Services	38,000
Economic Development Activities	65,000
Emergency Communications	78,000
Finance	1,240,000
Fire	220,000
General Services	540,000
Health	130,000
Human Resources	101,000
Human Rights	4,000
Information Technology Services	580,000
Internal Audit	27,000
Non-Departmental	320,000

Office of Communications	8,000
Office of Historic Alexandria	17,000
Other Correctional Activities	26,000
Planning and Zoning	62,000
Police	530,000
Recreation and Cultural Activities	880,000
Registrar of Voters	44,000
Sheriff	590,000
Transit Subsidies	460,000
Transportation and Environmental Services	3,300,000
<b>Total General Fund</b>	<b>\$10,193,000</b>

Section 12. That this ordinance shall become effective upon the date and at the time of its final passage.

27. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend Chapter 7 (Bicycles), Title 10 (Motor Vehicles and Traffic) of the Code of the City of Alexandria, Virginia. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27, 6/15/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 27; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 27; 6/15/13, and is incorporated as part of this record by reference.)

Mr. Baier, Director, Transportation and Environmental Services, along with Ms. Sanders, Bicycle and Pedestrian Coordinator, made a presentation of the report and they, along with Deputy City Attorney Spera, responded to questions of City Council.

The following persons participated in the public hearing on this item:

1. Jonathan Krall, 6a E. Mason Avenue, spoke in support of the ordinance.
2. Kathryn Papp, 504 Cameron Street, said her proposal is to form a work group, as it is a contentious issue.
3. Dino Drudi, 315 N. West Street, spoke in opposition to the ordinance and said a work group is a good idea.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Silberberg and carried unanimously, City Council closed the public hearing. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Silberberg and carried unanimously, City Council deferred adoption of the ordinance to June 25, 2013 in order to give staff time to reflect on the comments and make recommendations and refinements to the ordinance. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

28. Public Hearing, Second Reading and Final Passage of an Ordinance Authorizing Amendments to Section 9-13 of the City Code - Towing and Storage of Motor Vehicles. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum, dated June 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28, 6/15/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 28; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 28; 6/15/13, and is incorporated as part of this record by reference.)

Mr. Garbacz, Transportation and Environmental Services, Mr. Baier, Director, Transportation and Environmental Services, and Mr. Spera, Deputy City Attorney, responded to questions of City Council regarding the emergency communications/notification piece of the ordinance, and the types of payment that need to be accepted.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and adopted the ordinance authorizing amendments to the towing and storage of motor vehicles. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4820

AN ORDINANCE to amend and reordain Chapter 13 (TOWING AND STORAGE OF MOTOR VEHICLES), Title 2 (LICENSING AND REGULATION) of The Code of the City of Alexandria, Virginia, 1981, as amended, by amending certain sections thereof as set forth more fully below.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 12 of Title 9 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by amending the following sections to read as follows:

(New language is underlined; deleted language is ~~stricken through~~)

Sec. 9-13-1 - Definitions.

The following words and phrases, when used in this chapter, shall have the following meanings:

- (a) "Motor vehicle" or "vehicle" means:
  - (1) any motor vehicle designed primarily for the transportation of no more than ten persons, including the driver, and having a registered gross weight of 7,500 pounds or less; and
  - (2) any motor vehicle designed primarily for the transportation of property, such as pick-up trucks and panel trucks, and having a registered gross weight of 7,500 pounds or less.
- (b) "After-hours fee" means the compensation payable for the towing of a motor vehicle, during the periods of time prescribed in section 9-13-3(a)(3), to a facility owned, operated, leased or used by a tow truck service, whether that facility is located within or beyond the City of Alexandria.
- (c) "Storage fee" means the compensation payable for the storage of a towed motor vehicle that has been stored at or in a facility owned, operated, leased or used by a tow truck service, whether that facility is located within or beyond the City of Alexandria.
- (d) ~~"Tow," "tows," or "towing" means the act of removing, by tow truck, a motor vehicle from privately owned property within the City of Alexandria where it is parked. The mere preparation of a motor vehicle for removal by a tow truck or the attachment of a motor vehicle to a tow truck, or both, does not, for purposes of this chapter, constitute a "tow" or "towing."~~ "Tow," "tows," or "towing" means when the Tow Truck has engaged a Vehicle by a physical or mechanical means that causes the Towed Vehicle to be removed from private property.
- (e) "Towing fee" means the compensation payable for the towing of a motor vehicle.
- (f) ~~"Tow truck service" means any individual or entity that has paid, or is required to pay, the business privilege tax authorized by state law and imposed by section 9-1-73 of this code, and that tows motor vehicles for compensation, and includes any authorized agent or legal representative of such individual or entity. The term does not, for purposes of this chapter, include an individual or entity that removes motor vehicles from public streets and other locations, pursuant to a contract with the City of Alexandria.~~
- (g) "Tow truck" means any truck used by a tow truck service to tow or transport away a motor vehicle, and includes a flatbed truck.
- (h) "Tow truck operator" or "operator" means any individual who, as an employee of or otherwise for a tow truck service, tows motor vehicles.
- (i) "Drop fee" means the compensation payable for the release of a vehicle that has been connected to a tow truck but not yet removed from premises private property from which it is to be towed.



Sec. 9-13-2 - Applicability.

This chapter applies (i) to the towing, by a tow truck service, of motor vehicles from privately-owned property within the City of Alexandria without the consent of the vehicle owner or driver, (ii) to the fees that are charged for such towing of vehicles, and (iii) to the fees that are charged for the storage and retrieval of such towed vehicles. The chapter does not apply to the towing of motor vehicles from public streets and other locations within the city that is performed pursuant to a contract with the City of Alexandria or at the direction of City of Alexandria staff, or to the storage of such vehicles.

Sec. 9-13-3 - Towing and storage fees and regulations.

(a) The maximum fees that may be charged for the towing of motor vehicles and for the storage and, when specifically authorized by this section, the retrieval of such towed vehicles are as follows:

(1) for the towing of a motor vehicle (i) less than 7,500 pounds gross vehicle weight rating, the maximum fee shall be ~~\$75;125~~ \$125; (ii) for medium tows, 7,500 to 10,000 pounds gross vehicle weight rating, the maximum fee shall be \$250; (iii) for heavy tows, greater than 10,000 pounds gross vehicle weight rating, the maximum fee shall be \$500;

(2) for the storage of a towed motor vehicle, the maximum fee for each 24-hour period of storage, or portion thereof, shall be ~~\$2050 for any (i) vehicle 22 feet or less~~ and (ii) \$5.00 per foot for any Vehicle over 22 feet in length; provided, that no storage fee may be charged for the first 24 hours of storage, ~~or any portion thereof, following the arrival of a towed vehicle at a storage facility unless the vehicle is not retrieved within that initial 24-hour period, in which case a storage fee for the initial 24 hours of storage may be charged;~~ and

(3)

~~(4) for the retrieval of a towed motor vehicle from a storage facility (i) between the hours of 7:00 p.m. and 8:00 a.m. on any day, or (ii) at any time on a Saturday, Sunday or holiday, the maximum fee shall be \$10 \$25.~~ For towing a vehicle between seven o'clock p.m. and eight o'clock a.m. or on any Saturday, Sunday, or holiday, an additional after-hours fee of no more than \$25 per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of twenty-four hours or less.

(4) If a fee for notification of lien holder, owner, agent or other interested party is charged, it shall not exceed \$75.00. This fee may only apply after the Vehicle is on the Storage Site over three full business days. No administrative fees will be charged, or any other charges unless expressly set forth herein.

(b) It shall be unlawful for any person to charge a towing fee, storage fee or retrieval fee that exceeds the fees established by subsection (a).

(c) Any towed motor vehicle that is covered by this chapter shall be towed directly to and stored at a facility located in the City of Alexandria or in the Commonwealth of Virginia within three miles of the boundaries of the City of Alexandria. It shall be unlawful for any person to cause a towed vehicle to be stored at a facility more than three miles beyond the boundaries of the City of Alexandria. If the facility at which a towed motor vehicle is stored is located beyond the boundaries of the City of

Alexandria, any storage fee shall be assessed at the rate of the jurisdiction in which the lot is located. This applies only to storage fees and not towing fees, after hours fees or any other fees regulated by this chapter.

~~(d) If the facility at which a towed motor vehicle is stored is located outside the City of Alexandria in a jurisdiction that has enacted a regulation limiting the fees that may be charged for the storage of towed vehicles and such ordinance applies to vehicles towed from the city, that jurisdiction's storage fee regulations shall apply.~~

(e) Vehicle Release.

(1) If the owner of the vehicle is present and removes the vehicle from the property or corrects the violation before the vehicle is connected to the tow truck, no fee will be charged the vehicle owner;

(2) If the vehicle has been connected to the tow truck and has not yet left private property, the vehicle shall not be towed upon request of the vehicle owner. The owner shall be liable for a drop fee, as set forth in this Section, in lieu of towing, in an amount not to exceed \$50, provided that the vehicle owner removes the vehicle from the property or otherwise corrects the violation.

#### Sec. 9-13-4 - Notice of tow.

When towing any motor vehicle, the tow truck service or operator shall contact the city's police department and provide the following information:

- (a) the name of the tow truck service and operator;
- (b) a description of the vehicle to be towed, including its year, make, model, vehicle identification number and license plate number;
- (c) the date and time of the tow;
- (d) the address of the location from which the vehicle is being towed; and
- (e) the name and address of the facility to which the vehicle is to be delivered and stored, and from which the vehicle may be retrieved.
- (f) The City Manager, in conjunction with the Director of Transportation & Environmental Services, the Police Chief and the Department of Emergency Communications, shall promulgate regulations for compliance with this section.

#### Sec. 9-13-5 - Hours of operation of storage facilities.

Any tow truck service that tows a motor vehicle from a location within the city shall take the vehicle to a storage facility from which towed vehicles may be retrieved 24 hours a day.

#### Sec. 9-13-6 - Methods of payment.

A tow truck service, tow truck operator and storage facility operator shall accept payment for towing fees, storage fees, after-hours fees and the drop "in lieu of towing" fees set out in section 9-13-3(e) in each of the following ways:

- (a) cash in United States currency;
- ~~(b) travelers' checks or money orders payable in United States currency; and~~  
MasterCard or Visa debit cards;
- ~~(c) not less than two major national any credit or charge cards that the tow truck service, tow truck operator or storage facility operator is authorized by the issuing credit or charge card company to accept, and that is accepted by the service or operator in the ordinary course of business; and~~
- (d) personal checks, but only in the event that debit/credit cards payments cannot be processed at the time payment is tendered.

#### Sec. 9-13-7 - Receipt.

Upon payment of all towing, storage and, if applicable, retrieval fees, the tow truck service or storage facility operator, as the case may be, shall immediately give the vehicle owner or custodian a written receipt that contains the following information:

- (a) the name and address of the tow truck service;
- (b) the address from which the vehicle was towed;
- (c) the date and time that the vehicle was towed;
- (d) ~~the date and time that the vehicle entered the facility at which it was placed for storage~~ the reason for the tow and the entity or person who authorized the removal of the vehicle;
- (e) an itemized list of all the fees that are being charged; and
- (f) ~~a signature of an authorized representative of the tow truck service~~ the date and time when and the name of the person to whom the vehicle was released.

In the case of a drop fee, item (f) is not required and items (a) and (b) are modified to refer to the address at which the drop fee was incurred.

#### Sec. 9-13-8 - Posting of fees.

At every place of business where towing fees or storage fees, or both, are collected related to vehicles towed from private property located in the City of Alexandria, there shall be prominently displayed a sign containing a list of the fees imposed for towing and storage services, which sign shall state that the listed fees do not exceed the maximum fees allowed by law and shall refer to section 9-13-3 of this code. If the facility processes payments for tows from multiple jurisdictions, those related to the City of Alexandria shall be separately posted and displayed in a manner reasonably designed to make clear the rates that apply to tows from Alexandria as opposed to other jurisdictions. Any fee or charge in excess of those posted is prohibited.

#### Sec. 9-13-9 - Towing log or similar record.

Every tow truck service shall maintain a separate log or similar record which shall show, for each motor vehicle that it has towed from a location within the City of Alexandria, the following information:

- (a) the date and time that the vehicle was towed;
- (b) ~~the date and time that the vehicle entered the facility at which it was placed for storage;~~
- (c) the make, model, year, Vehicle Identification Number and license plate number of the vehicle;
- (d) the address of the property from which the vehicle was removed; and
- (e) ~~the total mileage of the tow; and~~
- (f) the towing and storage fees actually charged.

Such log or record shall be maintained for a period of at least one year from the date of each tow, and shall be made available, during normal business hours, for inspection by the city. In addition, the portion of such log or record pertaining to a particular motor vehicle shall be made available, during normal business hours, for inspection by the owner of the vehicle.

#### Sec. 9-13-10 - Warning signs.

It shall be unlawful for any tow truck service or operator to tow a motor vehicle unless the area in which the vehicle is parked has posted, at each entrance, a legible sign of a minimum size of 12" by 18" ~~area of four square feet~~ that contains the following:

- (a) a pictorial symbol of a tow truck;

- (b) a statement, in letters not less than three inches in height, to the effect that any trespassing motor vehicle within the area is subject to towing and storage at the expense of the vehicle owner;
- (c) if applicable, the hours and days of the week when trespassing vehicles are subject to towing; and
- (d) ~~a~~ the telephone number for the City of Alexandria's Department of Emergency Communications, or such other telephone number as may be designated by the City, other than that of the city police department, that may be called 24 hours a day for information regarding the retrieval of a towed vehicle; provided, that the requirements of this section shall not apply to areas providing parking for single-family, and two-family ~~and townhouse dwellings~~, as such dwellings are defined in the city zoning ordinance.

#### Sec. 9-13-12 - Penalty.

Any person violating a provision of this chapter shall be guilty of a class four civil violation as set forth in City Code section 1-1-11(b)(4), to be assessed by the Department of Transportation & Environmental Services. In the event any tow truck service is assessed two civil penalties hereunder for violations at the same property, the Department of Transportation & Environmental Services shall issue a written warning to the property owner at the address of record in the tax records for the City of Alexandria. In the event a violation at a property that has been issued a written warning occurs within 6 months of the issuance of such written warning, the property owner shall be guilty of a class four civil violation as set forth in City Code section 1-1-11(b)(4), separate from and in addition to any penalty that may be assessed against any other person. ~~ive n, upon conviction, be punished by a fine not to exceed \$250 for each violation; provided, that if, in any 12-month period, a person is convicted of having violated one or more provisions of this chapter in conjunction with the towing of more than one motor vehicle, the punishment for each violation in conjunction with the second and with any subsequent tow in the 12-month period shall be a fine not to exceed \$500.~~

#### Sec. 9-13-11 – Registration

- (a) Any tow truck service providing service in the City of Alexandria shall register with the Department of Transportation & Environmental Services prior to commencing service in the City by January 31 of each subsequent year.
- (b) The Department of Transportation & Environmental Services shall issue certificates in the normal course of its business after receiving the following materials from each applicant:
  - (1) the name, address and telephone number of the tow truck service;
  - (2) the name and telephone number of the business owner or chief executive officer of the business;
  - (3) either A) a copy of the tow truck service's City of Alexandria Business, Professional and Occupational License; or B) a written certification from the business owner or CEO that the tow truck service does not transact sufficient business to require such a license pursuant to the terms of City Code Section 9-1-1, et seq. and a copy of the tow truck service's business license from the jurisdiction in which they are licensed;
  - (4) the address and telephone number of the facility to which vehicles towed from the City of Alexandria are to be taken; and
  - (5) the addresses and (if applicable) trade names of the property owners who have authorized the tow truck service to tow vehicles from their property.

Such information will be considered proprietary business information pursuant to Va. Code Section 2.2-3705.6.

(c)Any change to the information provided at the time of registration shall be provided to the Department of Transportation & Environmental Services within 30 days of such change.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

29. Introduction and First Reading. Consideration. Passage on First Reading of an ordinance to amend and reordain Sheet No. 47.02 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 a portion of the property at 5801 Duke Street and a portion of the property at 5815 Duke Street from CR/Commercial Regional to CRMU/M/Commercial Residential Mixed Use - Medium in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2013-0002. (Implementation Ordinance for the Map Amendment (Rezoning) approved by City Council on June 15, 2013 for the Landmark Mall project)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 29; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by and carried unanimously, City Council introduced the ordinance on first reading and set it for public hearing and adoption on June 25, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

30. Receipt of the Viewers Report for Vacation of Public Right-of-Way at 1000-1002 Pendleton Street.

(A copy of the Viewers Report is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30, 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously, City Council received the viewers report. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

31. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Vacate a Portion of the Public Right-of-way at 1000 and 1002 Pendleton Street Heretofore Approved by City Council as Vacation No. 2013-0002. Implementing Ordinance for

the Vacation Approved by City Council on May 18, 2013)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 6/15/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 31; 6/15/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council introduced the ordinance on first reading and set it for public hearing and adoption on June 25, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

### **DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

#### **Planning Commission (continued)**

None.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, the public hearing meeting of June 15, 2013, was adjourned at 3:35 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

\_\_\_\_\_  
WILLIAM D. EUILLE

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Jacqueline M. Henderson  
City Clerk and Clerk of Council

**City of Alexandria  
Meeting Minutes  
City Council Legislative Meeting  
Council Chambers  
Tuesday, June 25, 2013, 7:00 p.m.**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, Members of Council John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, Paul C. Smedberg, and Justin M. Wilson.

Absent: None.

Also Present: Mr. Jinks, Deputy City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Ms. Evans, Deputy City Manager; Mr. Gates, Deputy City Manager; Police Chief Cook; Police Sergeant Seskey; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Mr. Trobridge, Director, Information Technology Services (ITS); Sheriff Lawhorne; Mr. Browand, Division Chief, Recreation, Parks and Cultural Activities (RPCA); Ms. Hamer, Director, Planning and Zoning (P&Z); Ms. Contreras, Urban Planner, P&Z; Mr. Page, Acting Director, Real Estate Assessments; Mr. Spengler, Director, RPCA; Ms. Jaatinen, Civil Engineer, T&ES; Mr. Farner, Deputy Director, P&Z; Mr. Fifer, Deputy Director, Office of Communications and Public Information; Ms. Sanders, Principal Planner, T&ES; Mr. McPike, Director, General Services; Dr. Gilmore, Executive Director, Department of Community and Human Services; Dr. Haering, Health Director, Health Department; Mr. Stewart, Division Chief, General Services; Ms. Triggs, Chief Financial Officer/Finance Director; Mr. Mason, Assistant Director, Human Resources; Ms. Boyd, Special Assistant to the City Manager; Mr. Bever, Budget Analyst, Office of Management and Budget (OMB); Mr. Lambert, Deputy Director, T&ES; Police Captain Wemple; Ms. Bryan, ITS; and Mr. Lloyd.

Recorded by: Gloria Sitton, Deputy City Clerk and Clerk of Council.

\*\*\*\*\*

City Council held a work session with the Alexandria Redevelopment and Housing Authority at 6:00 p.m., in the Council workroom.

\*\*\*\*\*

1. Calling the Roll.

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the roll. All 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 Meeting of City Council:

The Regular Meeting Minutes of June 11, 2013.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the regular meeting minutes of June 11, 2013. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

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

4. Recognition of SisterMentors Program.

Vice Mayor Silberberg recognized the SisterMentors Program, represented by Dr. Shireen Lewis, Ruby Abate, and Fanny Allen.

#### **PROCLAMATIONS**

5. Presentation of a Proclamation to the Catalogue for Philanthropy.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council endorsed the proclamation. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

#### **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (6-15)**

(Resignations and Uncontested Appointments)

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

- (a) Commission on Aging  
Janet Barnett  
Betty Morrison
- (b) Commission on Persons with Disabilities  
John Bollinger
- (c) Historic Alexandria Resources Commission  
Bernie Schultz

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/25/13, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:



- (a) Archaeological Commission  
1 Member At-Large
- (b) Board of Architectural Review - Parker-Gray Board  
2 Citizen Members
- (c) Beauregard Design Advisory Committee  
2 Citizen Members  
2 Qualified Professional Members Skilled in Architecture, Planning, Landscape Architecture and/or Urban Design
- (d) Beautification Commission  
1 Citizen Member
- (e) Commission on Employment  
1 Business Representative From Among Recognized Area Businesses Including Minority-Owned and Small Businesses
- (f) Commission on HIV/AIDS  
1 Commission for Women Representative
- (g) Community Services Board  
1 Consumer (Current or Former Direct Recipient of Public or Private Mental Health, Intellectual Disability, or Substance Abuse Treatment Rehabilitation Services) or Family Members (Immediate Family Member or the Principal Caregiver Who is Not Paid) of Consumer
- (h) Convention and Visitors Association Board of Governors  
1 Hotel Owner/Manager Representative
- (i) Emergency Medical Services Council  
1 Alexandria Operational Medical Director
- (j) George Washington Birthday Celebration Committee  
1 Member Nominated by the Gadsby's Tavern Museum Society
- (k) Historical Restoration and Preservation Commission  
1 Citizen Member
- (l) Public Health Advisory Commission  
1 Citizen Member Who Shall Be a Health Professional and at the Time of Appointment Derive, or Within the Previous Five Years Derived Their Principal Income From Providing Health Care, Health Services or Health Related Activities
- (m) Torpedo Factory Art Center Board  
1 Citizen Member
- (n) Towing Advisory Board  
1 Citizen Member Who Shall Have Expertise in Property Management or is a Business Owner

- 1 Citizen Member
- 1 Police Department Representative

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/25/13, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

- 8. Consideration of a Grant Renewal to the United States Department of Agriculture (USDA) Child and Adult Food Program for At-Risk After School Snack Program for the FY 2014 School Year Snack Program Sponsored by the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/25/13, and is incorporated as part of this record by reference.)

- 9. Consideration of a Grant Application to the 2013 Port Security Grant Program, U.S. Department of Homeland Security, Federal Emergency Management Agency.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/25/13, and is incorporated as part of this record by reference.)

- 10. Consideration of the Alexandria Community Services Board's FY 2014 Performance Contract with the State.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/25/13, and is incorporated as part of this record by reference.)

- 11. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/25/13, and is incorporated as part of this record by reference.)

- 12. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures for Alexandria City Public Schools (ACPS).

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/25/13, and is incorporated as part of this record by reference.)

- 13. Consideration of Application for the Renewal of the Justice Assistance Grant for the Police Department's Part I Crimes Task Force.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office

of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 06/25/13, and is incorporated as part of this record by reference.)

14. Consideration of a Grant Fund Request of Up to \$400,000 to Repair and Renovate the Fire Department's Burn Building.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 06/25/13, and is incorporated as part of this record by reference.)

15. Approval of the Revised Long Range Planning and Plan Implementation Work Program for FY 2014 and Beyond.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/25/13, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar, with the exception of docket items 11 and 12, which were considered under separate motion. The City Manager's recommendations were as follows:

6. City Council accepted the following resignations with regret: (a) Janet Barnett and Betty Morrison, Commission on Aging; (b) John Bollinger, Commission on Persons with Disabilities; and (c) Bernie Schultz, Historic Alexandria Resources Commission.

7. City Council appointed the following persons to boards and commissions: (a) reappointed Jacob Hoogland as the member at-large to the Archaeological Commission; (b) reappointed Philip Moffat and Brendan Owens as the two citizen members to the Board of Architectural Review - Parker-Gray Board; (c) appointed Donald Buch and Donna Fossum as the two citizen members and appointed Abed Benzina and Robert DiBernardo Emard as the two qualified professional members skilled in architecture, planning, landscape architecture and/or urban design to the Beauregard Design Advisory Committee; (d) reappointed Denise Tennant as the citizen member to the Beautification Commission; (e) reappointed Jacqueline Woodard as the business representative from among recognized area businesses including minority-owned and small businesses to the Commission on Employment; (f) reappointed William Smith as the Commission for Women representative Commission on HIV/AIDS; (g) reappointed Doris Stanley as the consumer (current or former direct recipient of public or private mental health, intellectual disability, or substance abuse treatment rehabilitation services) or family members (immediate family member or the principal caregiver who is not paid) of consumer to the Community Services Board; (h) reappointed Charlie Banta as the hotel owner/manager representative to the Convention and Visitors Association Board of Governors; (i) reappointed Joseph Marfori as the Alexandria Operational Medical Director to the Emergency Medical Services Council; (j) reappointed Danny Smith as the member nominated by the Gadsby Tavern Museum Society to the George Washington Birthday Celebration Committee; (k) reappointed John Sprinkle as the citizen member to the Historical Restoration and Preservation Commission; (l) appointed Eric Nelson as the citizen member to the Torpedo Factory Art Center Board; and (m) appointed Charity Ave-Lallemant as the citizen

member who shall have expertise in property management or is a business owner, appointed Amy Slack as the citizen member, and appointed Don Hayes as the Police Department representative to the Towing Advisory Board.

8. City Council authorized the City Manager to: (1) submit the At-Risk After School grant renewal application to the United States Department of Agriculture for Fiscal Year 2014 (due date September 1, 2013); (2) affirm that there are no funds available in the City budget to continue these activities once the grant funds are expended; and (3) execute all documents that may be required.

9. City Council: (1) authorized the submission of the grant application (due on June 24, 2013); and (2) authorized the City Manager to execute all the necessary documents that may be required.

10. City Council: (1) approved the Board's Performance Contract with the State; and (2) approved an increase of 1.0 FTE to be fully supported by \$170,055 in additional special revenues.

13. City Council: (1) approved the grant application (due July 9, 2013) to the U. S. Department of Justice in the amount of \$35,129; and (2) authorized the City Manager to execute all the necessary documents that may be required.

14. City Council authorized the City Manager to: (1) submit a grant application to the Virginia Department of Fire Programs to repair and renovate the Fire Department's burn building; and (2) execute all necessary documents and agreements that may be required to receive funding under this grant program.

15. City Council approved the FY2014 planning initiatives and work program as revised by Council at its May 28, 2013 legislative session.

The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

11. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/25/13, and is incorporated as part of this record by reference.)

Councilman Wilson inquired whether funding for the aquatics portions was just for a Chinquapin feasibility study.

In response to Councilman Wilson, Mr. Bever, Office of Management and Budget, explained the funding structure for the aquatics portion and what the feasibility study covered.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council authorized \$36,975,508 for capital project allocations and planned expenditures for the capital projects as detailed in the Capital

Improvement Program (CIP) Expenditure Summary. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

12. Consideration of Authorization of Recommended Capital Project Allocations and Planned Expenditures for Alexandria City Public Schools (ACPS).

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/25/13, and is incorporated as part of this record by reference.)

Councilman Wilson asked about the funding for capital projects for the schools and if this allocation would be in sync with the City's budgeting practices.

In response to Councilman Wilson, Chief Financial Officer Triggs explained the schools funding for projects that occurred during the summer and stated that the allocation would be in keeping with the City's budgeting practices.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council authorized \$14,140,911 for capital projects allocations and planned expenditures for Alexandria City Public Schools (ACPS) as detailed in the ACPS June 2013 allocation request. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

## CONTESTED APPOINTMENTS

16. Affordable Housing Advisory Committee  
1 Representative of an Employer in the City Who Employs at Least 100 Employees

(The following person volunteered for appointment to the above Commission)

NAME:            ENDORSED BY:

Alma Allen    Christine Candio, CEO Inova Alexandria Hospital

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots were tallied with the following results: City Council waived the residency requirement and appointed Alma Allen as the representative of an employer in the City who employs at least 100 employees to the Affordable Housing Advisory Committee. The vote was as follows:

Euille – Allen  
Silberberg – Allen  
Chapman – Allen  
Lovain – Allen  
Pepper – Allen

Smedberg – Allen  
Wilson- Allen

17. Alexandria-Caen Sister City Committee  
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME:            ENDORSED BY:

Sarah Greiner  
Richard Lake  
Megan McBeath Hay

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots were tallied with the following results: City Council reappointed Megan McBeath Hay as the citizen member to the Alexandria-Caen Sister City Committee. The vote was as follows:

Euille – Hay  
Silberberg – Greiner  
Chapman – Hay  
Lovain – Hay  
Pepper – Hay  
Smedberg – Hay  
Wilson – Hay

18. Beauregard Urban Design Advisory Committee  
2 Qualified Professional Members Skilled in Architecture, Planning, Landscape Architecture and/or Urban Design

(The following persons volunteered for appointment to the above Commission)

NAME:            ENDORSED BY:

Eric Colbert  
David Kitchens

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 06/25/13, and is incorporated as part of this record by reference.)

Councilman Smedberg requested that the appointment be postponed to allow more applicants, preferably City residents, to apply.

Mr. Farner, Deputy Director, Planning and Zoning, explained the timeline for projects and what the scope of the Beauregard Urban Design Advisory Committee would entail and

how soon the board would need to be formed in order to meet the timeframe.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried 6-1, City Council deferred this appointment and requested that the City Clerk readvertise the vacancy. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, Councilmember Lovain.

19. Board of Architectural Review - Old and Historic District  
2 Architect Members  
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME:	ENDORSED BY:
Chip Carlin	Susanne Arnold
Wayne Neale	Edward Weaver
Lisa Lettieri	
Adam Porter	
David Arnaudo	
Cara Burke	
Margaret Grubiak	
Ann Horowitz	
Christine Roberts	Laura Francis

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots were tallied with the following results: City Council reappointed Chip Carlin and Wayne Neale as the two architect members to the Board of Architectural Review – Old and Historic District. Because no one received a majority of the vote for the citizen member position a revote was needed. The vote was as follows:

Euille – Carlin, Neale, Horowitz  
Silberberg – Carlin, Neale, Horowitz  
Chapman – Carlin, Neale, Roberts  
Lovain – Carlin, Neale, Arnaudo  
Pepper – Carlin, Lettieri, Grubiak  
Smedberg – Carlin, Lettieri, Roberts  
Wilson – Carlin, Lettieri, Roberts

**WHEREUPON**, ballots were again distributed, tellers were again appointed and ballots were again tallied with the following results. City Council appointed Christine Roberts as the citizen member to the Board of Architectural Review – Old and Historic District. The vote was as follows:

Euille – Horowitz  
Silberberg – Horowitz

Chapman – Roberts  
Lovain – Roberts  
Pepper – Roberts  
Smedberg – Roberts  
Wilson – Roberts

20. Budget and Fiscal Affairs Advisory Committee  
2 Members-at-Large

(The following persons volunteered for appointment to the above Commission)

NAME:                      ENDORSED BY:

Derek (Dak) Hardwick  
Thomas Karol  
Charles Sumpter

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Derek (Dak) Hardwick and reappointed Thomas Karol as the two members-at-large to the Budget and Fiscal Affairs Advisory Committee. The vote was as follows:

Euille – Hardwick, Karol  
Silberberg – Hardwick, Karol  
Chapman – Hardwick, Sumpter  
Lovain – Hardwick, Karol  
Pepper – Hardwick, Karol  
Smedberg – Hardwick, Sumpter  
Wilson – Hardwick, Sumpter

21. Commission for Women  
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME:                      ENDORSED BY:

Alicia Daly  
Alethea Predeoux

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed, and ballots were tallied with the following results: City Council appointed Alicia Daly as the citizen member to the



Commission for Women. The vote was as follows:

Euille – Daly  
Silberberg – Daly  
Chapman – Daly  
Lovain – Predeoux  
Pepper – Daly  
Smedberg – Daly  
Wilson – Daly

22. Community Services Board  
2 Citizen Members

(The following persons volunteered for appointment to the above Commission)

NAME:            ENDORSED BY:

Adrienne Barr  
Roberta New  
Roy Shannon

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers appointed and ballots tallied with the following results: City Council reappointed Roberta New and Roy Shannon as the two citizen members to the Community Services Board. The vote was as follows:

Euille – New, Shannon  
Silberberg – New, Shannon  
Chapman – New, Shannon  
Lovain – New, Shannon  
Pepper – New, Shannon  
Smedberg – New, Shannon  
Wilson – New, Shannon

23. Convention and Visitors Association Board of Governors  
2 Retail Business Owner/Manager Representatives

(The following persons volunteered for appointment to the above Commission)

NAME:            ENDORSED BY:

Debra Arnett            Patricia Washington  
Amy Rutherford        Patricia Washington

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers appointed and ballots tallied with the following results: City Council appointed Debra Arnett and reappointed Amy Rutherford as the two retail business owner/manager representatives to the Convention and Visitors Association Board of Governors. The vote was as follows:

Euille – Arnett, Rutherford  
Silberberg – Arnett, Rutherford  
Chapman – Arnett, Rutherford  
Lovain – Arnett, Rutherford  
Pepper – Arnett, Rutherford  
Smedberg – abstain, Rutherford  
Wilson – Arnett, Rutherford

24. Real Estate Assessments Review Board  
2 Members Appointed by City Council

(The following persons volunteered for appointment to the above Commission)

NAME: \_\_\_\_\_ ENDORSED BY: \_\_\_\_\_

Janet Coldsmith  
Leon Duncan, Sr.  
Richard Novak

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council appointed Janet Coldsmith and reappointed Leon Duncan, Sr., as the two members appointed by City Council to the Real Estate Assessments Review Board. The vote was as follows:

Euille – Coldsmith, Duncan  
 Silberberg – Coldsmith, Duncan  
 Chapman – Coldsmith, Duncan  
 Lovain – Coldsmith, Duncan  
 Pepper – Coldsmith, Duncan  
 Smedberg – Coldsmith, Duncan  
 Wilson – Coldsmith, Duncan

25. Towing Advisory Board  
1 Licensed Towing and Recovery Operator Doing Business in the City  
1 Police Department Representative

(The following persons volunteered for appointment to the above Commission)

NAME: \_\_\_\_\_ ENDORSED BY: \_\_\_\_\_

Dwight Gochenour, II  
Dianne Gittins

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council waived the residency requirement and appointed Dwight Gouchenour, II as the licensed towing and recovery operator doing business in the City and waived the residency requirement and appointed Dianne Gittins as the Police Department representative to the Towing Advisory Board. The vote was as follows:

Euille – Gouchenour, Gittins  
Silberberg – Gouchenour, Gittins  
Chapman – Gouchenour, Gittins  
Lovain – Gouchenour, Gittins  
Pepper – Gouchenour, Gittins  
Smedberg – Gouchenour, Gittins  
Wilson – Gouchenour, Gittins

26. Waterfront Commission  
1 Representative from the Alexandria Seaport Foundation

(The following person volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Mari Lou Livingood

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied, with the following results: City Council waived the residency requirement and appointed Mari Lou Livingood as the representative from the Alexandria Seaport Foundation to the Waterfront Commission. The vote was as follows:

Euille – Livingood  
Silberberg – Livingood  
Chapman – Livingood  
Lovain – Livingood  
Pepper – Livingood  
Smedberg – Livingood  
Wilson – Livingood

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION**

27. Consideration and Approval of the City of Alexandria to Host the USATF National Road Racing Championship.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 06/25/13, and is incorporated as part of this record by reference.)

Jack Browand, Recreation, Parks and Cultural Activities, responded to questions from Council about the route for the race, race coverage and costs for the race.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the City of Alexandria's hosting of the USA Track and Field National Road Racing Championship proposed for Sunday, November 17, 2013. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

28. Consideration of Ratification of a Contingent Contract to Sell City Property at 509 North Saint Asaph Street and 511, 513 and 515 Oronoco Street.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council ratified the City Manager's contract with Y-12 Investments to sell 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street for \$5,230,000 plus an affordable housing contribution of approximately \$100,943 with the contract contingent upon approval of the sale per Section 9.06 of the City Charter. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

29. Consideration of Release of Funds From FY 2014 Contingent Reserves for the Funding of a Contract Senior Mental Health Therapist Position Within the Department of Community and Human Services and to Increase the Department of Community and Human Services Personnel by One FTE For FY 2014.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilmember Lovain, seconded by Councilwoman Pepper and carried unanimously, City Council : (1) authorized the release of \$42,900 from FY 2014 contingent reserves to fund a Senior Mental Health Therapist position within the Sheriff's Office; and (2) authorized the increase of one full-time Senior Therapist in the Department of Community and Human Services. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

30. Consideration of a Proposal to Eliminate Ordinance 4516§1 Section 11-4.2 Governing the Permitting and Inspection of Massage Therapy Establishments and Permitting of Massage Therapists.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council: (1) indicated its intention to repeal the ordinance and request staff to initiate the process necessary for formal repeal at the first legislative meeting in September 2013; and (2) repealed the City Ordinance, but directed that those providing Massage Therapy Services in the City must be licensed and approved by the Virginia Department of Health Profession - Board of Nursing. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

### **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Mayor Euille reported that he attended the 81st U.S. Conference of Mayors Annual Meeting in Las Vegas over the weekend and he noted that it was a great networking opportunity and a good chance to exchange ideas with other cities. Mayor Euille stated that there was much discussion about the funding cuts that cities have been subjected to from the Federal government and how programs like the Community Development Block Grants have experienced deep cuts.

(b) Mayor Euille reported that he attended an Innovation Forum in Philadelphia and met Google representatives during that forum. Mayor Euille noted that the City will be reaching out to Google in the near future to help the City convert to Wi-Fi and to meet other broadband needs.

(c) Mayor Euille reminded everyone that schools were out for summer and asked everyone to be safe and look out for children playing and enjoying their break.

(d) Mayor Euille reported that the Helicopter Association of America had a ribbon cutting to open their new facility on Ballenger Avenue in the Carlyle area.

(e) Mayor Euille reported that the City made its presentation to Moody's and Standard and Poor's last week in New York City and are waiting on word about the City's bond ratings, which should remain AAA.

(f) Councilwoman Pepper stated that a dedication ceremony was held at the Charles Houston Recreation Center to dedicate the mural and the Hall of Fame. Councilwoman Pepper noted that there was a spectacular turnout for the event and she pointed out that Mayor Euille was among the honorees inducted into the Hall of Fame.

(g) Councilwoman Pepper reported that the Fourth Annual Ruby Tucker Day was held, honoring Ms. Tucker's dedication to community service and volunteering in the community.

(h) Vice Mayor Silberberg mentioned that she also attended the dedication ceremony at the Charles Houston Recreation Center and she noted how wonderful the event was.

(i) Vice Mayor Silberberg reported that she attended a Juneteenth celebration at the Freedom House sponsored by the Northern Virginia Urban League to commemorate the Freedom House being opened for 5 years.

(j) Vice Mayor Silberberg wished Ferdinand Day a Happy Birthday and noted that he will be celebrating his 95th birthday on August 7.

(k) Vice Mayor Silberberg congratulated all the participants in the RARE (Reach and Rise for Excellence) for CCNA (Concerned Citizens Network Alexandria) program for all the hard work that they have done improving lives of the City's youth.

(l) Vice Mayor Silberberg reported that she attended a dedication for the new playground at Cora Kelly Elementary School.

(m) Vice Mayor Silberberg noted that the Council on Your Corner monthly meetings she hosts throughout the City will be on summer hiatus and she will resume the meetings in September.

(n) Vice Mayor Silberberg congratulated Nancy Coats on her retirement after 36 years of service to the City and thanked her for her service and leadership.

(o) Vice Mayor Silberberg announced that there will be a meeting tomorrow, June 26, at 7:00 p.m., held in the Sisters Cities Conference Room regarding Hunting Point and all were welcome to attend.

(p) Councilmember Lovain reported that Sean McEneaney was elected to be the upcoming chair of the Children, Youth and Families Collaborative Commission.

(q) Councilman Wilson congratulated Mayor Euille and Councilman Paul Smedberg on 10 years of service with the City Council.

(r) Councilman Wilson requested that Sheriff Lawhorne update Council on the City's relationship with the Pneumansand Creek Regional Jail Authority.

Sheriff Lawhorne reported that a board meeting was held and that the City's need for the number of beds that are paid at the regional jail for has changed. Sheriff Lawhorne stated that he would recommend that the City explore ending the relationship once the bond for the facility is paid off in 2017.

(s) Councilman Wilson reported that he, along with Councilman Smedberg and Councilmember Lovain, distributed a memo earlier, outlining their interest in convening a special task force over the summer to review business tax initiatives available to City to enhance business opportunities.

Council had a discussion to address concerns about task force composition, timelines and scope of their charge.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Lovain and carried unanimously, Council requested that the City Manager constitute a task force (that is broad and flexible) to address the business tax issue in the City as outlined in the memorandum dated June 25, 2013. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **ORAL REPORT FROM THE CITY MANAGER**

Deputy City Manager Jinks gave Council an update on the National Science Foundation (NSF) move to the City and a briefing on an unsolicited proposal received by the City.

Mr. Jinks showed a video and he, along with Val Hawkins, President/CEO, Alexandria Economic Development Partnership, gave a presentation about the next steps for the NSF move and responded to questions from Council.

Mr. Jinks requested that Mr. Farner, Deputy Director, Planning and Zoning, present the unsolicited bid information to build an entertainment/recreation facility that the City received.

Mr. Farner presented the unsolicited bid proposal received by the City from the St. James Group to build an entertainment/recreation facility off of Eisenhower Avenue. Mr. Farner noted that the City was not actively involved in the process with the St. James Group and tonight was for informational purposes only and to work toward a process for receiving unsolicited bids in the future. Mr. Farner, along with Mr. Jinks, responded to questions from Council about the community meetings the St. James Group will hold, the process for receiving unsolicited bids, and staff and City resources used for the process.

**WHEREUPON**, upon motion by Councilmember Lovain, seconded by Councilwoman Pepper and carried 6-1, City Council accepted the proposed process to receive unsolicited bid proposals as presented in the City Manager/City Attorney memorandum dated June 6, 2013. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, Councilman Smedberg.

## **ORDINANCES AND RESOLUTIONS**

31. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Sheet No. 47.02 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 a Portion of the Property at 5801 Duke Street and a Portion of the Property at 5815 Duke Street from CR/Commercial Regional to CRMU/M/Commercial Residential Mixed Use - Medium in Accordance With the Said Zoning Map Amendment Heretofore Approved by City Council as Rezoning No. 2013-0002. (Implementation Ordinance for the Map Amendment (Rezoning) Approved by City Council on June 15, 2013 for the Landmark Mall project)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 06/25/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 31; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and passed the ordinance to amend and reordain Sheet No. 47.02 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 a portion of the property at 5801 Duke Street and a portion of the property at 5815 Duke Street from CR/Commercial Regional to CRMU/M/Commercial Residential Mixed Use- Medium in accordance with the said zoning map amendment heretofore approved by City Council as Rezoning No. 2013-0002. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4821

AN ORDINANCE to amend and reordain Sheet No. 47.02 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 a portion of the property at 5801 Duke Street and a portion of the property at 5815 Duke Street from CR/Commercial Regional to CRMU/M/Commercial Residential Mixed Use - Medium in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2013-0002.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2013-0002 the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on June 4, 2013 of a rezoning a portion of the property at 5801 Duke Street and a portion of the property at 5815 Duke Street from CR/Commercial Regional to CRMU/M/Commercial Residential Mixed Use - Medium, which recommendation was approved by the City Council at public hearing on June 15, 2013;

2. The said rezoning is in conformity with the Master Plan of the City of Alexandria, Virginia, as amended;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sheet No. 47.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the



property hereinafter described:

LAND DESCRIPTION: the 11.2 acres of land which consists of a portion of 5801 Duke Street (Tax Map #: 047.02-03-05) and a portion of 5815 Duke Street (Tax Map #: 047.02-03-09 (formerly 047.02-03-02)) as described on the legal description and map titled "Description of Application Area Within Landmark Mall, Alexandria Virginia" dated March 6, 2013 and prepared by Urban, Ltd attached hereto as Exhibit A and as shown on the map titled "Metes and Bounds Map" dated March 13, 2013 prepared by Urban, Ltd attached hereto as Exhibit B

From: CR/Commercial Regional

To: CRMU/M/Commercial Residential Mixed Use - Medium

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 3. That Sheet No. 47.02 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

32. Public Hearing, Second Reading, and Final Passage of an Ordinance to Vacate a Portion of the Public Right-of-way at 1000 and 1002 Pendleton Street Heretofore Approved by City Council as Vacation No. 2013-0002. (Implementing ordinance for the Vacation Approved by City Council on May 18, 2013)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 06/25/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 32; 06/25/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council closed the public hearing and passed an ordinance to vacate a portion of the public right-of-way at 1000 and 1002 Pendleton Street heretofore approved by City Council as Vacation No. 2013-0002. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4822

AN ORDINANCE to vacate a portion of the public right-of-way at 1000 and 1002 Pendleton Street heretofore approved by city council as Vacation No. 2013-0002. (Implementing ordinance for the vacation approved by City Council on May 18, 2013)

WHEREAS, Classic Cottages, LLC (Owner) has applied for the vacation of a portion of the public right-of-way adjacent to the property at 1000 and 1002 Pendleton Street in the City of Alexandria, Virginia; and

In Vacation No. 2013-0002, the planning commission recommended approval to the City Council on May 7, 2013 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on May 18, 2013; and

WHEREAS, viewers, Raighne Delaney, David Kaplan and Sandy Murphy have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that the portion of the public right-of-way to be vacated is no longer desirable for public use and that the public interest will not be harmed by this vacation; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the vacation of the public right-of-way to Owner, as shown on the plat of vacation titled "Exhibit Plat Showing The Proposed Vacation of an Alley" dated November 8, 2102 attached hereto as Exhibit A and incorporated herein by reference and as described in the metes and bounds titled "Description of A Portion of a Public Alley to be Vacated Adjoining 1000-1002 Pendleton Street" dated February 27, 2103, attached hereto as Exhibit B and incorporated herein by reference, be, and the same hereby is, approved.

Section 2. That the vacation made and provided by the preceding section of this ordinance, be, and the same hereby is, subject to the conditions set forth below:

1. The vacated right-of-way shall be consolidated with the adjoining property at 1000-1002 Pendleton Street and the plat of consolidation shall be filed with the Departments of Planning and Zoning and Transportation and Environmental Services. The approved plat shall be recorded in the Land Records of the City of Alexandria. (P&Z)(T&ES)
2. A minimum 10' clear width must be maintained in the alley at all times. (T&ES)
3. The applicant shall pay fair market value for the area to be vacated as determined by the Director of Real Estate Assessments. (T&ES)
4. The applicant shall provide utility easements for all public and private utilities within the vacated right-of-way. Such easements shall be shown on the plat of consolidation.

(T&ES)

5. The property owner shall not construct any buildings or improvements, including any additional parking spaces, on the vacated area and may not use the vacated land area to derive any increased development rights for the lands adjacent to the vacated area, including increase floor area, subdivision rights or additional dwelling units. This restriction shall appear as part of the deed of vacation and shall also appear as a note on the consolidation plat, both of which shall be approved by the Director of Planning & Zoning prior to recordation. (P&Z)
6. The applicant shall allow for the relocation of an existing utility pole at 1004 Pendleton to a location adjacent to the common property line between 1000/1002 Pendleton and 1004 Pendleton if such relocation is approved by Dominion Virginia Power. The applicant shall also not erect any new fencing that extends farther toward the remaining public alley than the existing fence at 1004 Pendleton Street. (PC)

Section 3. The term "Owner" shall be deemed to include Classic Cottages, LLC and its respective successors in interest.

Section 4. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect this vacation, including the execution of documents.

Section 5. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to Owner. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as grantee, and such recordation shall be done by the grantee at his or her own expense. In the event no such deed is recorded within 18 months of the effective date, this ordinance shall be void and of no effect.

33. Second Reading and Final Passage of an Ordinance to Amend Chapter 7 (Bicycles), Title 10 (Motor Vehicles and Traffic) of the Code of the City of Alexandria, Virginia.

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33; 06/25/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 33; 06/25/13, and is incorporated as part of this record by reference.)

Director of Transportation and Environmental Services Baier reviewed the criteria for

prohibition of riding bicycles on sidewalks throughout the City and he reported on public concerns about bicycles, particularly near the Waterfront. Mr. Baier reviewed the changes to the ordinances and responded to questions from members of Council.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council passed an ordinance to amend Chapter 7 (Bicycles), Title 10 (Motor Vehicles and Traffic) of the Code of the City of Alexandria, Virginia. City Council requested that staff bring the ordinance back in September to consider deletion of Sec. 10-7-3 for consideration. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4823

AN ORDINANCE to amend and reordain Chapter 7 (BICYCLES), Title 10 (MOTOR VEHICLES AND TRAFFIC) of The Code of the City of Alexandria, Virginia, 1981, as amended, by amending certain sections thereof as set forth more fully below.

#### THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 7 of Title 10 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by amending the following sections to read as follows:

(New language is underlined; deleted language is ~~stricken through~~)

Sec. 10-7-1 ~~--Registration and license tags; fees.~~ Reserved.

~~The owner of every bicycle kept or regularly operated within the city shall register the same with the police chief and shall obtain from him a license tag for such vehicle, which tag shall be attached and sealed on the rear of the bicycle. The registration and tag shall cost \$0.25 and shall be effective throughout the life of the bicycle; except, that in the event of any transfer, the new owner shall obtain a transfer of license tag from the police chief at a cost of \$0.10.~~

Sec. 10-7-2 ~~--Owner's report of change of ownership, etc.~~ Reserved.

~~Within 10 days after change of ownership or dismantling and removal from operation of any bicycle, the previous owner shall report the information to the police chief.~~

Sec. 10-7-3 Reports required of bicycle dealers

Every person engaged in the business of buying or selling new or secondhand bicycles shall report to the police chief every bicycle purchased or sold by such person, as well as the name and address of the person from whom it is purchased or to whom it is sold, a description of the bicycle name or make, the frame number thereof, and the number of the license tag, if any, found thereon

Sec. 10-7-4 - ~~Designation of~~ Non-roadway bicycle routes; duties of riders.

Unless designated by signage prohibiting such conduct, persons may ride a bicycle upon any sidewalks located within the City, subject to the following conditions

- (a) A person riding a bicycle on a sidewalk or shared-use path shall yield the right-of-way to any pedestrian and shall give an audible signal, either verbally or by the use of a bell or other device capable of giving a signal audible for a distance of 100 feet, before overtaking and passing any pedestrian.
- (b) A person riding a bicycle on a sidewalk or shared-use path shall have all the rights and duties of a pedestrian under the same circumstances.
- (c) ~~With the exception of~~ The foregoing sections shall not apply to bicycles operated by police officers in the course of their law enforcement duties, ~~no bicycle shall be operated on any sidewalk in city, except such sidewalks or portions thereof which city council shall by resolution designate as bicycle routes.~~
- (d) Bicycling on the sidewalk shall be prohibited in King Street/Union Street Commercial Zone. This zone is on King Street, from West Street east to the Potomac River, and on Union Street, between Prince Street and Cameron Street.
- (e) The designation of additional zones within which riding bicycles on the sidewalk is prohibited shall be determined by the Director of Transportation & Environmental Services after consultation with the chief of police and a public hearing before and recommendation from the Traffic & Parking Board, pursuant to criteria to be promulgated by the Director of Transportation and Environmental Services.

#### Sec. 10-7-5 - Definitions.

The following words, when used in this chapter shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

- (1) *Bicycle.* A device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached hereto, having two or more wheels in tandem, including children's bicycles except a toy vehicle intended for use by young children. A bicycle is a vehicle when operated on the roadway. ~~Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or two rear wheels.~~
- (2) *Roadway:* That portion of a street or highway improved, designed or ordinarily used for vehicular travel. In the event a highway includes two or more separate roadways, the term "roadway" shall refer to any roadway separately but not to all roadways collectively.
- (3) *Sidewalk.* That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- (4) *Shared-use path:* a bikeway that is physically separated from motorized vehicular traffic by an open space or barrier and is located either within the roadway right-of-way or within a separate right-of-way. Shared-use paths may also be used by pedestrians, skaters, users of wheel chair conveyances, joggers, and other nonmotorized users.
- (5) *Bike Lane:* That portion of a street designed and used for bicycle travel.

#### Sec. 10-7-6 - Manner of operating on roadway

- (a) Every person riding a bicycle upon a roadway has all rights and is subject to all the duties applicable to the driver of a motor vehicle except those provisions which by

their vary nature can have no application or to the extent that different rights and restrictions are expressly imposed by this chapter or applicable state law.

- ~~(b) Every person operating a bicycle on a roadway shall rider as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.~~
- ~~(c) Whenever any person shall ride a bicycle on a sidewalk designated by the city council as a bicycle route, the person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing any pedestrian or bicycle.~~
- ~~(d) Wherever a bicycle route designated as such pursuant to section 10-7-4 of this chapter is provided adjacent to a roadway, bicycle riders shall use such bicycle route and shall not use the roadway. (Code 1963, Sec. 6-4.2)~~

Sec. 10-7-7 ~~Brakes, lights, etc., as prerequisite to registration, etc. Reserved.~~

~~The police chief shall have the authority to refuse to register, license or transfer a tag on any bicycle which is not equipped with effective brakes and with lights and reflectors as required in this title.~~

[Intervening section unchanged]

Sec. 10-7-9 - Riding abreast.

Persons riding bicycles upon roadways, designated by the city council as bicycle routes may shall not ride two or more abreast so long as they do not impede traffic. Persons riding bicycles may not ride more than two abreast.

Sec. 10-7-10 - Parking.

No person shall park a bicycle in the city in a manner that unreasonably impedes pedestrian or vehicular traffic on a public roadway, shared-use path or sidewalk. other than against a curb or in a sidewalk rack or against a building in such manner as to cause the least possible obstruction to traffic.

Sec. 10-7-11 – Safety Equipment Warning devices

Front white light and red rear reflector lights are required on bicycles ridden between sunset and sunrise as required by state law. Every bicycle operated in the city shall be equipped with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, except, that no bicycle shall be equipped with any siren or whistle.

Sec. 10-7-12 - Bicycle helmets.

- (a) *Requirement.* Every person 14 years of age or younger shall wear a protective helmet when riding or being carried on a bicycle on any roadway, sidewalk or public bicycle shared-use path within the city. For the purpose of this section, "protective helmet" shall refer to any helmet that meets the Consumer Product Safety Commission standard shall refer to any helmet that meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation.
- (b) *Civil penalty.* The parents of any person who violates this section shall be, jointly and severally, liable for a civil penalty. For each such violation, the parents of the violator shall be liable for a penalty of \$25; provided, that such penalty shall be suspended (i) for any person's first violation and (ii) for any person's second or subsequent violation, if the person provides proof of ownership of, or of having purchased or

acquired, subsequent to the violation but prior to the deadline for payment of the civil penalty, a helmet of the type required by this section.

(c) *Procedures.* If a violation of this section has occurred, the violator shall be given written notice of the violation. The notice shall state:

- (1) that the parents of the violator shall be liable for the civil penalty set forth in subsection (b);
- (2) the circumstances under which the civil penalty may be suspended, as provided in subsection (b); and
- (3) the deadline by which the parents of the violator must appear, either in person or by mail, before the treasurer of the city and admit liability for or plead no contest to the violation, and pay the civil penalty established for the violation, or alternatively provide satisfactory proof of ownership, purchase or acquisition, within the time specified in subsection (b), of a helmet of the type required by subsection (a).

An admission of liability or a statement of no contest to a violation of this section shall not be deemed a criminal violation for any purpose. If the parents of a violator do not elect to admit liability or plead no contest, the violation shall be tried in the Alexandria General District Court upon the filing of a warrant in debt.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

## **OTHER**

34. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated June 19, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of No. 34; 06/25/13, and is incorporated as part of this record by reference.)

City Council received the updated calendar schedule.

## **EXECUTIVE SESSION**

35. Consultation With Legal Counsel and Staff Regarding Actual or Probable Litigation and Consultation With Legal Counsel Regarding Specific Legal Matters, For Discussion of a Prospective Business Opportunity, and to Discuss Personnel Matters.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council convened in closed executive session at 10:29 p.m., to consult with legal counsel and staff regarding actual or probable litigation and consultation with legal counsel regarding specific legal matters, for discussion of a prospective business opportunity, and to discuss personnel matters, pursuant to Section 2.2-3711(a)(7) of the Code of Virginia. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**WHEREUPON**, upon motion Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened the meeting at 11:14 p.m. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman,

Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining to the Executive Session. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The resolution reads as follows:

#### **RESOLUTION NO. 2571**

**WHEREAS**, the Alexandria City Council has this 25th day of June 2013, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by the city council that such executive session was conducted in accordance with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED**, that the city council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard, discussed or considered by council during the executive session.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of June 25, 2013 at 11:15 p.m. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

\_\_\_\_\_  
WILLIAM D. EUILLE

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Gloria Sitton, CMC Deputy City Clerk





## Legislation Details (With Text)

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<b>File #:</b>	14-1820	<b>Name:</b>	resignations
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/30/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Receipt of the Following Resignations from Members of Boards, Commissions and Committees:		

(a) Affordable Housing Advisory Committee  
Marcus Allen

(b) Alcohol Safety Action Program Policy Board  
Sean Holihan

(c) Alexandria-Caen Sister City Committee  
Michelle Lore

(d) Children, Youth and Families Collaborative Commission  
Emma Beall

(e) Citizen Corps Council  
Bobby Mahoney

(f) Commission on Employment  
Chris Applegate

(g) Human Rights Commission  
Betty Morrison

(h) Public Records Advisory Commission  
Bill Toye  
Anthony Jones

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1820 board resignations sept 10 2013.pdf](#)

Date	Ver.	Action By	Action	Result
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Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Affordable Housing Advisory Committee  
Marcus Allen

(b) Alcohol Safety Action Program Policy Board  
Sean Holihan

(c) Alexandria-Caen Sister City Committee

Michelle Lore

(d) Children, Youth and Families Collaborative Commission  
Emma Beall

(e) Citizen Corps Council  
Bobby Mahoney

(f) Commission on Employment  
Chris Applegate

(g) Human Rights Commission  
Betty Morrison

(h) Public Records Advisory Commission  
Bill Toye  
Anthony Jones

September 3, 2013

Receipt of the following resignations from Members of Boards, Commissions and Committees:

- (a) Affordable Housing Advisory Committee  
Marcus Allen (*effective August 27, 2013*)
- (b) Alcohol Safety Action Program Policy Board  
Sean Holihan (*effective July 8, 2013*)
- (c) Alexandria-Caen Sister City Committee  
Michelle Lore (*effective August 14, 2013*)
- (d) Children, Youth and Families Collaborative Commission  
Emma Beall (*effective August 4, 2013*)
- (e) Citizen Corps Council  
Bobby Mahoney (*effective July 26, 2013*)
- (f) Commission on Employment  
Chris Applegate (*effective July 22, 2013*)
- (g) Human Rights Commission  
Betty Morrison (*effective August 22, 2013*)
- (h) Public Records Advisory Commission  
Bill Toye (*effective August 21, 2013*)  
Anthony Jones (*effective July 10, 2013*)

**These resignations are for information only.**



## Legislation Details (With Text)

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<b>File #:</b>	14-1821	<b>Name:</b>	uncontested appointments
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/30/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Uncontested Appointments to Boards, Commissions and Committees:		
	(a) Alcohol Safety Action Program Policy Board 1 Citizen-at-Large		
	(b) Alexandria-Gyumri Sister City Committee 1 Citizen Member		
	(c) Beauregard Urban Design Advisory Committee 1 Citizen Member		
	(d) Citizen Corps Council 1 Citizen Member		
	(e) Commission on Aging 1 Citizen Member Who Is 60 Years of Age or Older		
	(f) Commission on Employment 2 Business Representatives From Among Recognized Area Businesses Including Minority-Owned and Small Businesses		
	(g) Commission on Persons With Disabilities 3 Citizen Members		
	(h) Historic Alexandria Resources Commission 1 Citizen Member 1 Planning District I Representative 1 Public Records Advisory Commission Representative		
	(i) Industrial Development Authority 2 Citizen Members		
	(j) Landlord-Tenant Relations Board 1 Landlord or Representative of Landlords		
	(k) Potomac Yard Design Advisory Committee 1 Qualified Professional Skilled in Architecture		
	(l) Torpedo Factory Art Center Board 1 Representative of the Alexandria Convention and Visitors Association		
	(m) Waterfront Commission 1 Commission for the Arts Representative 1 Citizen Representative Who Resides East of Washington Street and South of King Street		

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1821\\_board uncontested appoints sept 10 2013.pdf](#)

Date	Ver.	Action By	Action	Result
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Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alcohol Safety Action Program Policy Board  
1 Citizen-at-Large
- (b) Alexandria-Gyumri Sister City Committee  
1 Citizen Member
- (c) Beauregard Urban Design Advisory Committee  
1 Citizen Member
- (d) Citizen Corps Council  
1 Citizen Member
- (e) Commission on Aging  
1 Citizen Member Who Is 60 Years of Age or Older
- (f) Commission on Employment  
2 Business Representatives From Among Recognized Area Businesses Including Minority-Owned and Small Businesses
- (g) Commission on Persons With Disabilities  
3 Citizen Members
- (h) Historic Alexandria Resources Commission  
1 Citizen Member  
1 Planning District I Representative  
1 Public Records Advisory Commission Representative
- (i) Industrial Development Authority  
2 Citizen Members
- (j) Landlord-Tenant Relations Board  
1 Landlord or Representative of Landlords
- (k) Potomac Yard Design Advisory Committee  
1 Qualified Professional Skilled in Architecture
- (l) Torpedo Factory Art Center Board  
1 Representative of the Alexandria Convention and Visitors Association
- (m) Waterfront Commission  
1 Commission for the Arts Representative

1 Citizen Representative Who Resides East of Washington Street and South of King Street

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Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

**Alcohol Safety Action Program Policy Board**

(3-year term)

1 citizen-at-large

\_\_\_\_\_ Thomas Owen

**Alexandria-Gyumri Sister City Committee**

(2-year term)

1 citizen member

\_\_\_\_\_ Mary Ann Radebach

**Beauregard Urban Design Advisory Committee**

(2-year term)

1 citizen member

\_\_\_\_\_ Pete Benavage

**Citizen Corps Council**

(3-year term)

1 citizen member

\_\_\_\_\_ Jason Bruder

**Commission on Aging**

(3-year term)

1 citizen member who is 60 years of age or older

\_\_\_\_\_ Charles Bailey

**Commission on Employment**

(2-year term)

2 business representatives from among recognized area businesses including minority-owned and small businesses

\_\_\_\_\_ Iris Henley \*

\_\_\_\_\_ Dorothy Ramsey \*

\* incumbent

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Name of Council Member

Endorsement

## UNCONTESTED APPOINTMENTS

### **Commission on Persons with Disabilities**

(2-year term)

3 citizen members

\_\_\_\_\_ David Arnaudo \*

\_\_\_\_\_ Charles Benagh \*

\_\_\_\_\_ Adam Osterman \*

### **Historic Alexandria Resources Commission**

(2-year term)

1 citizen member

\_\_\_\_\_ Anna Stillner

1 Planning District I representative

\_\_\_\_\_ Margaret Wood \*

1 Public Records Advisory Commission representative

\_\_\_\_\_ Laura Vetter \*

Jackie Cohan, Records  
Administrator and Archivist  
Virginia Arnold, chair, Public  
Records Advisory Commission

### **Industrial Development Authority**

(4-year term)

2 citizen members

\_\_\_\_\_ Agnes Artemel \*

\_\_\_\_\_ Donald Simpson, Sr. \*

\* incumbent



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Name of Council Member

Endorsement

## UNCONTESTED APPOINTMENTS

### **Landlord-Tenant Relations Board**

(2-year term)

1 landlord or representative of landlords

\_\_\_\_\_ Matthew Damewood

### **Potomac Yard Design Advisory Committee**

(2-year term)

1 qualified professional skilled in architecture

\_\_\_\_\_ Shawn Glerum \*

### **Torpedo Factory Art Center Board**

(3-year term)

1 representative of the Alexandria Convention and Visitors Association

\_\_\_\_\_ Patricia Washington

### **Waterfront Commission**

(2-year term)

1 Commission for the Arts representative

\_\_\_\_\_ Allison Nance

Sydney-Chanele Dawkins, chair,  
Commission for the Arts

1 citizen representative who resides east of Washington Street and south of King Street

\_\_\_\_\_ Arthur Fox \*

\* incumbent



## Legislation Details (With Text)

**File #:** 14-1759 **Name:** VA OAG Grant for Police Equipment and Training  
**Type:** **Status:** Agenda Ready  
**File created:** 8/9/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Ratification of Submission of a Grant Application to the Virginia Office of Attorney General for Police Department Equipment and Training.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Ratification of Submission of a Grant Application to the Virginia Office of Attorney General for Police Department Equipment and Training.

**ISSUE:** Ratification of submission of a grant application from the Alexandria Police Department (APD) to the Virginia Office of the Attorney General (OAG), in the amount of \$1,020,510, to be used for the purchase of Police equipment and training.

**RECOMMENDATION:** That City Council:

- (1) Ratify the submission of a grant application to the Office of Attorney General of Virginia in the amount of \$1,020,510 (due August 1, 2013 during City Council's 2013 summer recess).
- (2) Authorize the City Manager to execute all necessary documents that may be required.

**DISCUSSION:** The Alexandria Police Department requested \$1,020,510 to provide for the following equipment and training needs:

- Mobile Command Vehicle Replacement (\$490,000) - The primary goal of the mobile command platform is to equip the City's law enforcement agencies (Police Department and Sheriff's Office) as well as the Fire and Rescue department with the necessary equipment to respond, manage, and recover from local Incident Command System (ICS)/National Incident Management System (NIMS) incidents and/or major disaster scenes. It also provides the Alexandria Police Department with the necessary equipment and platform to support other governmental agencies in their response to these types of emergencies.

The current Police mobile command vehicle was purchased with grant funds and deployed in early 2007. It is now in need of technology updates and structural repairs. A cost analysis of refurbishment versus replacement was conducted. This analysis indicated that the cost of replacement was more cost effective than refurbishment. In addition, the design, procurement, and build out date of these vehicles take approximately 18 months. All of these factors necessitate the need to accelerate replacement.

The total cost estimate of replacement is \$800,000. The amount requested (\$490,000) represents only a portion of the cost, as the remaining funds will come from different sources. The City of Alexandria has set aside \$225,000 in the equipment replacement fund toward the vehicle's replacement. APD also anticipates a trade-in credit of approximately \$85,000 from the vendor.

- Armored Personnel Carrier (APC) Replacement (\$205,000) - The current APC was purchased with grant funds and was not budgeted for replacement. It is ten years old and has passed its useful life. The APC is utilized by APD's Special Operations Team in all callouts and emergency incidents. Replacement is necessary to maintain agency readiness to respond to emergency incidents and utilize updated technology.
- Electronic Surveillance Technology Upgrades (\$113,500) - Funds will be used to provide for necessary upgrades associated with APD's current electronic surveillance capability. This technology enhances the Police Department's ability to gather information used in investigations, which has resulted in an increased number of case closures. Software and hardware upgrades are necessary to keep pace with technology developments.
- Computer Forensics Training (\$18,910) - APD is requesting funds to send a detective to Computer Forensics Training. For over two decades, the use of computers in committing crimes has increased. Because of the significant increases in the use of computer devices and the added complexity of the devices that must be examined, the Police Department would like to train an additional detective to collect this evidence. This is necessary to handle the current volume of work and process cases in a timely manner.
- Tasers (\$170,969) - APD is requesting funds to expand its current TASER program. The TASER is an effective non-lethal weapon and is a proven deterrent when dealing with violent subjects. Equipping additional officers with TASERs will reduce the probability of officer injuries and increase officer survival skills.
- Mounted Shotgun Lights (\$22,131) - APD's current shotguns are not equipped with any type of a forward lighting device, making it difficult for the patrol officers to safely deploy the weapon at night or

in areas of reduced lighting. The mounted lights will afford officers the opportunity to deploy the weapon in a safe manner.

**BACKGROUND:** During City Council's 2013 summer recess, the Office of the Attorney General of Virginia made grant funds available to state and local law enforcement agencies for the purchase of law enforcement equipment, training, and facilities. Funds are to be used for the purpose of preventing and deterring crime, and improving the functioning of the criminal justice system. On the due date of August 1, 2013, staff submitted an application in order to meet the deadline for this grant solicitation. If grant funds are awarded, acceptance will be contingent on City Council's ratification of the application.

**FISCAL IMPACT:** This is a one-time grant program and there is no match requirement. If APD is awarded funds for the replacement of the Mobile Command Vehicle, funds depreciated for its replacement will need to be appropriated from the vehicle replacement fund.

**ATTACHMENT:** None

**STAFF:**

Michele Evans, Deputy City Manager

Earl Cook, Police Chief

Elisabeth Weaver, Division Chief, Police Department



Legislation Details (With Text)

**File #:** 14-1806 **Name:** UASI grant for electronic surveillance upgrades  
**Type:** **Status:** Agenda Ready  
**File created:** 8/27/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Ratification of an Urban Area Security Initiative (UASI) Grant Application for Police Electronic Surveillance Equipment Upgrades.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Ratification of an Urban Area Security Initiative (UASI) Grant Application for Police Electronic Surveillance Equipment Upgrades.

**ISSUE:** Ratification of an Urban Area Security Initiative (UASI) grant application for Police electronic surveillance equipment upgrades.

**RECOMMENDATION:** That City Council:

- (1) Ratify the submission of an Urban Area Security Initiative (UASI) grant application in the amount of \$113,500 (due August 30, 2013 during City Council's 2013 summer recess).
- (2) Authorize the City Manager to execute all necessary documents that may be required.

**DISCUSSION:** The Alexandria Police Department (APD) requested \$113,500 for the purchase of necessary upgrades associated with APD's current electronic surveillance capability. This technology will enhance both

the Alexandria Police Department and the region's ability to gather information used in investigations. Software and hardware upgrades are necessary to keep pace with technology developments.

**BACKGROUND:** During City Council's 2013 summer recess, the State Administrative Agent for National Capital Region (District of Columbia) announced the availability of Urban Area Security Initiative (UASI) grant funds through the U.S. Department of Homeland Security. Funds are available for initiatives related to the National Capital Region's Homeland Security Strategic Plan.

**FISCAL IMPACT:**

This is a one-time grant program and there is no match requirement.

**ATTACHMENT:**

None

**STAFF:**

Michele Evans, Deputy City Manager

Earl Cook, Police Chief

Elisabeth Weaver, Division Chief, Police Department



## Legislation Details (With Text)

<b>File #:</b>	14-1702	<b>Name:</b>	Request for Council to release funds from Contingent Reserve for recycling programs"
<b>Type:</b>		<b>Status:</b>	"Request for Council to release funds from Contingent Reserve for recycling programs" Agenda Ready
<b>File created:</b>	7/10/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Consideration of a Request to Authorize the Release of Contingent Reserve Funds for Recycling Programs to be Implemented by the Department of Transportation & Environmental Services.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1702 Attachment 1 Letter of Contingent Reserve.pdf</a> <a href="#">14-1702 Attachment 2 Contingent Reserve Fund.pdf</a>		

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a Request to Authorize the Release of Contingent Reserve Funds for Recycling Programs to be Implemented by the Department of Transportation & Environmental Services.

**ISSUE:** City Council consideration of a request to authorize the release of contingent reserve funding in the amount of \$210,000 for recycling initiatives (funded by the Residential Refuse Fee) to be implemented by the Dept. of Transportation & Environmental Services (T&ES).

**RECOMMENDATION:** That City Council:

1. Authorize the release of \$210,000 from the FY 2014 contingent reserves (funded by the Residential Refuse Fee) to fund the recycling programs that had been preliminarily approved in the FY14 Budget process.

**BACKGROUND:** On January 1, 2013, as a result of an agreement between Covanta Energy and the City of Alexandria and Arlington County, the disposal cost of residential refuse decreased by half for both jurisdictions. This decrease created surplus revenue in the accounts dedicated to the management of the City's refuse. During the FY 2014 budget cycle, Council used this surplus to approve new programs in T&ES for the management of brush, grass and yard debris. Council also requested that staff propose an expanded recycling initiative. These programs are expected to contribute significantly to the City's 2020 Eco-City Alexandria goals and the City's long-term strategic plan outcomes. After considering a menu of recycling program options during its budget retreat, Council approved \$210,000 in contingent reserves (funded by the Residential Refuse Fee) during the Add/Delete process.

**DISCUSSION:** Since Council's preliminary approval of recycling funding in the Add/Delete process during the FY 2014 budget process, staff has reviewed the menu of proposed new recycling programs with various stakeholders. After considering that input, staff proposes the following programs for implementation using contingent reserve funding:

1. **Recycling On the Go:** Install and provide regular service to outdoor recycling receptacles for heavily-used athletic fields and high pedestrian traffic areas in Old Town.
2. **Pilot Food Composting Program:** Visitors to Farmer's Markets will have the opportunity to purchase countertop food waste collection tubs and to drop-off collected food waste at a market collection station. The material would become compost. This program is similar in nature to a new program in Boston, MA and will enable staff to conduct ongoing assessment of innovative ways to continue increasing recycling in Alexandria.
3. **Earth Saver Challenge-Waste Minimization:** After working with schools and civic associations, staff will recruit 100 families to reduce the amount of refuse to one (1) 32-gallon container or less per week. Program will pilot the use of smaller refuse containers and allow staff to evaluate how smaller receptacles coupled with residential composting can become part of the City's waste reduction goals.
4. **Green Building Upgrade at T.C. Williams High School:** Two compactors, one for garbage and one for recycling, will replace eight (8) containers in the loading-dock area.

The original proposal considered by Council in the FY2014 budget process included a possible recycling drop-off center in north-east Alexandria in order to serve small businesses and residents in the Potomac Yard and Arlandria areas. This proposal is not part of the current proposal since the site for this drop-off is being considered in conjunction with the Department of Recreation, Parks and Cultural Activities' large-parks planning process. Staff expects to bring it forward in the future, possibly as soon as FY15. Funding originally proposed for the drop-off would instead be programmed for Recycling on the Go, which is scalable.

**FISCAL IMPACT:** The amount of \$210,000 would be directed from the fees charged to the City's refuse and recycling customers. Customers currently pay an annual fee of \$328 to receive City refuse services. No increase in this fee would be necessary since the fee was set by Council with this contingency in mind.

**ATTACHMENTS:**

Attachment 1: Letter of support from Environmental Policy Commission  
Attachment 2: PowerPoint Presentation



**STAFF:**

Mark Jinks, Deputy City Manager

Jerome Fletcher, Special Assistant to the City Manager

Richard J. Baier, P.E., LEED AP, Director, T&ES

Morgan Routt, Assistant Director, OMB

Yon Lambert, AICP, Deputy Director, Operations, T&ES

Alton Weaver, Division Chief, Solid Waste, T&ES



Environmental Policy Commission

August 28, 2013

Honorable Mayor William Euille and Members of City Council  
City of Alexandria  
Suite 2300, City Hall  
301 King Street  
Alexandria, VA 22314

**RE: Expansion of recycling programs in FY 2014 using Contingent Reserve funding**

Dear Mayor Euille and Members of City Council:

The Environmental Policy Commission (EPC) applauds City staff for its work over the past few years in guiding Alexandria to a municipal solid waste recycling rate of 48.4%, as certified last year by the Virginia Department of Environmental Quality. Recycling saves the City money, reduces consumption of energy and raw materials, and reduces greenhouse gas emissions. While City Council and staff should be proud of the steady progress made in this area, EPC strongly supports continued efforts by the City to aggressively promote recycling and achieve even higher recycling rates. In some U.S. cities, households receive composting and recycling collection more frequently than trash collection. Alexandria has substantial room for improvement in raising recycling rates and reducing waste disposal.

City Council approved \$210,000 in contingent funding for two proposed recycling promotion programs as part of the FY 2014 budget. One of the programs, entitled "Recycling on the Go," involves placing fifty dedicated recycling containers along King Street and the waterfront, as well as on City athletic fields. These high use areas are the ideal location for placing recycling containers both because of the significant opportunity to recycle and to market Alexandria's commitment to sustainability and its "Eco-City" brand. Even under current economic practices and assumptions which do nothing to account for environmental costs associated with greenhouse gas emissions, staff projects that the recycling bins will pay for themselves within four years, and save the City hundreds of thousands of dollars over their expected lifespan. While EPC believes that fifty containers are an important start, it strongly encourages the City to quickly increase the number of such recycling containers, given both the environmental benefits and cost savings that they will bring.

The second set of programs, entitled "Eco-City Recycling Program Expansion," includes several components. These include starting food waste recovery at the Market Square, Four-

Mile Run, and Ben Brenman Park farmer's markets; initiating an "Earth-Saver Challenge" in which up to 100 Alexandria families will try to reduce their household refuse to 32 gallons or less per week; installation of trash and recycling compaction units at T.C. Williams High School to increase recycling capacity and reduce truck traffic for hauling waste and recyclables from six trips per week down to one; and establishing a new recycling drop-off center in northeast Alexandria.

EPC is particularly excited by the prospect of establishing composting options for City residents. According to the U.S. Environmental Protection Agency (EPA), food waste comprises roughly one-fifth of municipal solid waste material sent to landfills and incinerators, more than any other single material. EPA estimates that as of 2011, only four percent of food waste was diverted from landfills and incinerators for composting. Composting thus presents a significant opportunity for the City to take its recycling efforts to the next level and demonstrate regional leadership in sustainability.

We ask Council to release the contingent funds allocated for these programs in the FY 2014 budget as soon as possible. These initiatives will help Alexandria continue to increase recycling rates and reduce waste disposal rates, and if contingent funding is approved quickly enough, they can be launched on America Recycles Day, scheduled for November 15, 2013.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to be 'S. Barstow', with a long horizontal line extending to the right.

Scott Barstow  
Chair, Environmental Policy Commission

CC Office of Environmental Quality  
Division of Solid Waste & Recycling



**EDUCATIONAL FACILITIES OFFICE**  
**Planning, Design and Construction**

4701 Seminary Road, Alexandria, VA 22304; Tel. 703.461.4168

**DATE:** August 2, 2013

**TO:** Gary Hensley, Recycling Specialist, City of Alexandria

**FROM:** William E. Finn, Director, Educational Facilities Department, ACPS

**CC:** Lucy Willis, Assistant Director, Operations and Maintenance, Educational Facilities  
Larry Trice, Building Use Coordinator, TC Williams

**SUBJECT:** Trash and Recycling Compactors for TC Williams

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Mr Hensley,

Since the first year that T.C. Williams High School opened, ACPS has discussed with the City the need and importance of installing trash and recycling compactors. Because of the large number of students/staff being served especially considering the breakfast and lunch meals and the numerous evening and weekend activities, the school generates a large amount of trash and recycling.

The existing dumpsters being using are neither adequate nor efficient for handling the volume of trash generated at the school on a normal basis. The trash dumpsters are always filled by the end of the day, so with the almost continuous weekend events, the trash ends up on the ground since the dumpsters are full awaiting the Monday morning pick up. Attached is a picture showing the dumpsters on a typical Saturday. In addition, the compactors will be more cost effective by consolidating the trash into a smaller volume improving the City's ability for proper disposal.

We are very supportive of the new compactors being installed this year at TC Williams! ACPS concurs with your site plan and will install the required power connections on the exterior wall when you confirm the timing for the installation.

Sincerely,

A handwritten signature in blue ink, appearing to read "W.E. Finn", with a stylized flourish at the end.

William E. Finn, PE  
Director, Educational Facilities  
Alexandria City Public Schools

Encl: Picture of Trash Dumpsters





# RELEASE OF CONTINGENT RESERVE FUNDING FOR RECYCLING INITIATIVE



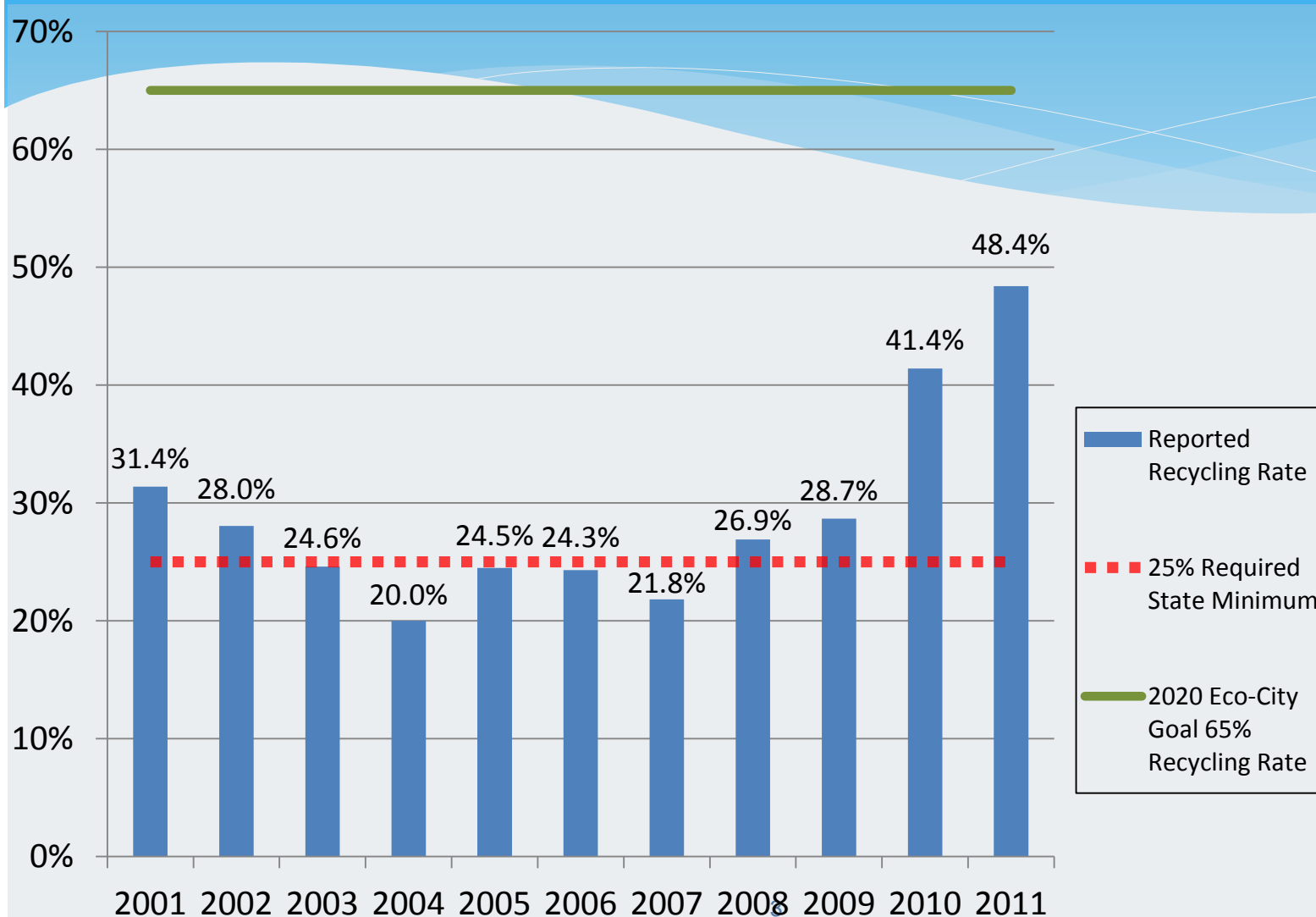


# Recap: New Programs Included in City Manager's FY 2014 budget

- Year-Round Mulching
- Year-Round Brush Collection
- Seasonal Yard Waste (Grass) Collection



# Trending Recycling Rate





# Proposed Recycling Initiative



- **March 23, 2013 retreat**
  - Council presented with a menu of potential options
  
- **May: Council approved \$210,000 in Add/Delete for Recycling Initiative**
  
- **Programs Proposed Today:**
  - Recycling On the Go
  - Pilot Food Composting Program (pilot)
  - Waste Minimization Program (pilot)
  - ACPS Recycling Partnership at T.C. Williams High School



# Public Space Recycling (aka “Recycling On the Go”)



- Permanent recycling containers added to athletic fields and high traffic areas
- First phase would allow placement of 85 containers
- Target coordinated rollout with America Recycles Day
- \$127,000 program cost



# Pilot Food Waste Composting Program



- A service for Alexandrians interested in composting
- Set up a food waste recovery booth at farmer's markets where residents can take compostable materials.
- Early October kickoff
- \$18,000 program cost



**Eco-CITY  ALEXANDRIA**

***Food Waste Collection Station***

*Be lean green and unseen with your carbon footprint*

*Bring your food waste here and receive composted material for a nice home plant*





# “Watch Your Waste”

## Earth Saver Challenge for Waste Minimization



- Enlist 100 households to use a smaller refuse cart for one year
  - Participants keep a log book & share experience via social media
- Pilots the use of smaller refuse containers for potential wider application & allows staff evaluation
- \$10,000 program cost

# T.C. Williams Refuse & Recycling Compactors



- Install compactors at T.C. Williams High School
- Encourages increased recycling, reduced collections & decreased truck traffic (savings to City-provided service)
- \$55,000 program cost

**Thank you!**



**Questions**



Legislation Details (With Text)

**File #:** 13-1543 **Name:** Consideration of a grant application to the Virginia Department of Emergency Management for funding for the Fire Department HAZMAT team.

**Type:** **Status:** Agenda Ready

**File created:** 5/29/2013 **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013 **Final action:**

**Title:** Consideration of a Grant Application to the 2013 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Emergency Response Equipment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a Grant Application to the 2013 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Emergency Response Equipment.

**ISSUE:** Consideration of a grant application to the 2013 State Homeland Security Program (SHSP) grant through the Virginia Department of Emergency Management (VDEM) for equipment that would be used in response to chemical, biological, radiological, nuclear and explosive (CBRNE) incidents in the City or surrounding region.

**RECOMMENDATION:** That City Council:

- (1) Authorize the submission of a grant application to VDEM for grant funding totaling \$55,532; and

- (2) Authorize the City Manager to execute all necessary documents that may be required.

**DISCUSSION:** The requested SHSP grant funds will assist the City and region to prepare for potential chemical, biological, radiological, nuclear and explosive threats. The requested equipment will enhance the City's response capability for a chemical, biological, radiological or nuclear event. The equipment will meet current National Fire Protection Association (NFPA) standards for response to Weapons of Mass Destruction (WMD) and hazardous materials incidents. The Fire Department's request is in conformance with Goal 2 of the VDEM funding priorities, i.e., Enhance capability to effectively respond to Chemical, Biological, Radiological, Nuclear and Explosive in a coordinated effort to protect the public. The Fire Department proposes to use grant funds to allowable HAZMAT equipment such as radiation equipment, protective equipment, WMD software, and detection and monitoring equipment.

**BACKGROUND:** The application period for the FY 2013 SHSP has been opened through VDEM. Grant applications are submitted to support Homeland Security efforts in local jurisdictions throughout the Commonwealth. Funds for the program are provided by the National Preparedness Directorate, U.S. Department of Homeland Security under the Homeland Security Grant Program. Allowable expenditures include equipment, exercises and training. The application is due September 11, 2013.

**FISCAL IMPACT:** The Fire Department is requesting grant funds in the amount of \$55,532 for the purchase of specialized Hazmat equipment. City staff will administer the grant. The City is also responsible for the normal administrative costs associated with this grant, including financial and reporting oversight provided by the Fire Department, as well as the Office of Management and Budget, and the Finance Department. There is no cash match requirement.

The City has applied for and has been awarded this grant in 2008, 2009, 2010, 2011 and 2012.

**ATTACHMENTS:**

N/A

**STAFF:**

Michele Evans, Deputy City Manager

Adam K. Thiel, Fire Chief

Jerome Fletcher, Special Assistant to the City Manager





## Legislation Details (With Text)

**File #:** 14-1704  
**Name:**  
**Type:** **Status:** Agenda Ready  
**File created:** 7/11/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Consideration of Acceptance of a Funding Allocation from the 2013 Local Emergency Management Program Grant in the Amount of \$60,904.43 for the City's Emergency Management Program.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [2013 Work Elements](#)

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of Acceptance of a Funding Allocation from the 2013 Local Emergency Management Program Grant in the Amount of \$60,904.43 for the City's Emergency Management Program.

**ISSUE:** City Council consideration of accepting funds in the amount of \$60,904.43 available to the City for a period ending June 30, 2014, from the United States Department of Homeland Security through the Virginia Department of Emergency Management. These funds provide operational funds for the City's Office of Emergency Management.

**RECOMMENDATION:**

- (1) Authorize the City Manager to accept the funding through the Virginia Department of Emergency Management in the amount of \$60,904.43; and
- (2) Authorize the City Manager to execute all the necessary documents that may be required.

**BACKGROUND:** The United States Department of Homeland Security (DHS) provides annual Emergency Management Performance Grants to the states for distribution to local governments in support of emergency management program activities such as planning, training, exercises, situational awareness, and capability reporting.

**DISCUSSION:** Alexandria was notified on July 8, 2013 by the Virginia Department of Emergency Management that the City is eligible to receive a total of \$60,904.43, to support our comprehensive emergency management program. The 2013 grant period ends on June 30, 2014.

Each year the Commonwealth establishes required work elements that the local government must meet to receive this funding. The work elements required this year are attached. This funding requires the City to match the grant amount by expending at least the same amount of general funds on our emergency management program. Alexandria has received these funds for over twenty years and have utilized have them to support the operational needs of the emergency management program in the City including, for example, paying for supplies for the Emergency Operations Center (EOC), paying phone charges for the EOC, purchasing communications equipment, and maintaining computer equipment.

**FISCAL IMPACT:** The City must match this grant with \$60,900.43 expenditures of general funds for our Emergency Management Program which we have already established in the normal funding provided in the base budget.

**ATTACHMENTS:**

Attachment 1 - 2013 Work Elements

**STAFF:**

Michele Evans, Deputy City Manager

Adam K. Thiel, Fire Chief

Mark Penn, Emergency Management Coordinator.

Jerome Fletcher, Special Assistant to the City Manager



## **VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT**

### **Local Emergency Management Performance Grant (LEMPG)**

#### **2013 Work Elements**

**Program Period: July 1, 2013 – June 30, 2014**

**Please sign back page and submit to your VDEM Grant Administrator along with your Grant Application Package by August 9, 2013**

**To be eligible to receive funds from this program, locality must meet NIMS compliance requirements as established by the federal government and document NIMS compliance via NIMSCAST.**

## **Planning**

1. **Local Emergency Operations Plan (EOP):** Locality must have a current Emergency Operations Plan. A current plan is defined by §44-146.19 (E) of the Code of Virginia as undergoing a comprehensive review and revision, and being adopted by the locality's governing body every four years. Local EOPs that were adopted prior to July 1, 2007 will be readopted within five years of the previous adoption, and every four years thereafter. Grant awards will not be made to localities that do not have a current EOP as of August 1, 2013.
2. **College and University Coordination:** Each locality that has within its borders a public college or university, including community colleges, is required to coordinate planning with the institution, which includes collaboration with the designated emergency management point of contact. Each locality that has within its borders a private college or university is encouraged to coordinate planning with the institution.

# Training and Exercises

## 1. FEMA Required Training:

- Current Coordinator and Principal Deputy Coordinator must have completed PDS certification by June 30, 2014. The PDS series is available entirely online. Proof of completion must be submitted.
- Current Coordinator and Deputy Coordinators must have completed IS100, IS200, IS700 and IS800 by June 30, 2014. Proof of completion must be submitted.
- Coordinators and Deputy Coordinators new to their positions after January 1, 2014 will complete at least the following courses and submit proof of completion:
  - Principles of Emergency Management (FEMA IS 230)
  - Emergency Planning (FEMA IS 235)
  - IS100, IS200, IS700, IS800

## 2. **Exercise Workshop:** Localities will attend the annual Regional Exercise Workshop sponsored by VDEM.

- **Exercise Participation:** All EMPG Program funded localities shall participate in at least one exercise during the program year.
  - *Localities actively engaged in the regional exercise program for the current year either as hosts or participants will be deemed to have met this local exercise program requirement.*
  - *Emergency Planning Zone localities actively engaged in the North Anna or Surry exercises as jurisdictional participants for the current year will be deemed to have met this local exercise program requirement.*

## 3. **Local Exercise Program:** All localities are to submit to their Regional Coordinator by June 30, 2014 a multi-year exercise program in accordance with the principles outlined in the Homeland Security Exercise and Evaluation Program (HSEEP), Volume I: HSEEP Overview and Exercise Program Management. More details regarding this program can be found on the HSEEP website, located at: [https://hseep.dhs.gov/pages/1001\\_HSEEP7.aspx](https://hseep.dhs.gov/pages/1001_HSEEP7.aspx).

- Exercises are to use components of the local EOP as the basis for development, and exercises planned in a three year period are to be progressively more complex and challenging.
- Funded localities are to prepare a post-exercise After Action Review (AAR) that documents performance in terms of areas of

strength and areas requiring improvement. In addition, an Improvement Plan matrix must be completed and used to update plans and procedures.

## Crisis Management System

1. **Trained Personnel:** Locality shall maintain a cadre of personnel who are trained in, and have account access to, the state's online crisis management system (currently WebEOC).

## Capability Reporting

1. **Submit Updated Local Capability Assessment for Readiness (LCAR).** §44-146.19 (F) of the Code of Virginia requires all political subdivisions to provide an annually updated emergency management assessment to the State Coordinator of Emergency Management on or before July 1 of each year. Locality will submit an updated LCAR no later than June 30, 2014.

## Program Updates

1. **Coordinator's Briefings:** The Local Emergency Management Coordinator and/or principle Deputy Emergency Management Coordinator are required to attend at least one of VDEM's Coordinator's Briefings. The 2013 Coordinators Briefings will be held as follows:
  - 10/01/13 – Hampton
  - 10/08/13 – Waynesboro
  - 10/22/13 – Blacksburg

We agree to complete all work elements by June 30, 2014 and submit the required Final Report by July 31, 2014.

\_\_\_\_\_  
Local Coordinator of Emergency Management

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Administrator/Town/City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
VDEM Regional Coordinator

\_\_\_\_\_  
Date

\_\_\_\_\_  
State Coordinator

\_\_\_\_\_  
Date



Legislation Details (With Text)

**File #:** 14-1756 **Name:** Consideration of a grant application to the Virginia Department of Health, Office of Emergency Medical Services for a Rescue Squad Assistance Fund grant for PowerPhones

**Type:** **Status:** Agenda Ready

**File created:** 8/9/2013 **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013 **Final action:**

**Title:** Consideration of a Grant Application to the Rescue Squad Assistance Fund (RSAF) Grant Program, Commonwealth of Virginia, Department of Health.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a Grant Application to the Rescue Squad Assistance Fund (RSAF) Grant Program, Commonwealth of Virginia, Department of Health.

**ISSUE:** Consideration of a grant application to the Rescue Squad Assistance Fund (RSAF) Grant Program, Commonwealth of Virginia, Department of Health.

**RECOMMENDATION:** That City Council:

- (1) Approve the submission of the grant application (due September 16, 2013); and
- (2) Authorize the City Manager to execute the necessary documents that may be required.

**DISCUSSION:** As part of the Computer Aided Dispatch (CAD) project within the City, the need for improved Emergency Medical Dispatch (EMD) has been identified to aid in improving our EMS system. The City has selected PowerPhone as our preferred EMD software. PowerPhone is an integrated 911 call handling system for enhanced 911 call dispatch. The PowerPhone system works at the start of the call-taking process to centralize information, provide structured emergency medical questioning, and offer objective dispatch recommendations. This system results in greater call taking consistency, enhanced victim and responder safety, better evidence preservation and risk mitigation.

Although this software will be installed and utilized The Department of Emergency Communication (DEC) DEC, the Fire Department, as the licensed EMS agency for the City, is taking the lead role as the grant applicant.

**BACKGROUND:** On August 1, 2013, the Virginia Department of Health opened the grant application period for the 2013 RSAF (Rescue Squad Assistance Fund) Grant Program. The RSAF is a multi-million dollar matching grant program for Virginia governmental and non-profit Emergency Medical Services (EMS) agencies and organizations to provide financial assistance based on demonstrated need. The primary goal of this program is to financially assist governmental and non-profit EMS agencies to purchase EMS equipment and vehicles and provide needed EMS programs and projects.

**FISCAL IMPACT:** The total cost of the PowerPhone system is \$104,500. If this RSAF grant is awarded, it will pay \$52,250 (50%) of the total project amount. The City will have an obligation to pay the remaining 50% as a cash match, which will be paid out of the CAD project budget. City staff will administer the grant. The City is responsible for the normal administrative costs associated with this grant, including financial and reporting oversight provided by the Fire Department, as well as the Office of Management and Budget, and the Finance Department.

The City applied for and was awarded this grant in 2010 and 2012.

**ATTACHMENTS:**

N/A

**STAFF:**

Michele Evans, Deputy City Manager

Adam K. Thiel, Fire Chief

Jerome Fletcher, Special Assistant to the City Manager



Legislation Details (With Text)

**File #:** 14-1758 **Name:** Consideration of an Emergency Medical Services (EMS) research grant application from the Virginia Alliance for Emergency Education and Research

**Type:** **Status:** Agenda Ready

**File created:** 8/9/2013 **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013 **Final action:**

**Title:** Consideration of a Grant Application to the Virginia Alliance for Emergency Medical Education and Research (AEMER) EMS Research Grant For Up To \$20,000.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a Grant Application to the Virginia Alliance for Emergency Medical Education and Research (AEMER) EMS Research Grant For Up To \$20,000.

**ISSUE:** Consideration of a grant application to the Virginia Alliance for Emergency Medical Education and Research (AEMER) EMS Research Grant.

**RECOMMENDATION:** That City Council:

- (1) Approve the submission of the grant application (due September 30, 2013); and
- (2) Authorize the City Manager to execute the necessary documents that may be required.

**DISCUSSION:** EMS in the City is at a critical juncture; the changes brought to the healthcare system by the



Affordable Care Act will impact how healthcare is provided and paid for at all levels, including EMS. Several agencies across the country have implemented community paramedic programs, alternative destination protocols, and other innovative approaches to attempt to provide patient-centered, cost-effective EMS service. The Alexandria Fire Department is actively researching the possibility of establishing similar programs that would provide the best possible care for the residents and visitors of Alexandria. This grant would fund a pilot program to study the feasibility of training City paramedics to appropriately and safely determine which patients need to be taken to the emergency department and which patients could potentially be seen in other healthcare settings.

**BACKGROUND:** In July, the Virginia Alliance for Emergency Medical Education and Research announced it will be awarding its first-ever EMS Research Grant. The AEMER is a non-profit that works with the Virginia Office of EMS to support EMS education programs. This will be the first time the organization awards a grant for EMS research. The purpose of the grant is to “furnish new knowledge related to the field of emergency medical services, or ... re-evaluate and validate previous EMS research using a different research method.” At the conclusion of the research project, grant awardees will be required to present their findings at the annual Virginia EMS Symposium.

**FISCAL IMPACT:** The Fire Department is requesting grant funds in the amount of up to \$20,000 to cover all costs associated with the administration, training, and implementation of the research project, including salary and overtime cost. City staff will administer the grant. There is no cash match requirement.

**ATTACHMENT:**

N/A

**STAFF:**

Michele Evans, Deputy City Manager

Adam K. Thiel, Fire Chief

Jerome Fletcher, Special Assistant to the City Manager



## Legislation Details (With Text)

**File #:** 14-1779 **Name:**

**Type:** **Status:** Agenda Ready

**File created:** 8/15/2013 **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013 **Final action:**

**Title:** Consideration of Acceptance of a Grant Award From the Federal Emergency Management Agency (FEMA) through the Virginia Department of Emergency Management (VDEM) in the Amount of \$25,611 for the City's Stream Monitoring System.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1779 Attachment 1 - Stream monitoring system map](#)  
[14-1779 Attachment 2 - Stream warning station picture](#)

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of Acceptance of a Grant Award From the Federal Emergency Management Agency (FEMA) through the Virginia Department of Emergency Management (VDEM) in the Amount of \$25,611 for the City's Stream Monitoring System.

**ISSUE:** City Council consideration of accepting funds in the amount of \$25,611 available to the City for a period ending July 30, 2015, from the Federal Emergency Management Agency through the Virginia Department of Emergency Management. These funds will provide additional warning devices to be added to the City's Stream Monitoring System that will be installed on S. Pickett Street.

**RECOMMENDATION:**

- (1) Authorize the City Manager to accept the funding through the Virginia Department of Emergency Management in the amount of \$25,611; and

- (2) Authorize the City Manager to execute all the necessary documents that may be required.

**DISCUSSION:** The City was notified on August 5, 2013 by the Virginia Department of Emergency Management that the City was approved for a hazard mitigation grant totaling \$34,148 to extend our Stream Monitoring System. FEMA will provide \$25,611 towards the project and the City is responsible for the remainder of the cost. The grant match of \$8,537 will be paid from the Fire Department's operating budget. The grant period of performance ends on July 30, 2015.

**BACKGROUND:** The Federal Emergency Management Agency provides hazard mitigation grants to states following Presidential declared disasters. These competitive grants are designed to mitigate the effects from a disaster or assist in warning the community. Alexandria applied for and was awarded a grant to extend the City's warning capability of the Stream Monitoring System in the area of S. Picket Street that has reoccurring flash flooding. These grant funds will allow for the purchase and installation of warning lights and signs that are automatically triggered by the Stream Monitoring System when water has risen to potentially dangerous levels from Backlick Run near the intersections of S. Pickett Street and Van Dorn Streets and along Pickett Street to Edsall Road. The exact placement of the devices and signs will be coordinated with The Department of Transportation and Environmental Services. .

**FISCAL IMPACT:** The City must provide \$8,537 of general funds for this program. These funds have already been identified within the Fire Department's operating budget. City staff will administer the grant. The City is responsible for the normal administrative costs associated with this grant, including financial and reporting oversight provided by the Fire Department, as well as the Office of Management and Budget, and the Finance Department.

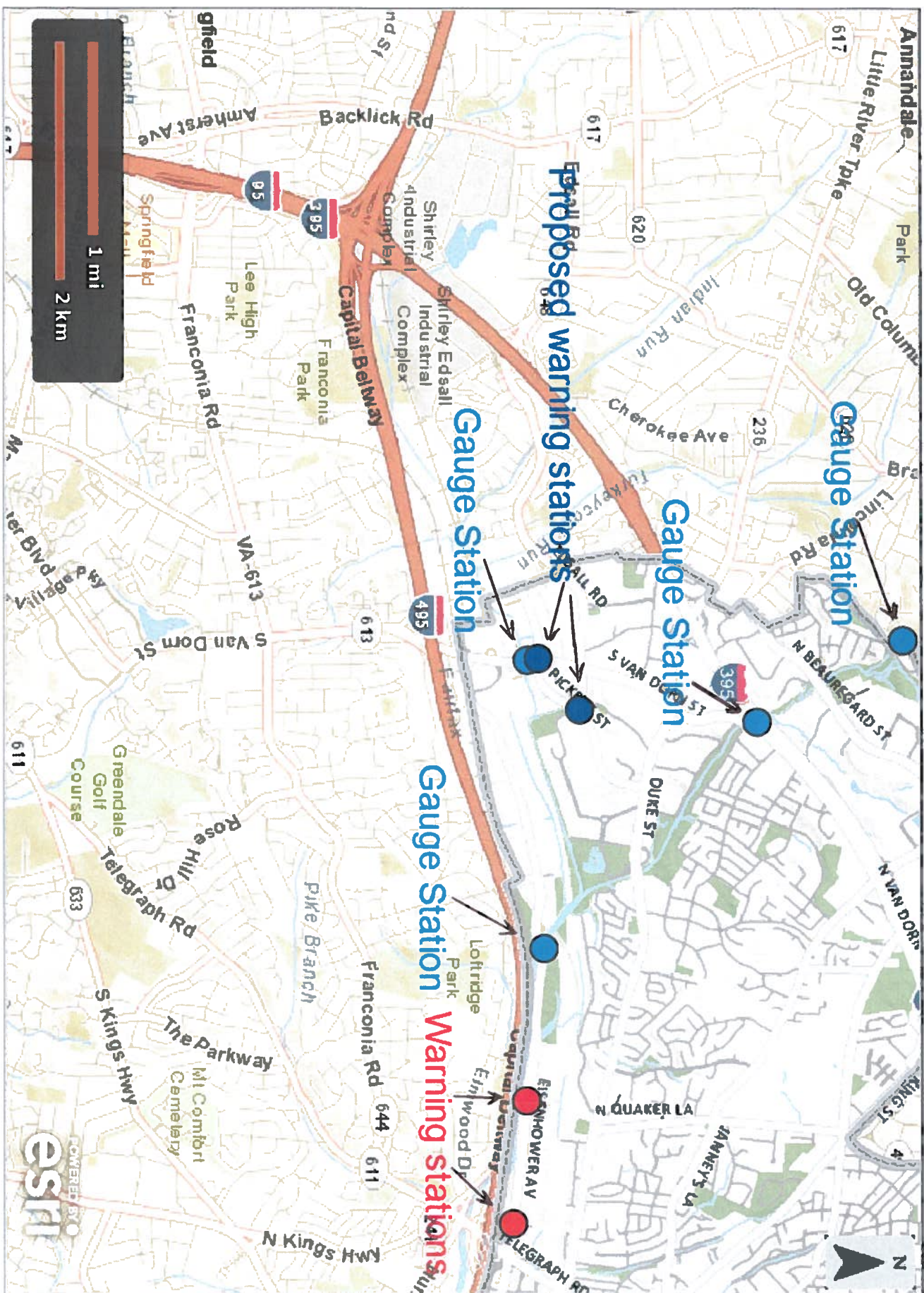
**ATTACHMENTS:**

Attachment 1 - Stream monitoring system map  
Attachment 2 - Stream warning station picture

**STAFF:**

Michele Evans, Deputy City Manager  
Mark Penn, Emergency Management Coordinator  
Yon Lambert, Deputy Director/Operations Transportation and Environmental Services.

# Stream monitoring system



14-1779 Attachment 1





14 - 1779 Attainment?



Legislation Details (With Text)

**File #:** 14-1766 **Name:**  
**Type:** **Status:** Agenda Ready  
**File created:** 8/13/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Consideration Of A Grant Application To The Virginia Department Of Behavioral Health And Developmental Services To Expand The Department Of Community And Human Services System Of Care Funding.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration Of A Grant Application To The Virginia Department Of Behavioral Health And Developmental Services To Expand The Department Of Community And Human Services System Of Care Funding.

**ISSUE:** Consideration of a three year grant application to the Virginia Department of Behavioral Health and Developmental Services (DBHDS) to expand the Department Of Community and Human Services (DCHS) system of care services in support of keeping youth ages 5 - 21 with serious behavioral health problems in the community.

**RECOMMENDATION:** That City Council:

- (1) Authorize the submission of the three-year grant application to BDHDS for funding in the amount of \$305,771 per year;
- (2) Approve a 3.5 FTE increase fully supported by grant revenues, to include:

- A 1.0 FTE Caseworker to provide peer parent partner services as part of the intensive care coordination process,
- Three 0.5 FTE Direct Support Technicians to provide intensive in-home parent coaching services, and
- A 1.0 FTE Health and Community Education Specialist to coordinate a local chapter of Youth MOVE (Motivating Others through Voices of Experience) for youth with experience in the mental health, child welfare and juvenile justice systems, and to provide peer youth partner services as part of the intensive care coordination process.

These grant-funded positions will terminate upon the expiration of the grant. The individuals who fill these positions will be notified of this condition of employment at the time they are hired and will be required to sign an agreement of understanding with regard to this condition. There are no funds available in the City budget to continue these activities once the grant funds expire.

**BACKGROUND:** In October of 2012, DBHDS in partnership with other children's services stakeholders was awarded a System of Care Expansion Implementation Cooperative Agreement through the Substance Abuse and Mental Health Services Administration (SAMHSA). A provision of the four year federal grant is the establishment of a Wraparound Center of Excellence at the Office of Comprehensive Services that oversees the development of a public-private provider network statewide that requires High Fidelity Wraparound (HFW) intensive care coordination through a System of Care Framework. HFW is an ecologically based process that brings parents, youth, family allies and service providers together to mobilize resources and talents to successfully support families with children with serious mental health challenges.

Another of the provisions of the DBHDS System of Care Expansion SAMHSA grant is to provide mini grants to local government providers to develop community based services that support intensive care coordination and the wraparound philosophy at the individual service planning level, and Systems of Care values and principles at the larger community level system. Applications for the mini grant must be submitted to DBHDS with approval from local Community Policy and Management Teams and include a description of how family partners will be incorporated into intensive care coordination services.

DCHS Center for Children and Families developed the application in consultation with parents, youth, and representatives from the Court Services Unit, Alexandria City Public Schools, Health Department, SCAN, and DCHS divisions of Child Welfare, JobLink and Children's Behavioral Health. The Alexandria Community Policy and Management Team (ACPMT) approved the application. The application was submitted to the City Manager's Office for consideration on August 27, 2013. The application was submitted to DBHDS on September 5, 2013, pending City Council approval. The grant award will be announced by November 1, 2013.

**DISCUSSION:** Advances in Alexandria's system of care significantly reduced the number of children publicly funded (through the Comprehensive Services Act) for placement in congregate care facilities over the past five years. Nonetheless, in FY 13 we had 54 youth through age 21 who were hospitalized, 97 students in special education whose eligibility is emotional disability, 141 Children in Need of Supervision (CHINS, youth with truancy and/or serious behavior issues at home) within Court Services, 143 young people detained at Northern Virginia Juvenile Detention Center. If awarded, this grant will allow us to fill gaps and reach more at-risk youth more efficiently and effectively.

The proposal includes the following three components that will expand our system of care:

1. As a means to strengthen Intensive Care Coordination services, DCHS will offer High Fidelity Wraparound (HFW) with Peer Parent and Youth Partners. DCHS child behavioral health staff is currently being trained through OCS in HFW. This funding will allow us to provide the Peer Parent

and/or Peer Youth Support component that is required for fidelity.

2. Funded staff will develop a local chapter of Youth MOVE, a diverse collective that unites the voices and causes of youth with experience in the mental health, child welfare and juvenile justice systems while raising awareness around youth issues. "Youth Guided" is one of the five core System of Care values, as defined by SAMHSA, and Alexandria is weak in this area. Nationally, successful systems are those that have active Youth MOVE chapters.
3. A community-based peer Parent Coaching service will be launched. A recent informal needs assessment that included representatives from multiple sectors, including parents, emphasized the need for in-home intensive individualized parenting support as a necessary component to keeping kids in the community. Currently there is nothing in our system that provides this type of service.

Target population is youth ages 5 - 21 with serious behavioral health problems involved in at least one system. When the program is at full capacity we will serve 100 children annually with the High Fidelity Wraparound process, 42 parents with Parent Coaching and 30 youth with Youth MOVE. There may be duplication among the services, Parent Coaching may impact more than one child, and Youth MOVE will have a broader reach beyond core members.

Managers within the DCHS Division of Child Behavioral Health and Youth Development will administer the project with an eye toward sustainability. ACT for Alexandria has agreed to provide consultation in this area. A possible goal for Youth MOVE is to create the structure for it to become an independent organization. CSA will fund HFW, Parent Partner, Youth Partner and Parent Coaching services. While HFW and peer support services are not currently covered through Virginia Medicaid, this could change. The Centers for Medicare and Medicaid Services, along with the SAMHSA, issued a Medicaid bulletin to states which highlights the critical importance of wraparound and parent and youth peer support services, along with financing strategies.

This grant application is consistent with both the City Council Strategic Plan (Goal Four) and the ACPS School Board Strategic Plan (Objectives One and Three), that focus on enhancing the well-being, success and achievement of children, youth and families in Alexandria.

**FISCAL IMPACT:** The federal fiscal year 2014 budget for this grant is \$305,771. The funding consists of the following: City Personnel (\$205,587) and City Non-Personnel (\$100,184). The grant period is November 1, 2013 to October 31, 2016, with no required matching funds.

The City is responsible for the normal administrative costs associated with this grant. These costs include financial and reporting oversight provided by DCHS, the administering agency. Existing administrative staffing will provide these functions.

It should be noted that there are no monies available in the City budget to continue these activities once the grant funds are expended. The grant-funded positions will terminate upon the expiration of the grant and the individuals who fill the positions will be notified of this condition of employment.

**ATTACHMENT:**

None

**STAFF:**

Debra Collins, Deputy City Manager

Mike Gilmore, Director, Department of Community and Human Services



Deborah Warren, Director, Center for Children and Families, DCHS  
Jim Fleming, Fiscal Officer III, DCHS  
Tricia Bassing, Chief of Child Behavioral Health and Youth Development, DCHS



Legislation Details (With Text)

<b>File #:</b>	13-1251	<b>Name:</b>	Installation of multispace meters in the remainder of commercial blocks with ground floor retail in Old Town (Ordinance Change)
<b>Type:</b>	Ordinance	<b>Status:</b>	Agenda Ready
<b>File created:</b>		<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Extend Metered Parking Zones.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">13-1251 Attachment 1 parking meter.pdf</a> <a href="#">13-1251 Attachment 2 cover.pdf</a> <a href="#">13-1251 Attachment 3 Ordinance.pdf</a>		

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Extend Metered Parking Zones.

**ISSUE:** Consideration of an ordinance to amend Section 5-8-92 of the City Code to extend metered parking zones.

**RECOMMENDATION:** That City Council pass the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, September 21, 2013.

**DISCUSSION:** In 2009 the City completed an Old Town Area Parking Study (OTAPS) that looked at parking supply and demand in the Old Town area and provided a series of recommendations to manage the inventory of on-street parking spaces. The City convened an Old Town Area Parking Study (OTAPS) Work Group once in

2010 and for the second time in 2012 to review recommendations from the 2009 Old Town Area Parking Study which included adding meters in non-metered commercial blocks, extending meter hours, installation of multispace meters, and implementing pay by phone parking technology and others.

In 2012, the City replaced single-space meters with multi-space meters on the majority of the commercial blocks along the King Street commercial corridor. However, there still remain several commercial blocks that are not metered. Studies conducted since the installation of the multi-space meters have shown that parking turnover has increased as a result of the multi-space meter installation in 2010.

One of the recommendations of the Study, which was supported by both the 2010 and 2012 OTAPS Work Groups, was to add meters on non-metered blocks with commercial ground floor retail in order to support two goals: (1) create turnover in high demand parking areas and (2) encourage long-term parkers (e.g., employees) to park in off-street parking facilities. Alexandria Police Department (APD) representatives who served on both 2010 and 2012 OTAPS Work Groups also indicated that it is easier to enforce metered parking than non-metered, time-restricted parking spaces.

Staff presented this recommendation before the City's Traffic and Parking Board in May 2013. The Board expressed some concerns about metered blocks with ground floor retail and above floor residential. The Board received comments from residents residing in dwelling units located above retail and commercial uses on Harvard, Payne and Peyton Streets. Three of the 11 speakers supported staff's recommendation, five were against, two were concerned regarding visitors' reluctance to park in new metered spaces, and one had a general comment regarding the role of technology in parking. After hearing these comments a motion was made to approve staff's request subject to elimination of blocks with ground floor retail and above floor residential. The motion did not receive a second and was not voted upon. Subsequently, a motion was made not to approve staff's request and carried. Staff modified the recommendation to address these concerns, excluded blocks with upper floor residential uses, and returned before the Board on July 22, 2013. The Board unanimously approved staff's recommendation to install meters in the following non-metered non-residential blocks with ground floor retail. The recommended commercial blocks are highlighted on the map in green (See attachment 1).

#### Parking Meter Zone 1

- Both sides of the unit block of Prince Street
- Both sides of the unit block of Duke Street
- West side of the 200 block of S Union Street

#### Parking Meter Zone 2

- Both side of the 100 block of N Fayette Street
- South side of the 1300 and 1400 blocks of King Street

The Department of Transportation and Environmental Services plans to install 13 multi-space and 11 single-space meters that accept credit card in aforementioned blocks. Section 5-8-92 of the City Code addresses the location of metered parking blocks. Staff is recommending changes to this section of Code to extend metered blocks, consistent with the recommendations of the 2010 OTAPS Work Group and the reconvened 2012 OTAPS Work Group.

**FISCAL IMPACT:** The City's FY 2014 Approved Operating Budget adopted on May 3, 2013 includes \$160,000 for meter expansion in Old Town. Each multispace meter costs \$11,000 and each single space meter that accepts credit card costs \$ 600 to purchase and install. The cost to purchase 13 multi-space and 11 single-space meters that accept credit card is \$149,600. There is \$165,000 available in prior year funds that can cover the cost of the meter acquisition. This would leave the \$160,000 allocated in the FY 14 budget which will eventually be utilized to convert the remainder of single space meters that only accept coin to meters that accept

credit card, or swept back into other needed CIP funding.

The proposed blocks cover approximately 80 non-metered parking spaces. The net revenue and annual operating costs are estimated as follows:

Revenue (1)	\$ 160,000
Monthly Operating Cost	(\$960)
Transaction fees	(\$15,000)
Parts, etc.	(\$9,500)
Net Revenue	\$134,540/year

(1) According to historic data each parking space generates \$2,000 per year.

Excluding the depreciation fee, the new net new revenue would be \$134,540 per year. Considering the net new revenue of \$134,540 per year, the payback of the meter capital costs will occur in just over a year.

**ATTACHMENTS:**

Attachment 1: Map of Proposed Blocks

Attachment 2: Ordinance Cover

Attachment 3: Ordinance

**STAFF:**

Richard J. Baier, P.E., LEED AP, Director, T&ES

Joel Marcuson, Deputy Director, T&ES

Jerome Fletcher, Special Assistant to the City Manager, CMO

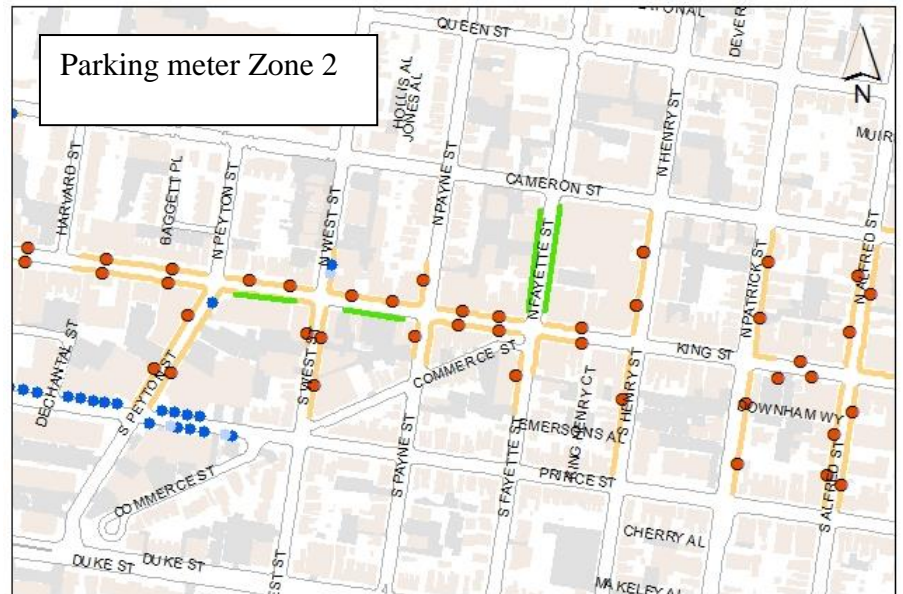
Sandra Marks, AICP, Division Chief, T&ES

Bob Garbacz, P.E., Division Chief, T&ES

Antonio J. Baxter, Division Chief of Strategic Management Services, T&ES

Faye Dastgheib, Principal Parking Planner, T&ES

## Attachment 1



## Attachment 2

Introduction and first reading: 9/10/13  
Public hearing: 9/21/13  
Second reading and enactment: 9/21/13

### INFORMATION ON PROPOSED ORDINANCE

#### Title

AN ORDINANCE to amend and reordain Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), Chapter 8 (PARKING AND TRAFFIC REGULATION), Article G (PARKING METERS), Division 1 (PARKING METER ZONES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

#### Summary

The proposed ordinance expands the existing parking meter district to include the seven additional block faces to the existing approved blocks in meter zone 1 and two additional block faces in meter zone 2.

#### Sponsor

N/A

#### Staff

Laura Triggs, Chief Financial Officer  
Morgan Routt, Assistant Director, OMB  
Richard J. Baier, P.E., LEED AP, Director, T&ES  
Antonio J. Baxter, T&ES  
Sandra Marks, T&ES  
Faye Dastgheib, T&ES  
Christopher P. Spera, Deputy City Attorney

#### Authority

§2.03(x), Alexandria City Charter

#### Estimated Costs of Implementation

Installation of meters on seven additional block faces in meter zone 1 and two additional block faces in meter zone 2 estimated to cost approximately \$149,600, as approved in FY 2014 Budget. See "Fiscal Impact" section of docket memo for more information.

#### Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES), Chapter 8 (PARKING AND TRAFFIC REGULATION), Article G (PARKING METERS), Division 1 (PARKING METER ZONES), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 5, Chapter 8, Article G, Division 1 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 5-8-92 to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

Sec. 5-8-92 - Parking meter zones established.

(a) The following described parts of the streets of the city are hereby established as parking meter zone 1:

- (1) both sides of the 100, 200, 300, 400, 500, 600 and 800 blocks of King Street and the north side of the 900 block of King Street.
- (2) both sides of the 100 block north and the 100 block south of Pitt Street, Columbus Street and Alfred Street.
- (3) both sides of the 100, 200 and 300 blocks of North Washington Street and the 100, 200 and 300 blocks of South Washington Street.
- (4) both sides of the 300, 400 and 600 blocks of Cameron Street, both sides of Cameron Street between Columbus and Alfred Streets, the south side of the 100 and 200 blocks and the north side of the 100 block of Cameron Street.
- (5) both sides of the 600 and 700 blocks of Prince Street, as well as both sides of Prince Street west of Union Street.
- (6) east side of the 200 block of South Columbus Street.
- (7) both sides of the 700 block of Duke Street.
- (8) both sides of the 100 block of South Saint Asaph Street and both sides of the 100 block of North Saint Asaph Street.
- (9) both sides of the 100 block of South Royal Street.
- (10) both sides of the 100 block of South Fairfax Street and the east side of the 100 block of North Fairfax Street.
- (11) both sides of the 100 block of North Union Street, ~~and~~ the east side of the 100 block of South Union Street, the west side of the 200 block of South Union Street and the east side of the 200 block of North Union Street.
- (12) west side of the 100 block of North Lee Street and the west side of the 100 block of South Lee Street.
- (13) both sides of the 700 block of Queen Street.
- (14) west side of the 100 block of North Henry Street and the 100 block of South

Henry Street.

(15) east side of the 100 block of North Patrick Street and the 100 block of South Patrick Street.

(16) east side of the 100 block of The Strand for a distance of 275 feet north of the north curb line of Prince Street.

(17) both sides of the 700 and 800 blocks of Princess Street.

(18) both sides of Duke Street west of Union Street.

(b) The following described parts of the streets of the city are hereby established as parking meter zone 2:

(1) both sides of the 1100, 1200, 1300, 1400, 1500, 1600 and 1800 blocks of King Street ~~and the north side of the 1300 and 1400 blocks of King Street.~~

(2) both sides of the 100, 800 and 900 blocks of North Fayette Street and the east side of North West Street. The east side of the 600 and 700 blocks of North Fayette Street. The east side of South Fayette Street for a distance of 120 feet south of the south curb line of King Street and the west side of the 100 block of South Fayette Street for a distance of 215 feet south of the south curb line of King Street. Both sides of the 100 block of North Payne Street, except the portion between Cameron Street and the alley which is 100 feet north of King Street.

(3) both sides of the 1400, 1500 and 1600 blocks of Prince Street.

(4) both sides of the 1100 block of Madison Street.

(5) the east side of the 100 block of South Payne Street for a distance of 135 feet south of the south curb line of King Street and the west side of the 100 block of South Payne Street for a distance of 75 feet south of the south curb line of King Street.

(The remaining portions of Section 5-8-92 remain unchanged.)

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE  
Mayor

Introduction: 9/10/13

First Reading: 9/10/13

Publication:

Public Hearing:

Second Reading:

Final Passage:





## Legislation Details (With Text)

**File #:** 13-1678 **Name:** Revisions to City Code regarding Adjudication  
**Type:** Ordinance **Status:** Agenda Ready  
**File created:** 6/27/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Introduction and First Reading. Consideration, Passage on First Reading of an Ordinance to Amend Section 3-2-353 (Contested Parking Citations) of the Code of the City of Alexandria, Virginia.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [13-1678 Pkg Adj Elim Ord Cover Attachment 1](#)  
[13-1678 Park adj elim ordinance](#)

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Introduction and First Reading. Consideration, Passage on First Reading of an Ordinance to Amend Section 3-2-353 (Contested Parking Citations) of the Code of the City of Alexandria, Virginia.

**ISSUE:** Consideration of an ordinance to:

- Amend and reordain City Code Section 3-2-353 to clarify the language regarding how a parking citation can be contested and extend the deadline for contesting a citation.

**RECOMMENDATION:** That City Council pass the proposed ordinance (Attachment 1) on first reading and schedule it for public hearing, second reading and final passage on September 14, 2013. The proposed ordinance would modify the language of City Code Section 3-2-353.

**DISCUSSION:** Currently, City Code Section 3-2-353 includes language that registered owners may contest a

parking citation by contacting the Parking Adjudication Office and provides a deadline for contesting within 10 calendar days of the issuance of the parking citation.

The City's FY 2014 adopted budget included elimination of the City's Parking Adjudication Office, which resulted in shifting the parking citation appeal process back to the Alexandria General District Court. The modifications being proposed to City Code Section 3-2-353 will codify this decision.

City Code Section 3-2-353 would clearly reflect language that only allows registered owners to appeal parking citations to the General District Court and to modify the deadline for contesting citations to 3 years of the issuance of the parking citation. In October 2011, this section of the City Code was amended to limit the time to contest a parking ticket at the adjudication office to 10 days, however the same limitation cannot apply to court cases. The 3 year appeal period coincides with the time permitted to appeal taxes.

These amendments will have no effect on City revenues but will modify the policy for contesting parking citations. It should be noted that prior to FY 1999, the City did not have a Parking Adjudication Office. The Office was established in February 1999, managed by the Commonwealth's Attorney's Office. In FY 2010, the parking adjudication function was moved from the Commonwealth's Attorney's office to the Finance Department. Technological advances that exist today, most notably the ability to interact with the City online, address many of the difficulties that were resolved with the creation of the Parking Adjudication Office in 1999.

**FISCAL IMPACT:** The fiscal impact in FY 2014 has already been realized. The FY 2014 Approved Budget included savings of approximately \$135,000, reflecting the elimination of the contract to provide Parking Adjudication services.

**ATTACHMENTS:**

Attachment 1 - Proposed Ordinance Cover

Attachment 2 - Proposed Ordinance

**STAFF:**

Laura B. Triggs, Chief Financial Officer/Director

David Clark, Assistant Director of Finance, Treasury

Christina Zechman Brown, Assistant City Attorney

Kendel Taylor, Assistant Director, Finance Department

Introduction and first reading:  
Public hearing:  
Second reading and enactment:

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE to amend and reordain Section 3-2-353 (CONTESTED PARKING CITATIONS) of Article S (PAYMENT, CONTEST AND ENFORCEMENT OF PARKING CITATIONS) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

Summary

Amend and reordain City Code Section 3-2-353 to clarify the language regarding how a parking citation can be contested and extend the deadline for contesting a citation.

Sponsor

Staff

Christina Zechman Brown, Assistant City Attorney

Authority

§ 46.2-1225, Code of Virginia  
§ 2.04(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 3-2-353 (CONTESTED PARKING CITATIONS) of Article S (PAYMENT, CONTEST AND ENFORCEMENT OF PARKING CITATIONS) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-353 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is amended and reordained to read as follows:

Sec. 3-2-353 Contested parking citations.

The registered owner of any motor vehicle receiving a parking citation issued for a violation of the provisions of sections 3-2-336, 5-8-72, 5-8-114, 9-12-162 through 9-12-164, 10-3-1242, 10-4-1 through 10-4-18, 10-4-22 through 10-4-25, 10-4-28, 10-4-30, 10-4-33 through 10-4-42, 10-4-44 of this code who wishes to contest the same may do so, ~~by contacting the parking adjudication office or~~ by executing on an appropriate form provided by the director of finance, or his designee, an affidavit of his intent to contest the citation in court. The director of finance, or his designee, shall certify the same in writing on an appropriate form to the general district court or, in the case of a juvenile, the juvenile and domestic relations court. The registered owner must contest the ticket within ~~10 calendar days~~ 3 years of the issuance of the parking citation.

Section 2. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE  
Mayor

Introduction:

First Reading:

Publication:

Public Hearing:

Second Reading:

Final Passage:



## Legislation Details (With Text)

**File #:** 14-1800 **Name:**

**Type:** Ordinance **Status:** Agenda Ready

**File created:** 8/23/2013 **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013 **Final action:**

**Title:** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Repeal Chapter 7 (Personal Grooming Establishments) of Title 11 (Health, Environmental and Sanitary Regulations) of the Code of the City of Alexandria, Virginia, 1981 as amended.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1800 11-7-1 cover.pdf](#)  
[14-1800 11-7-1 ord.pdf](#)

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Repeal Chapter 7 (Personal Grooming Establishments) of Title 11 (Health, Environmental and Sanitary Regulations) of the Code of the City of Alexandria, Virginia, 1981 as amended.

**ISSUE:** City Council consideration of repeal of Chapter 7 (Personal Grooming Establishments), Title 11 (Health, Environmental and Safety Regulations) of The Code of the City of Alexandria, Virginia, 1981, as amended.

**RECOMMENDATION:** That City Council repeal Chapter 7 (Personal Grooming Establishments), Title 11 (Health, Environmental and Safety Regulations) of The Code of the City of Alexandria, Virginia, 1981, as amended.

**DISCUSSION:** Program History: Since at least 1983, the Alexandria Health Department (AHD) has permitted and inspected personal grooming establishments such as barber shops, hair salons, nail salons, tanning salons, and aestheticians under City ordinance (11-7-1 et seq.). The ordinance was last amended in 1985. It is currently very outdated as it does not specifically address tanning booth safety, pedicure footbaths, waxing, laser hair removal, or eyebrow threading.

Program Scope: Currently there are 219 permitted personal grooming facilities in Alexandria. Facilities that cut and style hair or provide manicure / pedicure services accounted for the majority of the establishments. However, many of these facilities provide several types of personal grooming services as shown in the table below.

**Personal Grooming Establishments by Type of Services Provided\***

<b>Permit Type</b>	<b>Number</b>
Eyeblink Threading	7
Hair Styling	166
Laser Therapy / Electrolysis	3
Manicure / Pedicure	94
Sauna/Bath	1
Skin Care/Make-Up (Esthetics)	47
Tanning	7
Waxing	42
<b>Total</b>	<b>367</b>

\* Some establishments offer multiple services

Frequency of Inspection: Prior to FY03, the Environmental Health (EH) Division inspected personal grooming establishments quarterly. From FY03 to FY08, personal grooming establishments were inspected annually. Since the beginning of FY09, due to the reduction in the number of Environmental Health Specialists (EHSs), personal grooming establishments have been inspected only when they are initially opened and thereafter only when a complaint is received. The EH Division has focused instead on maintaining vital, state-mandated EH programs such as food safety.

Impact of Reduced Inspection Frequency: Elimination of routine inspection of personal grooming establishments has had a negligible impact on the number of health-related complaints received by the EH Division. During the six years from FY03 to FY08, the EH Division received only 18 health-related complaints about personal grooming establishments. During the five years since (FY09 to FY13), the EH Division received only 19 health-related complaints about personal grooming establishments. Below is a table showing the reasons for the health-related complaints about personal grooming establishments received over the last eleven years.

**Number\* of Personal Grooming Complaints by Issue Type - FY03 to FY13**

<b>Facility Sanitation</b>	
Sanitization of Instruments	<b>13</b>
Facility Cleanliness	<b>10</b>
Vermin (Insects)	<b>5</b>
Other - Health	<b>4</b>

	Dirty Linens	2
<b>Personal Injury or Disease</b>		
	Skin Infection Contracted by Patron	10
	Patron Cut During Manicure / Pedicure	5
	Waxing Injuries	3
	Head Lice	2
<b>Issues Referred to Other Agencies</b>		
	Unlicensed Employees (referred to AHD)	9
	Building Condition (referred to Code Admin)	5
	Ventilation Issues (referred to Code Admin)	4
	Other (referred to Code Admin)	2

\* - Many complaints related to more than one issue

**Public Health Significance:** Over the past 11 years (FY03 through FY13) there have been 37 health-related complaints made to AHD about personal grooming establishments. To put this data into context, the health department receives a health-related complaint about the average personal grooming establishment approximately once every 65 years. On average fewer than two persons annually report injuries or infections related to personal grooming. Additionally, AHD has limited to no ability to regulate the techniques of personal groomers (and it is the groomer's technique which can lead to injury or infection).

**Resources Used to Implement Personal Grooming Program:** This program requires AHD staff time to administer (approximately 25 hours of administrative staff time and 80 hours of professional staff time annually). In FY13, administration of the permitting process required approximately 25 hours of the time of the Environmental Health Division's administrative staff. Plan review and pre-opening inspections for the 17 new personal grooming establishments in FY13 required approximately 68 professional staff hours. Investigation of the five complaints received in FY13 required approximately 12 professional staff hours. The AHD staff administering this City-mandated program are state employees.

**What Are Other Jurisdictions Doing?:** Locally, neither Arlington County nor Fairfax County permit or inspect personal grooming establishments any longer. The City of Falls Church was the last nearby Virginia locality to deregulate these facilities. On a statewide basis, the Virginia Department of Health (VDH) stopped regulating barbershops and beauty salons in the mid-1980s. The City of Richmond stopped regulating these facilities in 1995. To our knowledge, the Cities of Norfolk and Virginia Beach are the only other jurisdictions in Virginia that still regulate these facilities.

**Role of DPOR:** On the state level, the Department of Professional and Occupational Regulation (DPOR) licenses personal grooming establishments and barbers, beauticians, estheticians, nail technicians, and wax technicians. DPOR also regulates body piercers and tattoo artists. DPOR investigates consumer complaints about the facilities and individuals it licenses and, when appropriate, takes enforcement action to address violations of their regulations governing health, safety and licensure.

**Alternatives to Deregulation:** AHD considered recommending that the Personal Grooming Ordinance be amended to deregulate the 85 facilities that only cut and style hair and updating the ordinance to better address manicures, pedicures, indoor air quality, tanning, waxing, electrolysis, laser hair removal, and eyebrow threading. This alternative was determined to have little public health benefit as described below.

Comparison of the complaint data from FY03 through FY08, when inspections were done annually, with data

from FY09 through FY13, when inspections were done only upon complaint, revealed no significant difference in the average number of health-related complaints received annually by AHD (3.0 complaints/yr. vs. 3.8 complaints/yr.). It is believed that an annual inspection is too infrequent to change behaviors. A program that makes any difference would require a greater frequency of inspection (e.g. 3-4 times annually). AHD currently does not have the resources to do this - already AHD's state-mandated Food Safety Program is not meeting federal standards for staffing levels. (The elimination of one EHS position in FY09 and the increase in the number of permitted food establishments in the City have increased the food safety workload per EHS by more than 20% over the last five years.)

In order to do this, the City would need to impose license fees sufficient to hire a part-time City employee to implement the program and inspect these facilities at least three times a year. The estimated annual program cost would be approximately \$20,234 (or approximately \$151 per facility). However, imposing additional regulation and fees on small businesses that provide personal grooming services is unlikely to reduce the number of injuries and infections much below the present level. Again, this option would be unlikely to produce a significant public health benefit and therefore it is not believed that this is a good alternative.

Input from Alexandria's Personal Grooming Businesses: On March 13, 2013, a public meeting was held with personal grooming establishments doing business in Alexandria. The meeting was announced via two letters to each permitted personal grooming establishment (mailed on February 8 and February 28). Twenty-three persons attended this stakeholder meeting to discuss possible deregulation of personal grooming in Alexandria.

A number of those attending the meeting expressed concern that employees may not pay as much attention to cleanliness and sanitation if personal grooming was deregulated by the City. However, all attendees were uniformly opposed to any sort of permit fees to support inspection services. A number of meeting participants also sought information on the Commonwealth of Virginia's program for permitting personal grooming establishments, hair stylists and nail technicians through DPOR. At the conclusion of the stakeholder meeting, the participants conducted a straw poll with a vote of 20-0 (with 2 abstentions) in favor of deregulation of personal grooming by the City. (After the meeting was over, one individual arrived to express her opposition to deregulation).

Basis for Recommendation: Although perhaps useful decades ago, permitting and inspection of personal grooming establishments no longer serves a significant public health purpose. AHD's EH Division should be relieved of this responsibility in order to focus its limited resources on programs that have more potential public health impact (e.g. food safety, as the number of food establishments have increased over the past decade and AHD has one less EH staff member due to budget cuts).

Future Complaints and Concerns from City Residents: If personal grooming is deregulated by the City of Alexandria, future consumer complaints will be referred to DPOR, the industry's state regulatory agency (for licensure and professional practice related complaints) or to Code Administration (for building maintenance issues). As always, the Health Department will be available to answer questions from the public about public health.

**FISCAL IMPACT:** None. There are no fees charged for City permits issued to personal grooming establishments. In the last eleven years, there have been no fines assessed by the courts (or jail sentences imposed) as a result of enforcement of this ordinance.

**ATTACHMENTS:**

Attachment 1: Proposed ordinance to repeal Chapter 7 (Personal Grooming Establishments), Title 11 (Health, Environmental and Safety Regulations) of The Code of the City of Alexandria, Virginia, 1981, as amended.



Attachment 2: Coversheet to the ordinance to repeal Chapter 7 (Personal Grooming Establishments), Title 11 (Health, Environmental and Safety Regulations) of The Code of the City of Alexandria, Virginia, 1981, as amended.

**STAFF:**

Stephen Haering, MD, MPH, FACPM, Health Director, Alexandria Health Dept.

Bob Custard, Environmental Health Division Chief, Alexandria Health Dept.

Mary O'Donnell, Assistant City Attorney

1 Introduction and first reading: 9/10/13  
2 Public hearing: 9/21/13  
3 Second reading and enactment: 9/21/13  
4  
5

6 INFORMATION ON PROPOSED ORDINANCE  
7

8 Title  
9

10 AN ORDINANCE to repeal Chapter 7 (Personal Grooming Establishments) of Title 11  
11 (Health, Environmental and Sanitary Regulations) of the Code of the City of  
12 Alexandria, Virginia, 1981, as amended  
13

14 Summary  
15

16 The proposed ordinance would repeal the local regulation of personal grooming  
17 facilities such as barber shops, beauty shops, nail salons and tanning salons.  
18

19 Sponsor  
20

21 Staff  
22

23 Stephen A. Haering, MD, MPH, FACPM, Health Director  
24 Robert Custard, Environmental Health Manager  
25 Mary O'Donnell, Assistant City Attorney  
26

27 Authority  
28

29 Alexandria City Charter § 2.04(h)  
30

31 Estimated Costs of Implementation  
32  
33  
34

35 Attachments in Addition to Proposed Ordinance and its Attachments (if any)  
36  
37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to repeal Chapter 7 (Personal Grooming Establishments) of Title 11 (Health Environmental and Sanitary Regulations) of the Code of the City of Alexandria, Virginia, 1981, as amended

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. Chapter 7 of Title 11 of The Code of the City of Alexandria, Virginia, 1981, as amended, is hereby repealed.

Section 2. This ordinance shall become effective on November 1, 2013.

William D. Euille  
Mayor

Introduction:	9/10/13
First Reading:	9/10/13
Publication:	
Public Hearing:	
Second Reading:	
Final Passage:	



## Legislation Details (With Text)

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<b>File #:</b>	14-1824	<b>Name:</b>	beauregard design advisory bd
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/30/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Beauregard Urban Design Advisory Committee 2 Qualified Professional Members Skilled in Architecture, Planning, Landscape Architecture and/or Urban Design		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1824_beauregard design advisory.pdf</a>		

Date	Ver.	Action By	Action	Result
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Beauregard Urban Design Advisory Committee  
2 Qualified Professional Members Skilled in Architecture, Planning, Landscape Architecture and/or Urban Design

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Beauregard Urban Design Advisory Committee**

(2-year term)

2 qualified professional members skilled in architecture, planning, landscape architecture and/or urban design

\_\_\_\_\_ Gus Ardura

\_\_\_\_\_ David Kitchens  
(residency waiver required)

\_\_\_\_\_ Clare McCaffrey

\_\_\_\_\_ Rebecca Mezny  
(residency waiver required)

\_\_\_\_\_ Mark Ramirez



## Legislation Details (With Text)

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<b>File #:</b>	14-1825	<b>Name:</b>	beautification comm
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/30/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Beautification Commission 1 Citizen Member		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1825 beautification comm.pdf</a>		

Date	Ver.	Action By	Action	Result
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Beautification Commission  
1 Citizen Member

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Beautification Commission**

(2-year term)

1 citizen member

\_\_\_\_\_ Samson Agegnehu

\_\_\_\_\_ Beverly Patton \*

\* incumbent



## Legislation Details (With Text)

<b>File #:</b>	14-1826	<b>Name:</b>	comm for the arts
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/30/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Commission for the Arts 1 Member Who Represents Arts Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives as Marketing, Finance/Funding, Tourism Promotion and Organizational Development		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1826 comm for the arts.pdf</a>		

Date	Ver.	Action By	Action	Result
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### Commission for the Arts

1 Member Who Represents Arts Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives as Marketing, Finance/Funding, Tourism Promotion and Organizational Development



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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Commission for the Arts**

(3-year term)

1 member who represents arts education or business expertise relative to arts and cultural development, including such perspectives as marketing, finance/funding, tourism promotion and organizational development

\_\_\_\_\_ Kate Keeney

\_\_\_\_\_ Matthew Stensrud \*

Donna Fowler, vice chair,  
Commission for the Arts

\* incumbent



## Legislation Details (With Text)

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**File #:** 14-1827      **Name:** comm on aging  
**Type:** Appointment      **Status:** Agenda Ready  
**File created:** 8/30/2013      **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013      **Final action:**  
**Title:** Commission on Aging  
1 Individual With Leadership Experience in a Volunteer Organization  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-1827 comm on aging.pdf](#)

Date	Ver.	Action By	Action	Result
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Commission on Aging  
1 Individual With Leadership Experience in a Volunteer Organization

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Commission on Aging**

(3-year term)

1 individual with leadership experience in a volunteer organization

\_\_\_\_\_ Mary Lee Anderson

\_\_\_\_\_ Alexandra Condeelis



## Legislation Details (With Text)

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**File #:** 14-1835      **Name:** comm on HIV/AIDS  
**Type:** Appointment      **Status:** Agenda Ready  
**File created:** 9/3/2013      **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013      **Final action:**  
**Title:** Commission on HIV/AIDS  
1 Citizen Member  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-1835 comm on HIV AIDS.pdf](#)

Date	Ver.	Action By	Action	Result
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Commission on HIV/AIDS  
1 Citizen Member

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Commission on HIV/AIDS**

(3-year term

1 citizen member

\_\_\_\_\_ Kenya Newby  
(residency waiver required)



## Legislation Details (With Text)

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<b>File #:</b>	14-1833	<b>Name:</b>	GW Birthday Celebration Comm
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	9/3/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	George Washington Birthday Celebration Committee 1 Citizen Member		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1833 GW Birthday Celebration Comm.pdf</a>		

Date	Ver.	Action By	Action	Result
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George Washington Birthday Celebration Committee  
1 Citizen Member

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**George Washington Birthday Celebration Committee**

(2-year term)

1 citizen member

\_\_\_\_\_ Maria Ciarrocchi

\_\_\_\_\_ Konstantin Gojnych \*

\* incumbent



## Legislation Details (With Text)

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**File #:** 14-1828      **Name:** sister cities comm  
**Type:** Appointment      **Status:** Agenda Ready  
**File created:** 8/30/2013      **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013      **Final action:**  
**Title:** Sister Cities Committee  
1 Citizen Member  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-1828 sister cities comm.pdf](#)

Date	Ver.	Action By	Action	Result
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Sister Cities Committee  
1 Citizen Member



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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Sister Cities Committee**

(2-year term)

1 citizen member

\_\_\_\_\_ Katherine Dinkins

\_\_\_\_\_ Robert Hay, Jr.



## Legislation Details (With Text)

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<b>File #:</b>	14-1829	<b>Name:</b>	social services ad bd
<b>Type:</b>	Appointment	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/30/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Social Services Advisory Board 2 Citizen Members 1 Parent Member		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1829 social services advisory.pdf</a>		

Date	Ver.	Action By	Action	Result
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Social Services Advisory Board  
2 Citizen Members  
1 Parent Member

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Name of Council Member

CONTESTED APPOINTMENT

Endorsement

**Social Services Advisory Board**

(3-year term)

2 citizen members

\_\_\_\_\_ Kenneth Batey

\_\_\_\_\_ Deena Disraelly

\_\_\_\_\_ Whitney Dubinsky

\_\_\_\_\_ Jeffrey Larrimore

\_\_\_\_\_ Synthoria Spencer

1 parent member

\_\_\_\_\_ Clarissa Pearson

\_\_\_\_\_ Deb Riley



Legislation Details (With Text)

<b>File #:</b>	14-1757	<b>Name:</b>	Wesley Housing Development Corporation Funding
<b>Type:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/9/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Consideration of a Wesley Housing Development Corporation Funding Request for Lynhaven Apartments.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1757 WHDC Lynhaven Sources and Uses.pdf</a> <a href="#">14-1757 Lynhaven Civic Assoc Letter of Support.pdf</a>		

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a Wesley Housing Development Corporation Funding Request for Lynhaven Apartments.

**ISSUE:** Funding request from Wesley Housing Development Corporation (WHDC) for the renovation of Lynhaven Apartments.

**RECOMMENDATION:** That City Council:

- 1) Approve a new loan of \$1.078 million to WHDC for the substantial renovation of the 28-unit Lynhaven Apartment complex, comprised of \$862,400 in federal HOME and \$215,600 in local matching funds from the Housing Opportunities Fund, to be added to the outstanding principal and interest balance of approximately \$422,000 from the existing City loan on the property for a total loan amount of \$1.5 million; and

- 2) Authorize the City Manager to execute all necessary documents in connection with this project and its funding, including a support letter for WHDC's 4% (non-competitive) Low Income Housing Tax Credit (LIHTC) application to VHDA and for tax exempt bond financing.

**DISCUSSION:** WHDC, which has an existing \$422,000 City loan balance on the Lynhaven Apartments, is requesting an additional City loan of \$1.078 million in order to undertake a substantial \$3.2 million rehabilitation of that property. The City's 2002 loan of \$325,000 assisted WHDC only to purchase the 28-unit garden style complex located at 3521 Commonwealth Avenue. The Lynhaven property consists of 23 two-bedroom and five one-bedroom apartments in four buildings.

The planned substantial rehabilitation of the building is designed to reduce operating costs and increase the useful life of the property. The proposed renovation will make significant upgrades to the exterior of the property, completely renovate all interior units and common areas, and replace the aging HVAC systems in each unit. The City contracted with a third party construction review firm that has verified the needs and costs in WHDC's needs assessment, which was prepared by Wiencek Associates.

In response to WHDC's funding application, staff is recommending a new loan of approximately \$1.078 million in new funds from the HOME portion of the HOF (including local match), leaving in place the existing City loan of approximately \$422,000 of HTF funds from the HOF. WHDC plans to apply for non-competitive housing tax credits to raise nearly all of the balance needed for the \$3.2 million rehabilitation budget. The Affordable Housing Advisory Committee (AHAC) voted on June 27 to recommend approval of the loan.

The sources and uses for the rehabilitation are shown in Attachment I.

The \$1.5 million loan would be a residual receipts loan, accruing 2% interest, to be repaid over time once the project has been stabilized, similar to recent affordable housing loans approved by the City. Based on the projected rent levels that WHDC expects to be able to attain based on the property's anticipated improved condition and its location close to Potomac Yard, WHDC's current pro forma shows residual receipts of approximately \$165,000 in the first 15 years, starting in Year 4, with full repayment occurring well after year 30 (with the likelihood of substantial earlier repayment upon refinancing). All residual receipts would be split on a 50/50 basis between the City and WHDC.

In return for the new City loan, WHDC will keep all 28 units in the complex affordable for a minimum of 40 years. The major change in the loan terms (but not the reality of current occupancy) concerns the affordability. Of the 28 units, 16 will continue to be affordable at or below 50% of area median income (AMI), and the remainder will be affordable to households at or below 60% AMI. This expands the number of dedicated affordable units within the project from 16 to all 28 units. More than half of the units will continue to be affordable to households at or below 50% AMI, a priority income group as noted in the Draft Housing Master Plan. The previous loan had the same requirement for 16 units at 50% AMI, but called for the remaining 12 units to have rents that would start at the same level as the income-restricted units, and then increase, beginning at such time as market rents rose above the rents of the income-restricted units, to be affordable to households at no more than 100% AMI. However, market rents for this property did not increase as anticipated, and the two tiered rent structure (with the upper tier modeled at 60% AMI in the original pro forma) never materialized, as most rents stabilized at a 50% AMI level.

WHDC has reviewed the project with the Lynhaven Civic Association, which has provided a letter of support (Attachment). The planned rehabilitation of the building will not meet the current City parking ordinance requirements which are triggered by the cost of the rehabilitation. As a result, a parking reduction approval by

the Planning Commission and City Council will be required prior to the start of the renovation, a situation that has been faced by other affordable housing rehabilitation projects. Staff from the Departments of Planning & Zoning and Transportation & Environmental Services have reviewed the parking issue pertaining to the Lynhaven project and will be recommending approval of WHDC's requested parking reduction. The number of units/bedrooms in the Lynhaven Apartments is not being increased so the parking demand should not increase. In addition, WHDC's renovation includes a plan to better incorporate nine off-street parking spaces that are located in the rear of the property but currently underutilized. While the project will need a "parking reduction" approval from the Planning Commission and City Council to be completed per the City Code, the parking situation for this project and the neighborhood will improve with the better utilization of the nine off-street spaces in the rear of the building.

Wesley is in the process of submitting an application for VHDA financing and needs to receive confirmation of funding from VHDA prior to the City's final commitment of HOME funds, which includes the execution of a loan agreement with the City

The City faces a commitment deadline of September 30, 2013 for approximately \$350,000 in HOME funds. This project will satisfy that requirement if HUD grants a requested waiver of an unexpected new regulatory requirement that all funding for a project be secured prior to committing HOME funds. (The VHDA funding will likely not be secured by the commitment deadline). Because the City likely will not receive HUD's response until shortly before the commitment deadline, a docket item for a backup project in the amount needed to avoid recapture of federal funds will be submitted for Council consideration on September 24, 2013. That project would be committed only if the waiver is not granted in time to allow the Lynhaven project to be committed by September 30, 2013. If the backup project is committed, the City will have sufficient HOME funds remaining to commit to the Lynhaven project once the conditions of the new regulation are met.

**BACKGROUND:** The original City loan for Lynhaven carried a two percent interest rate and WHDC projected to be able to begin payment, on a residual receipts basis, starting in 2003 based on its projections of income and cash flow, after expenses. To date, the cash flow from operations of the property has not been sufficient to begin residual receipt payments, and the total outstanding City loan balance is approximately \$422,000, including interest accrual. The current loan terms call for the loan to be repaid by August 1, 2017, but allow for renegotiation at that time without penalty to WHDC.

WHDC's original purchase of the Lynhaven property did not involve substantial rehabilitation. As a result of aging and inefficient building systems, in recent years any cash flow achieved from the property has had to be reinvested back into the property to continue operations. In addition, WHDC has used approximately \$330,000 of its own capital resources to help cover the property's escalating operations and maintenance costs.

**FISCAL IMPACT:** The City would provide an additional \$1.078 million from the City's Housing Opportunities Fund (HOF). These funds would come from the Federal HOME (\$862,400) and matching funds (\$215,600) portion of the HOF, leaving an uncommitted Federal HOME and matching fund balance of \$581,100.

**ATTACHMENTS:**

Attachment 1 - Sources and Uses for Substantial Rehabilitation

Attachment 2 - August 14, 2013 letter from the Lynhaven Civic Association

**STAFF:**

Mark Jinks, Deputy City Manager

Mildrilyn Davis, Director, Office of Housing  
Helen McIlvaine, Deputy Director, Office of Housing  
Eric Keeler, Division Chief, Office of Housing  
Jon Frederick, Housing Analyst, Office of Housing

<b>Lynhaven Substantial Rehabilitation Sources and Uses</b>			
<b>Permanent Sources</b>	<b>Amount</b>	<b>Summarized Uses</b>	<b>Amount</b>
Tax Credit Equity	\$2.03	Construction Costs	\$1.77
Federal HOME dollars and Local Match	\$1.08	Design, Engineering and Architecture	\$0.13
Other	\$0.07	Owners Construction Costs, Professionals Services	\$0.07
		Financing Costs	\$0.36
		Partnership Costs	\$0.02
		Developer Carrying Costs, Reserves	\$0.29
		Developer Fee	\$0.54
<b>Total Permanent Sources</b>	<b>\$3.18 M</b>	<b>Total Uses</b>	<b>\$3.18 M</b>





August 14, 2013

Mr. Jon Frederick, AICP  
Housing Analyst  
City of Alexandria – Office of Housing  
421 King Street, Suite 200  
Alexandria, VA 22314

Dear Mr. Frederick:

At the August meeting of the Lynhaven Citizens Association, our membership voted unanimously to voice support for the Wesley Housing Corporation's plan to renovate their property in our neighborhood.

The Lynhaven Apartments have been a fixture of the western edge of Lynhaven for many years. They served an important role when built, and we believe they continue to serve that role in an ever-changing and challenging real estate environment in Alexandria.

Representatives from the Wesley Housing Corporation have presented their plans for the rehabilitation of their property at our Association meeting, and they continue to be in close contact with us as the project has moved forward. We look forward to working with them as neighborhood partners throughout this process.

The Lynhaven Apartments are in need of a top to bottom rehab. The fabric is there, but they are showing their age. We support fully Wesley's plan to makeover their property and make the apartments available as affordable housing for Alexandria.

In Lynhaven, we are proud of our diverse and colorful neighborhood. Wesley's Lynhaven Apartments certainly contribute that that diversity and we look forward working them to make their property even more vibrant and up-to-date.

Sincerely,

Joe Bondi, President  
Lynhaven Citizens Association



Legislation Details (With Text)

**File #:** 13-1496 **Name:** DASH Efficiency  
**Type:** **Status:** Agenda Ready  
**File created:** 5/17/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Update on the Implementation of the DASH Efficiency Study Recommendations.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:**

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Update on the Implementation of the DASH Efficiency Study Recommendations.

**ISSUE:** Update on the implementation of the DASH Efficiency recommendations outlined by City Council during the February 26, 2013 annual stockholder meeting for the Alexandria Transit Company (ATC).

**RECOMMENDATION:** That City Council endorse the recommendations detailed in this report and authorize the City Manager to execute a Memorandum of Understanding between the City and the ATC Board along the lines of the terms and conditions outlined in this report.

**DISCUSSION:** At the February 26 stockholder meeting, Council agreed upon several principles and directed staff to work with ATC to develop a Memorandum of Understanding (MOU) that includes a detailed implementation plan. The agreed upon principles were intended to improve the accountability and transparency of the structure, but insure that the operational strengths of the system remained intact. The principles included:

- Expand the ATC Board to include additional transit and finance expertise, combined with more City government representation;
- Increase the Board's role to include broader transit policy, including the high capacity transit corridors and DOT Paratransit;
- Review the management services agreement with First Transit, which employs the General Manager and Assistant General Manager, and explore how the structure could be modified to provide a direct line of reporting between the General Manager and the ATC Board;
- Consider a professional services contract with outside vendors to provide staff augmentation or other services as needed; and
- Maintain the subsidiary corporation, Transit Management of Alexandria, Inc., (which employs all of the DASH employees, including bus operators, mechanics, supervisors and managers, and support staff).

As described in the July 10, 2013 memorandum to City Council, City and ATC staff and management, including the ATC Board Chairman have met about weekly since the February stockholder meeting, with the goal of developing an MOU that addresses the above principles. Through those weekly meetings, the City and ATC have agreed to the following:

1. The ATC Board will be expanded to nine members, including two additional City staff positions. Positions will include:
  - a. City Manager or designee\*
  - b. T&ES representative (new)
  - c. City Finance representative (new)
  - d. Transportation Commission representative\*
  - e. Resident with transportation expertise\*
  - f. Resident with financial expertise\*
  - g. Three additional residents/riders\*

\* The current DASH Board has members who meet these criteria.
2. The ATC Board will continue to provide the overall policy guidance for the system and continue to approve and set fare structure and route changes/expansion. The Board functions will be expanded to include:
  - i. BRT/Transitway operational policy and coordination with other jurisdictions and transit agencies;
  - ii. DOT Paratransit policy and fares;
  - iii. Provide recommendation on proposed Metrobus fare and route changes;
  - iv. Implementation policy considerations associated with transit infrastructure throughout the City (excluding Metrorail).
3. A Board agenda will be developed at monthly City-DASH coordination meetings. The Transit Division Chief will coordinate the agenda and materials with input from DASH and other City divisions, as needed. The General Manager of DASH will continue to (a) serve as the principal transit advisor to the Board on DASH and ATC matters, (b) prepare DASH-related materials, and (c) report on DASH-related agenda items. City staff will take the lead on other transit issues to come before the Board.
4. ATC will be fully transitioned to the City's financial and accounting systems with no shadow system in place by December 31, 2013, with implementation beginning July 1, 2013. The City will provide the necessary financial data from and training for the new system to support the development of DASH

reports to the ATC Board. ATC's Director of Finance and Administration will continue to report directly to the DASH General Manager. The City and ATC will evaluate this arrangement after one year and assess whether there has been an improvement in process and coordination between the two agencies. Examples of process and coordination improvements will include:

- a. Development of an overall financial plan for the system;
  - b. Collection and recording of all cash revenue including collections from fareboxes;
  - c. Timely preparation of the DASH portion of the National Transit Database report;
  - d. Certified weekly reconciliations of cash receipts;
  - e. Submission of line item budgets by Object;
  - f. As a subrecipient of federal grants awarded to the City, full compliance with City laws, policies and procedures for acquisition, accounting, program compliance and ongoing contract administration;
  - g. Compliance with City Administrative regulations and policies for cash deposits;
  - h. Timely submission of required documents for Comprehensive Annual Financial Report (CAFR) and external audit requests;
  - i. Monthly reconciliation of journal vouchers for the Transit Store;
  - j. Development of detailed cash handling policy, certification that all staff handling cash have read and will abide by City policies and procedures, and implementation of mandatory periodic training for cash handling;
  - k. Development of detailed policies and procedures for the sales program and notification to City Finance staff of any changes to the program;
  - l. Reconciliation of monthly physical inventory accounts to Transit Store monthly reconciliation spreadsheet; and
  - m. Verification of revenues in Accounting system and notification to Accounting of any discrepancies.
5. The City's Chief Financial Officer (CFO) participated in the hiring of the new Director of Finance and Administration. The CFO will play an ongoing role in evaluating the current employee and will participate in the decision-making regarding hiring, evaluation, compensation changes, and termination of any future candidate for the position.
  6. To maintain the focus of the Director of Finance and Administration on financial management of the system, the City will support the increase of the existing ATC human resources manager function by 20 hours per week, to the extent permitted by the budget process.
  7. ATC will maintain its current planning functions and positions. Currently, the City is co-managing the DASH Comprehensive Operational Analysis with ATC staff. Following the completion of this study, ATC and City staff will meet to discuss how well this partnership worked and whether there is a need to better integrate planning functions and improve coordination.
  8. The City and ATC Board are exploring options for modifying the Transit Management Agreement with First Transit, Inc. No change to the subsidiary corporation that employs the rest of DASH's staff is anticipated.
  9. Each of the above items will be evaluated by senior DASH and City staff, to include both an interim (January 2014) and annual evaluation (July 2014).

In addition to the action items outlined above, the City and ATC will implement several items approved by the

ATC Board, including:

1. Additional reports for Council and staff;
2. Regular monthly meetings between ATC and T&ES staff;
3. Quarterly interagency meetings with ATC, T&ES, Office of Management and Budget, Planning and Zoning;
4. Inclusion of DASH General Manager in high level City meetings, as appropriate. The proposed quarterly interagency meetings should meet this need;
5. Reinstitute regular meetings between ATC and the CFO and their City financial staff designee;
6. Explore additional strategies to engage the public in Board activities; and
7. Amend First Transit Management Agreement so the General Manager and the Assistant General Manager report to the ATC Board, and amend the management contract to provide operational, management, and technical support in order to offer the Board more opportunities to provide guidance to the General Manager in a more direct manner.

**BACKGROUND:** ATC provides local bus service (DASH) with connections to regional Metrobus, Metrorail, Virginia Railway Express, and other local bus systems. Since the ATC was created 29 years ago, the route network has more than doubled, and ridership has increased fourfold. As Council is aware, the City initiated the DASH Efficiency Study to evaluate the current governance structure, organization, and management practices, and to ensure that there is capacity to accommodate the planned expansion of service. City staff presented the major findings of the DASH Efficiency Study to City Council at the annual meeting of the ATC stockholders on February 26, 2013 (Attachment 1). Since then, City and ATC staff have been meeting regularly to develop an implementation plan for the DASH Efficiency Study recommendations outlined by City Council at that meeting.

The DASH Efficiency Study found that the system has many strengths, including: productivity, flexibility, efficiency, and high staff morale. While the operational and financial performance of DASH is generally excellent, improvements in transparency, accountability, and the level of City involvement were recommended. The City has appropriated \$14 million for DASH capital and operating expenses in FY 2014. DASH's operating expenses continue to grow annually, in part due to service expansion and the absorption of the King Street Trolley, and the City has dedicated additional capital funding for DASH expansion through the Transportation Improvement Program. Given the growth of the system, and the associated growth of the City's investment in DASH, the City is seeking greater involvement.

**FISCAL IMPACT:** The approved FY 2014 budget includes a \$10.8 million operating subsidy for DASH, in addition to \$3.25 million in local capital funding and \$4.05 million in Federal and State grant funding for vehicle purchases. As described above, City and ATC staff agreed that additional administrative support is needed in the form of an additional 20 hours per week for human resources management. The cost of this addition will likely be \$50,000 annually.

**STAFF:**

Mark B. Jinks, Deputy City Manager

Laura Triggs, Chief Financial Officer

Jerome Fletcher, Special Assistant to the City Manager

Richard Baier, Director, Transportation & Environmental Services

Marti Reinfeld, Division Chief, Transportation & Environmental Services

Sandy Modell, General Manager, Alexandria Transit Company

Brad Putzier, Assistant General Manager, Alexandria Transit Company





## Legislation Details (With Text)

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**File #:** 14-1799      **Name:**

**Type:** Communication or Report      **Status:** Agenda Ready

**File created:** 8/22/2013      **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013      **Final action:**

**Title:** Combined Sewer System Permit Report.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1799 Attachment 1 Combined Sewer Permit - Final Revised.pdf](#)

Date	Ver.	Action By	Action	Result
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Combined Sewer System Permit Report.

City of Alexandria, Virginia

# New Combined Sewer System Permit

City Council Meeting  
September 10, 2013

William Skrabak,  
Deputy Director, T&ES-OEQ





# Combined Sewer System (CSS)

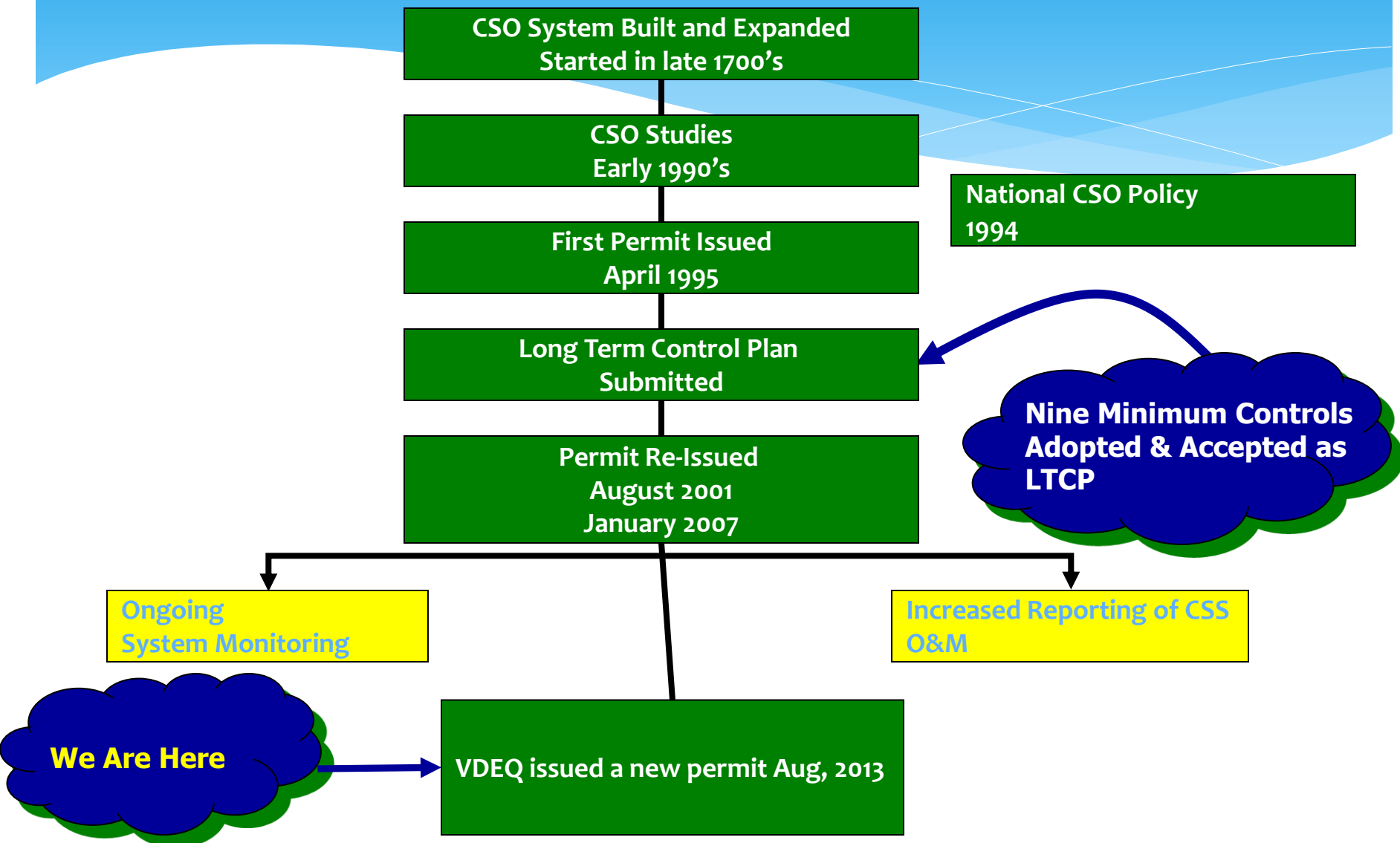
≈540 acres (6.4% of total area)

## Four Outfalls

- Combined Sewer Overflow 001  
Receiving Waterbody: Oronoco Bay
- Combined Sewer Overflow 002  
Receiving Waterbody: Hunting Creek
- Combined Sewer Overflow 003  
Receiving Waterbody: Hooffs Run
- Combined Sewer Overflow 004  
Receiving Waterbody: Hooffs Run



# Short History of City's CSS



# New Permit

- \* Several regulatory changes since last permit was issued
- \* Most significant regulatory change:
  - Hunting Creek Bacteria Total Maximum Daily Load (TMDL)
  - Required reductions at CSS outfalls 002, 003, and 004 of 80%, 99%, and 99%, respectively for a total of 86%
- \* RESULT - Several new requirements in new permit

# New Permit Requirements

- \* **Long Term Control Plan Update**
- \* Incorporation of the **Area Reduction Plan** as part of redevelopment
- \* **5MG Reduction of Stormwater Equivalent** – reduce water quality impacts
  - Payne & Fayette Sewer Separation (60- 92 laterals)
  - Combined Sewer Outfalls 003 and 004 Improvements – capture more flow
- \* **Green Initiative** - study, implement, and promote green infrastructure
  - Green Public Facilities – during major maintenance/enhancement projects
  - Green Infrastructure Database – track installation and maintenance
- \* **\$2.5M for CSO Abatement**
- \* **Evaluation of Tidal Intrusion at CSO-002**
- \* **New Signs at all Outfalls & Additional Monitoring and Reporting**

# Permit Requires Long Term Control Plan (LTCP) Update

- \* Long Term Control Plan (LTCP) Update

A plan that will provide a path for the City to meet the Hunting Creek Total Maximum Daily Load (TMDL)

- Draft Work Plan due to VDEQ in 9 months
- Final LTCPU due to VDEQ in 36 months

- \* Plan must be implemented by no later than 2035

- \* Requires extensive community education and outreach

# Discussion Issues for LTCP Development

## Typical Strategies

- \* **Storage:** storage tanks, in-line storage, tunnels
- \* **Separation:** fully separate all storm and sanitary sewers in Old Town
- \* **Green Infrastructure:** reduce the amount of runoff reaching the combined sewers
- \* **Combination:** storage, separation, and green
- \* **Others:** Other options and combination of options will be evaluated as well

# LTCP Development

## Programmatic Impacts and Challenges

- \* Construction in old and historic area
- \* Significant conflict with existing utilities
- \* Existing infrastructure is old and antiquated and may require rebuilding beyond planned sewer work
- \* Quality of Life: Disruption to community and businesses
- \* Economic: Loss to business and tax revenue
- \* **Order of magnitude Costs**  
Worst Case – \$200 to \$300million

# Public Outreach

- \* Already begun. Follow “*What’s Next Alexandria*”
- \* Press Release
- \* Updated website
- \* Presentation to Environmental Policy Commission, July 15, 2013
- \* Public Hearing August 5, 2013
- \* Scheduling presentations to key Civic Associations and other stakeholders





## Legislation Details (With Text)

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**File #:** 14-1714      **Name:** day to serve resolution  
**Type:** Resolution      **Status:** Agenda Ready  
**File created:** 7/22/2013      **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013      **Final action:**  
**Title:** Consideration of a Resolution in Support of Virginia's Day to Serve. [ROLL-CALL VOTE]  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-1714\\_resolution](#)

Date	Ver.	Action By	Action	Result
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Consideration of a Resolution in Support of Virginia's Day to Serve. [ROLL-CALL VOTE]

RESOLUTION NO. \_\_\_\_\_

WHEREAS, the governors of Virginia, Maryland and West Virginia and the mayor of Washington, D.C. have come together to support "Day to Serve"; and

WHEREAS, Day to Serve is a unique event that has inspired a diverse group of people of our larger region to set aside their political, religious and cultural differences to strengthen our collective communities by coming together to "feed the hungry, protect and enhance the environment, as well as strengthening our communities"; and

WHEREAS, the governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a Day of Service, between September 15-29, 2013; and

WHEREAS, since the Inaugural "Day to Serve" in 2012, this remarkable and unprecedented event swept from the state capital to local churches, schools, neighborhoods and families and resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and adopt a road campaigns; and

WHEREAS, the governor of Virginia has requested Virginians redouble our efforts for 2013.

NOW, THEREFORE, BE IT RESOLVED that the City of Alexandria supports the governor on this observance to call upon all faith based organizations, community organizations and Northern Virginia residents to participate in a Day to Serve in their communities; and

BE IT FURTHER RESOLVED that the City of Alexandria calls upon the Metropolitan Washington Council of Governments and Virginia's Planning District Commissions to adopt similar resolutions and encourages all local governments to support the "Day to Serve."

Adopted this \_\_\_\_\_ day of September, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Jacqueline M. Henderson, MMC

City Clerk and Clerk of Council



## Legislation Details (With Text)

<b>File #:</b>	14-1715	<b>Name:</b>	resolution on speech
<b>Type:</b>	Resolution	<b>Status:</b>	Agenda Ready
<b>File created:</b>	7/22/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Consideration of a Resolution to Establish as a Position of the City Council of the City of Alexandria, Virginia, to Support an Amendment to Reverse Citizens United v. Federal Election Commission, That Corporations Should Not Receive the Same Legal Rights as Natural Persons, That Money is Not Speech, and that Political Expenditures Can Be Regulated. [ROLL-CALL VOTE]		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1715 Resolution</a>		

Date	Ver.	Action By	Action	Result
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Consideration of a Resolution to Establish as a Position of the City Council of the City of Alexandria, Virginia, to Support an Amendment to Reverse Citizens United v. Federal Election Commission, That Corporations Should Not Receive the Same Legal Rights as Natural Persons, That Money is Not Speech, and that Political Expenditures Can Be Regulated. [ROLL-CALL VOTE]

RESOLUTION NO. \_\_\_\_\_

ESTABLISH AS A POSITION OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA, THAT CORPORATIONS SHOULD NOT RECEIVE THE SAME LEGAL RIGHTS AS NATURAL PERSONS, THAT MONEY IS NOT SPEECH, AND THAT POLITICAL EXPENDITURES CAN BE REGULATED

WHEREAS, We the people adopted and ratified the United States Constitution to protect the free speech and other rights of individuals, not corporations; and,

WHEREAS, the United States Supreme Court's decision in *Citizens United v. Federal Election Commission* overturned longstanding precedent prohibiting corporations (and unions) from spending general treasury funds in our elections; and,

WHEREAS, *Citizens United v. Federal Election Commission* and related federal court decisions present a serious and direct threat to our nation's republican democracy, while standing in direct contrast to our local Alexandria commitment to good government, civic and civil discourse, and broad participation in local decision-making; and,

WHEREAS, Article V of the United States Constitution empowers and obligates the people and states of the United States of America to use the constitution amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and republican self-government; and,

WHEREAS, the people and states of the United States of America have strengthened the nation and preserved liberty and equality for all by using the amendment process throughout our history, including the overturning of erroneous Supreme Court decisions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Alexandria, Virginia commends the efforts of Congressmen James P. Moran and Gerald E. Connolly to address this issue; and,

BE IT FURTHER RESOLVED that (i) the City Council of Alexandria, Virginia calls upon the Virginia General Assembly and the United States Congress to support an amendment to the U.S. Constitution to reverse *Citizens United v. Federal Election Commission* and related cases and to restore constitutional rights and fair elections to the people, and (ii) that constitutional amendment should make clear (a) that corporations are not entitled to the constitutional protections or "rights" of natural persons; (b) that money is not speech; (c) that regulating election-related spending is not the same as limiting political speech; and (d) that Congress and the states may place limits on election contributions and expenditures.

Adopted: \_\_\_\_\_

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WILLIAM D. EUILLE, MAYOR

ATTEST:

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Jacqueline M. Henderson, MMC  
City Clerk and Clerk of Council



## Legislation Details (With Text)

<b>File #:</b>	14-1710	<b>Name:</b>	Resolution Authorizing the Issuance of Refunding Bonds by the Industrial Development Authority of Fairfax County for Volunteers of America
<b>Type:</b>	Resolution	<b>Status:</b>	Agenda Ready
<b>File created:</b>	7/17/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Consideration of a Resolution Authorizing the Issuance of Refunding Bonds by the Industrial Development Authority for Volunteers of America. [ROLL-CALL VOTE]		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1710 Resolution - AIDA Bonds (Volunteers of America) Attachment 1</a> <a href="#">14-1710 Notice and Certificate of Public Hearing Attachment 2</a> <a href="#">14-1710 Financial Impact Statement Attachment 3</a> <a href="#">14-1710 IDA Resolution Attachment 4</a>		

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a Resolution Authorizing the Issuance of Refunding Bonds by the Industrial Development Authority for Volunteers of America. [ROLL-CALL VOTE]

**ISSUE:** Resolution authorizing the issuance of refunding bonds by the Industrial Development Authority of the City of Alexandria (AIDA) in an amount not to exceed \$4.8 million to assist Volunteers of America, Inc., a not-for-profit 501(c)(3) corporation, in refunding all or a portion of the outstanding amount of Pooled Loan Program Revenue Bonds, Series A of the Authority issued to finance the costs of acquisition, renovation and equipping of the organization's facilities located at 1660 Duke Street.

**RECOMMENDATION:** That City Council adopt the attached Resolution (*Attachment 1*) as recommended by

the AIDA.

**DISCUSSION** : On August 6, 2013, the AIDA passed a resolution ( *Attachment 2* ) authorizing the issuance of AIDA revenue refunding bonds in an amount not to exceed \$4.8 million for the purpose of assisting Volunteers of America, Inc. (VOA) in (a) refinancing certain of the costs of replacement of the roof and other renovations of the approximately 32,000 square foot four-story office building owned by VOA and serving primarily as their corporate headquarters, located at 1660 Duke Street, Alexandria, Virginia (the “Facility”), (b) refunding those certain outstanding Pooled Loan Program Revenue Bonds, Series A of the Authority issued on September 1, 1999 to finance the costs of acquisition, renovation and equipping of the Facility and related expenditures and (c) financing bond issuance costs and other eligible expenditures.

**FISCAL IMPACT**: The AIDA has the authority under State law to issue tax-exempt Industrial Revenue Bonds for certain nonprofit organizations and has done so frequently in the past. An administrative fee is charged to applicants for the bond financing. The fee is used to partially fund the operating costs of the Alexandria Economic Development Partnership (AEDP). The AIDA will receive a fee of up to \$8,600 depending on the ultimate size of the financing.

Since these are conduit revenue bonds, the City is not obligated to repay the bonds or the interest on the bonds. The bonds do not contain any pledge of the City’s faith and credit. The obligation rests solely with Volunteers of America, Inc. Under federal and State law, eligible non-profits such as this organization can avail themselves of tax-exempt financing for financing real property acquisition, if such non-profits finance their projects through public authorities such as the AIDA.

**ATTACHMENTS**:

Attachment 1 - Proposed Council Resolution

Attachment 2 - Notice and Certification of Public Hearing

Attachment 3 - Fiscal Impact Statement

Attachment 4 - August 6, 2013, Resolution of the Industrial Development Authority of the  
City of Alexandria

**STAFF**:

Laura B. Triggs, Chief Financial Officer & Director, Department of Finance

Stephanie Landrum, Executive Vice President & COO, Alexandria Economic Development Partnership



**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA,  
VIRGINIA WITH RESPECT TO INDUSTRIAL DEVELOPMENT AUTHORITY  
FINANCING FOR VOLUNTEERS OF AMERICA, INC.**

**WHEREAS**, the Industrial Development Authority of the City of Alexandria (the “Authority”) has considered the application of Volunteers of America, Inc. (the “Borrower”), a corporation which is described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (“Code”), requesting the issuance of the Authority’s revenue bond in an amount not to exceed \$4,800,000 (the “Bond”) to assist the Borrower in (a) financing or refinancing certain of the costs of replacement of the roof and other renovations of the approximately 32,000 square foot four-story office building owned by the Borrower and serving primarily as corporate headquarters for the Borrower and its affiliate, located at 1660 Duke Street, Alexandria, Virginia (the “Facility”), (b) refunding those certain outstanding Pooled Loan Program Revenue Bonds, Series A of the Authority issued on September 1, 1999 to finance the costs of acquisition, renovation and equipping of the Facility and related expenditures and (c) financing bond issuance costs and other eligible expenditures (collectively, the “Project”) and has held a public hearing in connection therewith on August 6, 2013;

**WHEREAS**, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of such bonds;

**WHEREAS**, the Authority issues its bonds on behalf of the City of Alexandria, Virginia (the “City”); the facilities of the Borrower described above are located in the City and the City Council of the City (the “Council”) constitutes the highest elected governmental unit of the City;

**WHEREAS**, the Authority has recommended that the Council approve the issuance of the Bond; and

**WHEREAS**, a copy of the Authority’s resolution approving the issuance of the Bond, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:**

1. The Council approves the issuance of the Bond by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the “Virginia Code”), to permit the Authority to assist in the financing of the Project.
2. The approval of the issuance of the Bond does not constitute an endorsement to a prospective purchaser of the Bond or the creditworthiness of the Bond or the Borrower.
3. The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Alexandria, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the Bond. Neither the City of Alexandria, Virginia nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and money pledged therefor.

4. This resolution shall take effect immediately upon its adoption.

Adopted September 10, 2013.

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Mayor  
City of Alexandria, Virginia

ATTEST:

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City Clerk

[SEAL

August 6, 2013

City Council of  
the City of Alexandria, Virginia  
301 King Street  
Alexandria, Virginia 22314

**Industrial Development Authority of the City of Alexandria  
Proposed Financing for Volunteers of America, Inc.**

Volunteers of America, Inc. (the "Borrower"), a corporation described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the Industrial Development Authority of the City of Alexandria (the "Authority") recommend approval to the City Council of the City of Alexandria, Virginia (the "City Council") of the issuance of the Authority's revenue bond (the "Bond") in an amount not to exceed \$4,800,000, to assist the Borrower in (a) financing or refinancing certain of the costs of replacement of the roof and other renovations of the approximately 32,000 square foot four-story office building owned by the Borrower and serving primarily as corporate headquarters for the Borrower and its affiliate, located at 1660 Duke Street, Alexandria, Virginia (the "Facility"), (b) refunding those certain outstanding Pooled Loan Program Revenue Bonds, Series A of the Authority issued on September 1, 1999 to finance the costs of acquisition, renovation and equipping of the Facility and related expenditures and (c) financing bond issuance costs and other eligible expenditures (collectively, the "Project").

As set forth in the resolution of the Authority attached hereto, the Authority has agreed to issue its Bond as requested. The Authority has conducted a public hearing on the proposed financing of the Project and has recommended that you approve the issuance of the Bond as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code").

Also attached hereto is: (1) a certificate evidencing the conduct of the public hearing and the action taken by the Authority; (2) the Fiscal Impact Statement required pursuant to Virginia Code Section 15.2-4907; and (3) the form of resolution suggested by counsel to evidence your approval.



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Secretary, Industrial Development Authority of the  
City of Alexandria

## CERTIFICATE

The undersigned Secretary of the Industrial Development Authority of the City of Alexandria (the "Authority") certifies as follows:

1. A meeting of the Authority was duly called and held on August 6, 2013 at 5:00 p.m. at the offices of the Alexandria Economic Development Partnership, Inc. at 625 N. Washington Street, #400, Alexandria, Virginia, pursuant to proper notice given to each Director of the Authority before such meeting. The meeting was open to the public. The time of the meeting and the place at which the meeting was held provided a reasonable opportunity for persons of differing views to appear and be heard.

2. The Chairman announced the commencement of a public hearing on the application of Volunteers of America, Inc. and that a notice of the hearing was published once a week for two successive weeks in a newspaper having general circulation in the City of Alexandria, Virginia (the "Notice"), with the second publication appearing not less than seven days nor more than twenty-one days prior to the hearing date. A copy of the Notice has been filed with the minutes of the Authority and is attached as Exhibit A.

3. A summary of the statements made at the public hearing is attached as Exhibit B.

4. Attached as Exhibit C is a true, correct and complete copy of a resolution (the "Resolution") adopted at such meeting of the Authority by a majority of the Directors present at such meeting. The Resolution constitutes all formal action taken by the Authority at such meeting relating to matters referred to in the Resolution. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on this date.

WITNESS my hand and the seal of the Authority, this 6<sup>th</sup> day of August, 2013.



Secretary, Industrial Development Authority of the  
City of Alexandria

[SEAL]

Exhibits:

- A - Copy of Certified Notice
- B - Summary of Statements
- C - Inducement Resolution

Ad # 11681083 Name MCGUIREWOODS LLP ATTN: KATHERINE EMBREY Size 106 Lines T0005  
 Class 820 PO# Authorized by Account 2010049094

## PROOF OF PUBLICATION

District of Columbia, ss., Personally appeared before me, a Notary Public in and for the said District, Alba Cortes well known to me to be BILLING SUPERVISOR of The Washington Post, a daily newspaper published in the City of Washington, District of Columbia, and making oath in due form of law that an advertisement containing the language annexed hereto was published in said newspaper on the dates mentioned in the certificate herein.

I Hereby Certify that the attached advertisement was published in The Washington Post, a daily newspaper, upon the following date(s) at a cost of \$2,513.12 and was circulated in the Washington metropolitan area.

Published 2 time(s). Date(s): 23 and 30 of July 2013

Account 2010049094

Witness my hand and official seal this 30th day of July 20 13

*Michelle Sinclair*

Michelle Sinclair  
 Notary Public, District of Columbia  
 My Commission Expires 1/1/2015

My commission expires \_\_\_\_\_

NOTICE OF PUBLIC HEARING ON PROPOSED REVENUE BOND FINANCING BY INDUSTRIAL DEVELOPMENT AUTHORITY OF

THE CITY OF ALEXANDRIA Notice is hereby given that the Industrial Development Authority of the City

of Alexandria (the #Authority"), whose address is c/o Alexandria Economic Development Partnership,

Inc., 625 N. Washington Street, #400, Alexandria, Virginia 22314, will hold a public hearing on the

plan of financing application of Volunteers of America, Inc. (the #Borrower"), a New York not-for-

profit corporation which is described in Section 501(c)(3) of the Internal Revenue Code of 1986, as

amended, and whose address is 1660 Duke Street, Alexandria, Virginia 22314. The Borrower is requesting the Authority to issue up to \$4,800,000 of its revenue bonds at one time or from time to

time in one or more series to assist the Borrower in (a) financing or refinancing certain of the costs of replacement of the roof and other renovations of the approximately 32,000 square foot four-

story office building owned by the Borrower and serving primarily as corporate headquarters for the

Borrower and its affiliate, located at 1660 Duke Street, Alexandria, Virginia (the #Facility"), (b)

refunding those outstanding Pooled Loan Program Revenue Bonds, Series A of the Authority issued on

September 1, 1999 to finance the costs of acquisition, renovation and equipping of the Facility and

related expenditures and (c) financing bond issuance costs and other eligible expenditures (collectively, the #Project"). The issuance of revenue bonds as requested by the Borrower will not

constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of

Alexandria, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of

Virginia or any political subdivision thereof will be pledged to the payment of such bonds. The

Ad # 11681083      Name MCGUIREWOODS LLP ATTN: KATHERINE EMBREY      Size 106 Lines      T0006  
Class 820      PO#      Authorized by      Account 2010049094

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public hearing, which may be continued or adjourned, will be held at 5:00 o'clock p.m., or as soon

thereafter as the matter may be heard, on Tuesday, August 6, 2013; before the Authority, at the offices of the Alexandria Economic Development Partnership, Inc., at 625 N. Washington Street, #400,

Alexandria, Virginia. Any person interested in the issuance of the bonds or the location or nature

of the proposed Project may appear at the hearing and present his or her views. Information regarding the Borrower's application is on file and is open for inspection at the Authority's office

at the Alexandria Economic Development Partnership, Inc., at 625 N. Washington Street, #400, Alexandria, Virginia during business hours. INDUSTRIAL DEVELOPMENT AUTHORITY

OF THE CITY OF ALEXANDRIA

## EXHIBIT B TO CERTIFICATE

### Summary of Statements

Representatives of Volunteers of America, Inc. and McGuireWoods LLP, bond counsel, appeared before the Authority to explain the proposed plan of financing. No one appeared in opposition to the proposed bond issue.

EXHIBIT C TO CERTIFICATE

Resolution of the Industrial Development Authority of the City of Alexandria Authorizing the Issuance of up to \$4,800,000 Revenue Bonds for the Benefit of Volunteers of America, Inc.

Attached

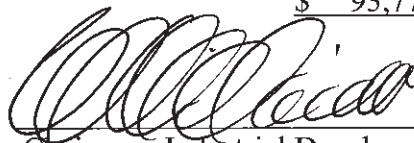


**FISCAL IMPACT STATEMENT  
FOR PROPOSED INDUSTRIAL DEVELOPMENT REVENUE BOND FINANCING**

Date: August 6, 2013

Name of Applicant: Volunteers of America, Inc.  
Facility: 1660 Duke Street  
Alexandria, VA 22314

- |  |              |
|--|--------------|
| 1. Maximum amount of financing sought  | \$ 4,800,000 |
| 2. Estimated taxable value of the facility's real property to be constructed in the municipality                       | \$ 855,000   |
| 3. Estimated real property tax per year using present tax rates  | \$ 8,875     |
| 4. Estimated personal property tax per year using present tax rates  | \$ 1,563     |
| 5. Estimated merchants' capital tax per year using present tax rates   | N/A          |
| 6. (a) Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality     | \$ 258,357   |
| (b) Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality    | \$ 602,834   |
| (c) Estimated dollar value per year of services that will be purchased from Virginia companies within the locality     | \$ 1,437,857 |
| (d) Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality | \$ 7,548,751 |
| 7. Estimated number of regular employees on year round basis   | 153          |
| 8. Average annual salary per employee  | \$ 93,775    |



Chairman, Industrial Development Authority  
of the City of Alexandria

If one or more of the above questions do not apply to the facility indicate by writing N/A (not applicable) on the appropriate line.

**RESOLUTION OF  
THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ALEXANDRIA  
AUTHORIZING THE ISSUANCE OF UP TO \$4,800,000 REVENUE BONDS  
FOR THE BENEFIT OF VOLUNTEERS OF AMERICA, INC.**

**WHEREAS**, the Industrial Development Authority of the City of Alexandria, a political subdivision of the Commonwealth of Virginia (the "Authority"), is empowered by the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), to issue its revenue bonds for the purpose of inducing nonprofit enterprises to locate or remain in Virginia and to promote the commerce, safety, health, welfare, convenience or prosperity of citizens of the Commonwealth of Virginia;

**WHEREAS**, the Authority has received a request from Volunteers of America, Inc. (the "Borrower"), a corporation which is described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), requesting that the Authority issue its Revenue Bond (Volunteers of America, Inc. Project) Series 2013 (the "Bond") to assist the Borrower in (a) financing or refinancing certain of the costs of replacement of the roof and other renovations of the approximately 32,000 square foot four-story office building owned by the Borrower and serving primarily as corporate headquarters for the Borrower and its affiliate, located at 1660 Duke Street, Alexandria, Virginia (the "Facility"), (b) refunding those certain outstanding Pooled Loan Program Revenue Bonds, Series A of the Authority issued on September 1, 1999 to finance the costs of acquisition, renovation and equipping of the Facility and related expenditures and (c) financing bond issuance costs and other eligible expenditures (collectively, the "Project");

**WHEREAS**, such assistance will induce the Borrower to remain in Virginia and benefit the inhabitants of the City of Alexandria, Virginia and the Commonwealth of Virginia, either through the increase of their commerce or through the promotion of their safety, health, welfare, convenience or prosperity;

**WHEREAS**, preliminary plans for the Project have been described to the Authority and a public hearing has been held as required by Section 147(f) of the Code and Section 15.2-4906 of the Act;

**WHEREAS**, the Borrower has represented that the estimated cost of the Project and all expenses of issue will require one or more issues of revenue bonds in the aggregate principal amount not to exceed \$4,800,000;

**WHEREAS**, the issuance of the Bond as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Alexandria, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the Bond;

**WHEREAS**, the Bond will be issued pursuant to a Bond Purchase and Loan Agreement to be dated as of a date on or prior to the date of issuance of the Bond (the "Agreement") among the Authority, the Borrower and JPMorgan Chase Bank (the "Bond Purchaser").

**WHEREAS**, the foregoing arrangements will be reflected in the following documents (the "Financing Documents") which the Authority proposes to execute to carry out in connection with the undertaking of the Project and the issuance and sale of the Bond, substantially in the

forms presented to this meeting, with such changes, insertions and deletions as may be approved by the Authority:

- (a) the Agreement and all exhibits thereto;
- (b) the Bond, substantially in the form attached as an exhibit to the Agreement, bearing interest and payable as provided therein and in the Agreement; and
- (c) the Borrower's promissory note (including the form of the Authority's endorsement thereof), substantially in the form attached as an exhibit to the Agreement;

**WHEREAS**, (a) no member of the Board of Directors of the Authority is an officer or employee of the City of Alexandria, Virginia, (b) each member has, before entering upon his or her duties during his or her present term of office, taken and subscribed to the oath prescribed by Section 49-1 of the Code of Virginia of 1950, as amended, and (c) at the time of their appointments and at all times thereafter, including the date hereof, all of the members of the Board of Directors of the Authority have satisfied the residency requirements of the Act; and

**WHEREAS**, no member of the Board of Directors of the Authority has any personal interest or business interest in the Borrower or the proposed revenue bonds or has otherwise engaged in conduct prohibited under the Conflict of Interests Act, Chapter 31, Title 2.2 of the Code of Virginia of 1950, as amended, in connection with this resolution or any other official action of the Authority in connection therewith.

**NOW, THEREFORE, BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF ALEXANDRIA:**

1. It is hereby found and determined that the financing and refinancing of the Project will be in the public interest and will promote the commerce, safety, health, welfare, convenience or prosperity of the Commonwealth of Virginia, the City of Alexandria, Virginia and their citizens.

2. To induce the Borrower to remain in the Commonwealth of Virginia, and particularly in the City of Alexandria, Virginia, the Authority hereby agrees to assist the Borrower in financing and refinancing the Project by undertaking the issuance of the Bond, and authorizes and approves the issuance of the Bond in an amount not to exceed \$4,800,000. The Bond shall be substantially in the form attached as an exhibit to the Agreement.

3. It having been represented to the Authority that it is necessary to proceed immediately with the financing and refinancing of the construction, renovation and equipping of the Facility, and the planning therefor, the Authority agrees that the Borrower may proceed with plans for the financing and refinancing of the renovation of the Facility, enter into contracts for construction, materials, equipment and services for the renovation of the Facility, and take such other steps as it may deem appropriate in connection with the renovation of the Facility, provided, however, that nothing in this resolution shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any moneys or the performance of any acts in connection with the Project or any portion thereof. The Authority agrees that the Borrower may be reimbursed from the proceeds of the Bond for all expenditures

and costs so incurred by it, provided such expenditures and costs are properly reimbursable under the Act and applicable federal laws.

4. The Bond and the Financing Documents are approved in substantially the forms on file with the Authority, with such changes, insertions or omissions (including, without limitation, changes of the dates thereof and the captions of the Bond) as do not adversely affect the interests of the Authority as may be approved by the Chairman or the Vice Chairman of the Authority, whose approval will be evidenced conclusively by the execution and delivery of the Bond and the Financing Documents; provided, however, that (a) the principal amount of the Bond shall not exceed \$4,800,000, (b) the final maturity date of the Bond shall be no later than twenty-two (22) years from its date of issuance and (c) the Bond shall bear interest at a rate per annum estimated as of July 12, 2013 to be 2.40% but in no event to exceed the maximum rate permitted by law.

5. The execution, delivery and performance by the Authority of the Financing Documents to which it is a party are hereby authorized. The execution of the Bond, its delivery against payment therefor, and the amount of such payment to be disbursed in accordance with the terms of the Agreement, are hereby authorized.

6. The Chairman and the Vice Chairman of the Authority, either of whom may act, are hereby each authorized to execute and deliver on behalf of the Authority the Bond and the Financing Documents to which the Authority is a party, and the Secretary and any Assistant Secretary of the Authority is hereby authorized to affix the seal of the Authority to the Bond and, if required, the Financing Documents and to attest such seal. The signatures of the Chairman, the Vice Chairman, the Secretary and the Assistant Secretary and the seal of the Authority may be by facsimile. Each officer of the Authority is authorized to execute and deliver on behalf of the Authority such instruments, documents or certificates, and to do and perform such things and acts, as such officer deems necessary or appropriate to carry out the transactions authorized by this resolution or contemplated by the Bond, the Financing Documents or such other instruments, documents or certificates, and all of the foregoing, previously done or performed by such officers of the Authority, are in all respects hereby approved, ratified and confirmed.

7. At the request of the Borrower, the Authority approves McGuireWoods LLP, Tysons Corner, Virginia, as Bond Counsel in connection with the issuance of the Bond.

8. The Borrower will agree in the Agreement to indemnify the Authority and pay the Authority's administrative fees. All fees, costs and expenses in connection with the Project, including the Authority's administrative fees and the fees, costs and expenses of Bond Counsel, counsel to the Authority and counsel to the Bond Purchaser, shall be paid by the Borrower or, to the extent permitted by applicable law, from the proceeds of the Bond. If for any reason the Bond is not issued, it is understood that all such costs and expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

9. In adopting this resolution the Authority intends to take "official action" toward the issuance of the Bond and to evidence its "official intent" to reimburse from the proceeds of the Bond any expenditures paid by the Borrower to finance or refinance the construction, renovation and equipping of the Facility before the issuance of the Bond, all within the meaning of regulations issued by the Internal Revenue Service pursuant to Sections 103 and 141 through 150 and related sections of the Code.

10. The Authority recommends that the City Council of the City of Alexandria, Virginia approve the issuance of the Bond.

11. No bonds may be issued pursuant to this resolution until such time as the issuance of the Bond has been approved by the City Council of the City of Alexandria, Virginia, and this resolution is made expressly contingent upon such approval.

12. Neither the directors of the Authority nor any person executing the Bond shall be liable personally on the Bond by reason of the issuance thereof. No director, member, officer, employee or agent of the Authority shall incur any personal liability with respect to any other action taken by such person pursuant to the Bond, the Financing Documents or the Act or any of the transactions contemplated thereby.

13. The approval of the issuance of the Bond does not constitute an endorsement to a prospective purchaser of the Bond or the creditworthiness of the Project or the Borrower. The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Alexandria, Virginia and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision of the Commonwealth of Virginia will be pledged to the payment of the Bond. Neither the City of Alexandria, Virginia nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from revenues and money pledged therefor.

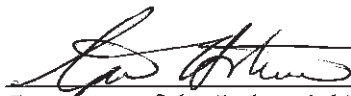
14. This resolution shall take effect immediately upon its adoption.

**ADOPTED: August 6, 2013**

CERTIFICATE

The undersigned Secretary of the Industrial Development Authority of the City of Alexandria (the "Authority") certifies that the foregoing is a true, correct and complete copy of a resolution adopted by a majority of the Directors of the Authority present and voting at a meeting duly called and held on August 6, 2013, in accordance with law, and that such resolution has not been repealed, revoked, rescinded or amended but is in full force and effect on this date.

WITNESS the following signature and seal of the Authority, this 6<sup>th</sup> day of August, 2013.

  
Secretary of the Industrial Development  
Authority of the City of Alexandria

[SEAL]





Legislation Details (With Text)

**File #:** 14-1796 **Name:** 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.

**Type:** Ordinance **Status:** Agenda Ready

**File created:** 8/21/2013 **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013 **Final action:**

**Title:** 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.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1796 Utility Tax docket ordinance cover - Attachment 1](#)  
[14-1796 Utility Tax ordinance](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

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.

**ISSUE:** Consideration of an ordinance that amends and reordains Alexandria City Code Sections 3-2-373 and 3-2-374 to implement the utility tax rate increases included in the FY 2014 Approved Budget.

**RECOMMENDATION:** That City Council pass the proposed ordinance (Attachment I) on first reading on Tuesday, September 10, 2013, and schedule the ordinance for public hearing, second reading, and final passage on Saturday, September 21, 2013.

**DISCUSSION:** The City levies a tax against consumers of utility services (electricity, natural gas, and water).

The tax is levied and collected by the utility companies through the billing process and is remitted to the City. As part of the FY 2014 Budget process, City Council increased the utility tax rates for residential consumers of electricity and natural gas and for commercial and industrial consumers of electricity. These rate increases are explained below. The recommended ordinance is required to pass these tax rate increases into law and to allow them to become effective on October 1, 2013.

### **Consumer Utility Tax: Residential**

The City utility tax for residential customers is currently capped at \$2.40 per month for electricity and gas services. The proposed ordinance increases the monthly cap to the state maximum of \$3 per month. Staff has estimated that increasing the utility tax cap will produce an additional \$0.7 million in revenue in FY 2014. The average residential customer would pay an additional \$1.20 per month or \$14.40 per year.

### **Consumer Utility Tax: Commercial**

The City utility tax on electricity for commercial consumers is currently \$0.97 plus .004610 per Kilowatt Hour (kWh). The tax for industrial consumers is \$0.97 plus .003755 per kWh. The proposed ordinance increases the rate for commercial customers to \$1.07 plus 0.005071 per kWh and increases the rate for industrial customers to \$1.07 plus 0.004131 per kWh. Based on FY 2012 collections, staff has estimated that increasing the utility tax rates on commercial and industrial consumers of electricity will produce an additional \$0.4 million in revenue in FY 2014.

**FISCAL IMPACT:** These rate changes were estimated to produce a combined \$1.1 million in revenues in FY 2014. Delay of implementation will result in an estimate of \$0.3 million decrease in this estimate.

### **ATTACHMENTS:**

Attachment 1 - Utility Tax Rate Ordinance Cover

Attachment 2 - Utility Tax Rate Ordinance

### **STAFF:**

Laura B. Triggs, Chief Financial Officer/Director of Finance

Nelsie Smith, Director, Office of Management and Budget

Christina Zechman Brown, Assistant City Attorney



Introduction and first reading: 9/10/13  
Public hearing:  
Second reading and enactment:

### INFORMATION ON PROPOSED ORDINANCE

#### Title

AN ORDINANCE to amend and reordain Section 3-2-373 (ELECTRIC UTILITY CONSUMER TAX) and Section 3-2-374 (NATURAL GAS UTILITY CONSUMER TAX) of ARTICLE V (ELECTRIC AND NATURAL GAS COMSUMERS TAX) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

#### Summary

The ordinance increases the monthly cap for the electric and natural gas utility consumer taxes on residential and group meter consumers to \$3.00 per month. The ordinance also increases the electric utility consumer tax on (1) commercial consumers to \$1.07 plus the rate of \$0.005071 on each Kilowatt Hour delivered monthly to the consumer and (2) industrial consumers to \$1.07 plus the rate of \$0.004131 on each Kilowatt Hour delivered monthly to the consumer.

#### Sponsor

#### Staff

Laura B. Triggs, Chief Financial Officer/Director of Finance  
Nelsie Smith, Director, Office of Management and Budget  
Christina Zechman Brown, Assistant City Attorney

#### Authority

§ 58.1-3814, Code of Virginia  
§ 58.1-2900, Code of Virginia

#### Estimated Costs of Implementation

None

#### Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE to amend and reordain Section 3-2-373 (ELECTRIC UTILITY CONSUMER TAX) and Section 3-2-374 (NATURAL GAS UTILITY CONSUMER TAX) of ARTICLE V (ELECTRIC AND NATURAL GAS CONSUMERS TAX) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 3-2-373 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is amended and reordained to read as follows:

Sec. 3-2-373 Electric utility consumer tax.

There is hereby imposed and levied a monthly tax on each purchase of electricity delivered to a consumer by a service provider, classified as determined by such service provider, as follows:

(a) Residential consumers. Such tax on residential consumers shall be at the rates per month for the classes of residential consumers as set forth below:

(i) Residential consumers generally. Such tax on a residential consumer, except as set forth below, shall be \$1.12, plus the rate of \$0.012075 on each kWh delivered monthly to such residential consumer by a service provider, not to exceed \$2.403.00 monthly.

(ii) Group meter consumer. Such tax on a group meter consumer shall be \$1.12, multiplied by the number of dwelling units served by such group meter, plus the rate of \$0.012075 on each kWh delivered monthly to such group meter consumer by a service provider, not to exceed \$2.403.00 monthly multiplied by the number of dwelling units served by such group meter.

(b) Non-residential consumers. Such tax on non-residential consumers shall be at the rates per month for the classes of non-residential consumers as set forth below:

(i) Commercial consumers. Such tax on a commercial consumer shall be \$0.971.07, plus the rate of \$0.0046100.005071 on each kWh delivered monthly to such commercial consumer by a service provider.

(ii) Industrial consumers. Such tax on an industrial consumer shall be \$0.971.07, plus the rate of \$0.0037550.004131 on each kWh delivered monthly to such industrial consumer by a service provider.

Section 2. That Section 3-2-374 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is amended and reordained to read as follows:

Sec. 3-2-374 Natural gas utility consumer tax.

There is hereby imposed and levied a monthly tax on each purchase of natural gas delivered to consumers by pipeline distribution companies and gas utilities classified by "class of consumers," as such term is defined in Virginia Code § 58.1-3814(J), as follows:

(a) Residential consumers. Such tax on residential consumers shall be at the rates per month for the classes of residential consumers as set forth below:

(i) Residential consumers generally. Such tax on a residential consumer, except as set forth below, shall be \$1.28, plus the rate of \$0.124444 on each CCF delivered monthly to such residential consumer by a service provider, not to exceed ~~\$2.40~~3.00 monthly.

(ii) Group meter consumer. Such tax on a group meter consumer shall be \$1.28, multiplied by the number of dwelling units served by such group meter, plus the rate of \$0.050909 on each CCF delivered monthly to such group meter consumer by a service provider, not to exceed ~~\$2.40~~3.00 monthly multiplied by the number of dwelling units served by such group meter.

(iii) Group meter interruptible gas consumer. Such tax on a group meter interruptible gas consumer shall be \$1.28, multiplied by the number of dwelling units served by such group meter, plus \$0.023267 on each CCF delivered monthly to such group meter interruptible gas consumer by a service provider, not to exceed ~~\$2.40~~3.00 monthly multiplied by the number of dwelling units served by such group meter.

(b) Non-residential consumers. Such tax on non-residential consumers shall be at the rates per month for the classes of non- residential consumers as set forth below:

(i) Commercial consumers. Such tax on a commercial consumer shall be \$1.42, plus the rate of \$0.050213 on each CCF delivered monthly to such commercial consumer by a service provider.

(ii) Industrial consumers. Such tax on an industrial consumer shall be \$1.42, plus the rate of \$0.050213 on each CCF delivered monthly to such industrial consumer by a service provider.

(iii) Non-residential interruptible gas consumers. Such tax on a non-residential interruptible gas consumer shall be \$4.50, plus the rate of \$0.003670 on each CCF delivered monthly to such non-residential interruptible gas consumer by a service provider.

Section 3. That this ordinance shall become effective on October 1, 2013.

WILLIAM D. EUILLE  
Mayor

Introduction:	9/10/13
First Reading:	9/21/13
Publication:	
Public Hearing:	
Second Reading:	
Final Passage:	



## Legislation Details (With Text)

**File #:** 14-1753 **Name:** 9.06 Hearing for 200 North Royal Sale  
**Type:** Ordinance **Status:** Agenda Ready  
**File created:** 8/7/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 200 North Royal Street.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-1753 Information on Proposed Ordinance.pdf](#)  
[14-1753 Proposed Ordinance.pdf](#)  
[14-1753 PC report](#)

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013  
**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 200 North Royal Street.

**..BODY**

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**ISSUE:** Consideration to sell City-owned real estate at 200 North Royal Street.

**RECOMMENDATION:** That City Council pass the ordinance on first reading, and schedule it for second reading and final passage at Council's hearing on Saturday, September 21, 2013.

**DISCUSSION:** Staff recommends that City Council authorize the City Manager to sell 200 North Royal Street to Murray Bonitt for \$1,250,000 contingent upon 9.06 approval.

The property at 200 N. Royal Street was initially listed at \$1,400,000; appraised at \$1,200,000; and assessed at \$1,127,916. After actively marketing the sale of the property, Realtor Christopher Campagna provided General Services with a summary of the three initial offers that were received from potential buyers with offers ranging from \$1,127,916 to \$1,200,000, or 14 to 19 percent below the list price. Following a discussion with City staff regarding the offers, the decision was made to issue a counteroffer of \$1,250,000 on behalf of the City to the three offerors. Following the receipt of counteroffers, which resulted in offers ranging from \$1.2 million to \$1.25 million, and additional interest and inquiries from other potential buyers who had not yet submitted an offer, the decision was made to provide all of the potential buyers the opportunity to submit their best and final offers with a deposit of 5 percent per the City's Real Estate Disposition Policy, no later than Wednesday, December 5, 2012 at 3:00 p.m. On December 5, 2012, the City received best and final offers from three potential buyers ranging from \$800,000 to \$1,350,000. Based on the highest offer and with regard to price only, staff recommended that the City accept TTR Sotheby's International Realty's offer of \$1,350,000. However, during the process of reviewing the contingent contract with TTR Sotheby's, the managing partner at TTR Sotheby's informed the City's real estate agent that they were formally withdrawing their offer to purchase 200 N. Royal Street as the costs and timeline to renovate the building exceeded their original estimates.

Subsequent to the withdrawal of Sotheby's offer and per Section III.E(4) of the City's Real Estate Disposition Policy, staff recommended that the City Manager move to the second highest bidder, McEanearney Commercial (representing Katherine Austin-Barnes) for \$1,250,000. The City then entered into a contingent contract with Ms. Katherine Austin-Barnes on May 21, 2013 which allowed for a study period of 60 days. Following the study period as well as an extension of that study period for an additional 21 days, Ms. Austin-Barnes assigned the contingent contract to Mr. Murray Bonitt which was permissible under the terms of the contingent contract. Mr. Bonitt has indicated that he will forego any additional study period and is ready to move to closing upon completion of the real estate disposition process pursuant to Section 9.06 of the City Charter. The sales price of \$1,250,000 will remain the same.

The property is zoned CD- Commercial Downtown, which allows for residential, commercial or mixed uses. The proposed use of the property by Mr. Bonitt is to use the building for commercial office space which remains consistent with that permitted in the zone. As a result, this item is not required to go back to the Planning Commission as part of the 9.06 approval process. At its meeting on February 5, 2013, the Planning Commission, by unanimous vote, found that the proposed sale and resulting change of use is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter. At the Planning Commission meeting on September 3, 2013, staff will inform the Planning Commission of the change in buyer. As there is no change in the zoning or use of the building, no additional vote is required.

**BACKGROUND:** 200 North Royal Street (Elder Crafters also known as 405 Cameron Street) is a three-story townhouse-style building, owned by the City and located at the corner of North Royal Street and Cameron Street. The property is zoned for CD-Commercial Downtown, which allows for residential, commercial or mixed uses and is a building that will require significant renovation for any future use.

The upper two floors of the building were formerly used by the City as the administrative offices for the Office of Historic Alexandria (OHA) and Information Technology Services (ITS) training classrooms and most recently as office space for the Department of General Services. The ground level retail space was formerly leased to Elder Crafters of Alexandria.

At the May 26, 2009 legislative session, City Council declared 200 N. Royal Street surplus property and authorized the City Manager to seek bid offers as described in the City Real Estate Disposition Policy.

Following a public solicitation for the sale of the property for a period of thirty days, no responses to the

solicitation were received and as a result staff recommended, as allowed for in the City Real Estate Disposition Policy, to sell the property through a real estate agent to ensure a greater reach for marketing the property. In order to proceed with that process, the Department of General Services issued and received responses to a solicitation to provide realtor consulting services for the City from local realtors. A staff interagency interview panel selected three qualified realtors that would be chosen for City real estate sales projects via a rotating selection process. Based on this process, an award was made to Christopher Campagna of Tartan Properties (later Braddock Commercial Real Estate Services) in November, 2011 to sell 200 N. Royal Street.

**FISCAL IMPACT:** The net proceeds after commission and closing costs are anticipated to be \$1,137,500 based on acceptance of the highest offer. Per the adopted City Real Estate Disposition Policy proceeds will be designated as a source of funds in the City's Capital Improvement Program.

**ATTACHMENTS:**

Attachment 1: Information on Proposed Ordinance

Attachment 2: Proposed Ordinance

Attachment 3: Planning Commission February 5, 2012 Docket #5: Case #2013-0001

**STAFF:**

Jeremy McPike, Director, Department of General Services

Alfred Coleman, Deputy Director, Department of General Services

Michael Stewart, Division Chief, Department of General Services

Nelsie Smith, Director, Office of Management and Budget

Al Cox, Historic Preservation Manager, Planning and Zoning

Bryan Page, Deputy Director, Real Estate Assessments

Eric Keeler, Division Chief, Office of Housing

Val Hawkins, President and CEO, Alexandria Economic Development Partnership (AEDP)

Introduction and first reading: 9/10/13  
Public hearing: 9/10/13  
Second reading and enactment: 9/21/13

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 200 North Royal Street in the City of Alexandria, Virginia to Murray Bonitt, Trustee.

Summary

The proposed ordinance authorizes the sale of the referenced real property and authorizes the City Manager to enter into all appropriate agreements to complete the sale.

Sponsor

N/A

Staff

Mark Jinks, Deputy City Manager  
Michele Evans, Deputy City Manager  
Jeremy McPike, Director, General Services  
Faroll Hamer, Director, P&Z  
Alfred Coleman, Deputy Director, General Services  
Christopher P. Spera, Deputy City Attorney

Authority

§2.03(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 200 North Royal Street in the City of Alexandria, Virginia to Murray Bonitt, Trustee.

WHEREAS, the City of Alexandria owns the real property located at 200 North Royal Street in Alexandria, Virginia; and

WHEREAS, the City Council has previously declared 200 North Royal Street to be surplus property and authorized the City Manager to negotiate for the potential sale of the property; and

WHEREAS, the City, through its authorized listing agent, has received multiple offers from potential purchasers to purchase 200 North Royal Street; and

WHEREAS, the highest offer received opted out pursuant to the terms of the listing agreement and contract and the next highest offer was in the amount of \$1,250,000 from Katherine Austin-Barnes; and

WHEREAS, Katherine Austin-Barnes has assigned her contract rights to Murray Bonitt, Trustee, in the manner and as allowed under the contract; and

WHEREAS, the city manager has recommended the sale of this property to Murray Bonitt, Trustee for the sum of \$1,250,000, subject to the terms and conditions as set forth more specifically in the September 4, 2013 Docket Memorandum, the terms of which are incorporated by reference herein; and

WHEREAS, the city council is of the opinion that the sale of this property is in the public interest and will otherwise advance the City's land use goals; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the real property described below to Murray Bonitt, Trustee for the sum of \$1,250,000, subject to the terms and conditions as set forth more specifically in the September 4, 2013 Docket Memorandum, be, and the same is hereby, approved and authorized:

200 North Royal Street, Tax Map Reference No. 064.04-10-25.

Section 2. That the city manager be and hereby is authorized, on behalf of the City of Alexandria, to do all things necessary and desirable to carry out the sale of the real property described in Section 1, including, but not limited to, the execution and delivery of a purchase agreement, deed and other appropriate documents.

Section 3. That the city clerk be and is hereby authorized to attest to the execution of the deed and other necessary documents executed by the city manager pursuant to Section 2, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE, Mayor

Introduction: September 10, 2013  
First Reading: September 10, 2013  
Publication: September 10, 2013  
Public Hearing: September 21, 2013  
Second Reading: September 21, 2013  
Final Passage:



**DOCKET ITEM #5**  
**City Charter Section 9.06 Case #2013-0001**  
**200 North Royal Street**

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Application	General Data	
<b>Request:</b>  Review whether the proposed sale of property owned by the City of Alexandria and the resulting change in use of that property is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.	<b>Planning Commission Hearing:</b>	February 5, 2013
	<b>City Council Hearing</b>	N/A
<b>Address:</b> 200 North Royal Street	<b>Zone:</b>	CD/Commercial Downtown
<b>Staff:</b> Department of General Services	<b>Small Area Plan:</b>	Old Town Small Area Plan

**Staff Reviewers:** Jeremy McPike, Director, General Services [Jeremy.mcpike@alexandriava.gov](mailto:Jeremy.mcpike@alexandriava.gov)  
Karl Moritz, Deputy Director, Planning and Zoning [karl.moritz@alexandriava.gov](mailto:karl.moritz@alexandriava.gov)

**Staff Recommendation:** Staff recommends that the Planning Commission approve this request, finding that the proposal is consistent with Section 9.06 of the City Charter of Alexandria, Virginia, for the sale of City owned property.

**PLANNING COMMISSION ACTION, FEBRUARY 5, 2013:** On a motion by Commissioner Dunn, seconded by Commissioner Fossum, the Planning Commission voted to find the sale and resulting use of the property consistent with the Master Plan pursuant to Section 9.06 of the City Charter. The motion carried on a vote of 6 to 0.

**Speakers:**

Philip Moffat, 534 N. Columbus Street, expressed dissatisfaction with the lack of information provided in the staff report. Mr. Moffat asked the Commission to remand the 9.06 back to City staff to better explain how the request is consistent with the Master Plan and the City Charter.



**City Charter Section  
9.06 Case# 2013-0001**

**2/5/2013**



## **I. DISCUSSION**

The City is proposing to sell the property at 200 North Royal Street in conjunction with its program to dispose of surplus property. Section 9.06 of the City's Charter requires that the Planning Commission approve any acquisition or sale of public land. The Planning Commission is charged with ensuring that any such acquisition, sale or change is consistent with the City's Master Plan.

## **II. BACKGROUND**

200 North Royal Street (Elder Crafters also known as 405 Cameron Street) is a three-story townhouse-style building, owned by the City and located at the corner of North Royal Street and Cameron Street. The property is zoned for CD-Commercial Downtown, which allows for residential, commercial or mixed uses and is a building that will require significant renovation for any future use.

The upper two floors of the building were formerly used by the City as the administrative offices for the Office of Historic Alexandria (OHA) and Information Technology Services (ITS) training classrooms and most recently as office space for the Department of General Services. The ground level retail space is currently being leased to Elder Crafters of Alexandria on a month-to-month basis.

At the May 26, 2009 legislative session, City Council declared 200 N. Royal Street surplus property and authorized the City Manager to seek bid offers as described in the City Real Estate Disposition Policy.

Working with a real estate agent, the City has received three offers to purchase the property all within a range of \$800,000 to \$1,350,000. The offers reflect competitive pricing. The highest offer received was over the appraised and assessed value of the property of \$1,200,000 and \$1,127,916 respectively.

## **III. STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve this request, finding that the proposal is consistent with Section 9.06 of the City Charter of Alexandria, Virginia, for the sale of City owned property. This property is within the Old Town Small Area Plan chapter of the Master Plan. The zoning of the property is CD-Commercial Downtown which is consistent with this designation in the Master Plan. There is no rezoning of the property proposed with the sale of the property so any use of the property that is allowed within this zone would be consistent with the Master Plan.

STAFF:       Jeremy McPike, Director, General Services  
                  Karl Moritz, Deputy Director, Planning and Zoning





## Legislation Details (With Text)

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**File #:** 14-1747      **Name:**

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 8/5/2013      **In control:** City Council Legislative Meeting

**On agenda:** 9/10/2013      **Final action:**

**Title:** Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement 106 of the City Code. [ROLL-CALL VOTE]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [14-1747\\_supp106c.pdf](#)  
[14-1747\\_supp106.pdf](#)

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement 106 of the City Code. [ROLL-CALL VOTE]

1 Introduction and first reading: 9/10/13  
2 Second reading and enactment: 9/10/13  
3  
4

5 INFORMATION ON PROPOSED ORDINANCE  
6

7 Title  
8

9 AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria,  
10 Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein,  
11 except those saved from repeal by this ordinance, and for other purposes.  
12

13 Summary  
14

15 The proposed ordinance adopts the One Hundred and Sixth Supplement to The Code of the  
16 City of Alexandria, Virginia, 1981, as amended.  
17

18 Sponsor  
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20 Office of the City Attorney  
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22 Staff  
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24 James L. Banks, Jr., City Attorney  
25

26 Authority  
27

28 § 3.14, Alexandria City Charter  
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30 Estimated Costs of Implementation  
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32 None  
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34 Attachments in Addition to Proposed Ordinance and its Attachments (if any)  
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36 None  
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THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 2. That the sections and portions thereof set forth in "The One Hundred and Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between March 12, 2013 through June 15, 2013, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.



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3           Section 5. This ordinance shall become effective upon the date and at the time of its  
4 final passage.  
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6  
7                                   WILLIAM D. EUILLE  
8                                   Mayor  
9

10 Introduction:           9/10/13  
11 First Reading:        9/10/13  
12 Publication:  
13 Public Hearing:  
14 Third Reading:  
15 Final Passage:  
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## Legislation Details (With Text)

<b>File #:</b>	14-1780	<b>Name:</b>	Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Zoning Supplement Number 58.
<b>Type:</b>	Ordinance	<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/15/2013	<b>In control:</b>	City Council Legislative Meeting
<b>On agenda:</b>	9/10/2013	<b>Final action:</b>	
<b>Title:</b>	Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Zoning Supplement Number 58. [ROLL-CALL VOTE]		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	<a href="#">14-1780_ZOSUPP59c.pdf</a> <a href="#">14-1780_ZOSUPP59.pdf</a>		

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Zoning Supplement Number 58. [ROLL-CALL VOTE]

1 Introduction and first reading: 9/10/13  
2 Second reading and enactment: 9/10/13  
3  
4

5 INFORMATION ON PROPOSED ORDINANCE  
6

7 Title  
8

9 AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of  
10 Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not  
11 included therein, except those saved from repeal by this ordinance, and for other purposes.  
12

13 Summary  
14

15 The proposed ordinance adopts the Fifty-Ninth Supplement to the Zoning Ordinance of the  
16 City of Alexandria, Virginia, 1992, as amended.  
17

18 Sponsor  
19

20 Office of the City Attorney  
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22 Staff  
23

24 James L. Banks, Jr., City Attorney  
25

26 Authority  
27

28 § 3.14, Alexandria City Charter  
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30 Estimated Costs of Implementation  
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32 None  
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34 Attachments in Addition to Proposed Ordinance and its Attachments (if any)  
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36 None  
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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 59," are hereby adopted as and shall constitute "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between March 12, 2013 and June 15, 2013 inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between March 12, 2013 and June 15, 2013, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after June 15, 2013.

Section 4. That one complete set of pages comprising "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

1  
2           Section 5. That this ordinance shall become effective upon the date and at the time  
3 of its final passage.  
4

5                                   WILLIAM D. EUILLE  
6                                   Mayor  
7

8  
9   Introduction:               9/10/13  
10   First Reading:           9/10/13  
11   Publication:  
12   Public Hearing:  
13   Second Reading:  
14   Final Passage:  
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## Legislation Details (With Text)

**File #:** 14-1785 **Name:** Consideration of Council Schedule  
**Type:** **Status:** Agenda Ready  
**File created:** 8/20/2013 **In control:** City Council Legislative Meeting  
**On agenda:** 9/10/2013 **Final action:**  
**Title:** Consideration of City Council Schedule.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [14-1785\\_Proposed Council Calendar\\_September2013 to June2014.pdf](#)

Date	Ver.	Action By	Action	Result
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** SEPTEMBER 4, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of City Council Schedule.

**ISSUE:** City Council Schedule

**RECOMMENDATION:** That City Council approve:

1. The Council Calendar (Attachment) which include the schedule of City Council legislative meetings and public hearings for September 2013 through June 2014; and
2. Note that the Potomac Yards Park Opening and Ribbon Cutting Ceremony has been scheduled Saturday, November 16 at 8:30 a.m.

**DISCUSSION:** None.

**ATTACHMENT:** Proposed Council Calendar September 2013 - June 2014

**STAFF:**

Jerome Fletcher, Special Assistant to the City Manager

# City Council Schedule

as of 9/4/13

Attachment

## September

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2 HOLIDAY</b> Labor Day	<b>3</b>	<b>4</b> <b>Rosh Hashanah</b> (begins at sunset)	<b>5</b>	<b>6</b> <b>Rosh Hashanah</b> (ends at sunset)	<b>7</b> <b>10:00 A.M.</b> – King Street Art Festival
<b>8</b> <b>10:00 A.M.</b> – King Street Art Festival	<b>9</b>	<b>10</b> <b>6:00 P.M.</b> – Annual Citizenship Day, Market Square  <b>7 P.M.</b> – City Council First Legislative, Meeting, Council Chambers	<b>11</b> <b>10:00 A.M.</b> – September 11 <sup>th</sup> Ceremony	<b>12</b>	<b>13</b> <b>Yom Kippur</b> (Begins at sunset)	<b>14</b> <b>Yom Kippur</b> (Begins at sunset)
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b> <b>8:00 A.M.</b> – Potomac Yard Tour/Briefing  <b>10:30 A.M.</b> – City Council Public Hearing, Council Chambers
<b>22</b>	<b>23</b>	<b>24</b> <b>7 P.M.</b> – City Council Second Legislative, Meeting, Council Chambers	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>					

## 2013



# City Council Schedule as of 8/27/13

## October

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b> <b>10:00 A.M.</b> – Art on the Avenue, Mt. Vernon Avenue in Del Ray
<b>6</b>	<b>7</b>	<b>8</b> <b>7 P.M.</b> – City Council First Legislative, Meeting, Council Chambers	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
<b>13</b> VML CONFERENCE	<b>14 HOLIDAY</b> Columbus Day VML CONFERENCE	<b>15</b> VML CONFERENCE	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b> <b>9:30 A.M.</b> – City Council Public Hearing, Council Chambers
<b>20</b>	<b>21</b>	<b>22</b> <b>7 P.M.</b> – City Council Second Legislative, Meeting, Council Chambers	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>		
						<b>2013</b>

# City Council Schedule as of 8/27/13

## November

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
					<b>1</b>	<b>2</b>
<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
<b>10</b>	<b>11</b>	<b>12</b> 7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b> 8:30 A.M. – Potomac Yards Park Ribbon Cutting Ceremony  9:30 A.M. – City Council Public Hearing, Council Chambers
<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
<b>24</b>	<b>25</b>	<b>26</b> 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>27</b>	<b>28 HOLIDAY</b> Thanksgiving Day	<b>29 HOLIDAY</b> 7:00 P.M. – Annual Tree Lighting Ceremony, Market Square	<b>30</b>

## 2013

# City Council Schedule as of 8/27/13

## December

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b>	<b>10</b> <b>7 P.M.</b> – City Council First Legislative, Meeting, Council Chambers	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b> <b>9:30 A.M.</b> – City Council Public Hearing, Council Chambers
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>	<b>24 HOLIDAY</b>  Christmas Eve	<b>25 HOLIDAY</b>  Christmas Day	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>	<b>31</b>  New Year's Eve				

## 2013

# City Council Schedule as of 8/27/13

## January

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			<b>1 HOLIDAY</b> New Year's Day	<b>2</b>	<b>3</b>	<b>4</b>
<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
<b>12</b>	<b>13</b>	<b>14</b> 7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>
<b>19</b>	<b>20 HOLIDAY</b> Martin Luther King Day	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b> 9:30 A.M. – City Council Public Hearing, Council Chambers
<b>26</b>	<b>27</b>	<b>28</b> 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>29</b>	<b>30</b>	<b>31</b>	

## 2014

# City Council Schedule as of 8/27/13

## February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 7 P.M. – City Council First Legislative, Meeting, Council Chambers	12	13	14	15
16	17 HOLIDAY Presidents' Day	18	19	20	21	22 9:30 A.M. – City Council Public Hearing, Council Chambers
23	24	25 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	26	27	28	

## 2014

# City Council Schedule as of 8/27/13

## March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
						1
2	3	4	5	6	7	8
9	10	11 7 P.M. – City Council First Legislative, Meeting, Council Chambers	12	13	14	15 9:30 A.M. – City Council Public Hearing, Council Chambers
16	17	18	19	20	21	22
23	24	25 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	26	27	28	29
30	31					

## 2014

# City Council Schedule as of 8/27/13

## April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>6</b>	<b>7</b>	<b>8</b> 7 P.M. – City Council First Legislative, Meeting, Council Chambers	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b> 9:30 A.M. – City Council Public Hearing, Council Chambers
<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18 Good Friday</b>	<b>19</b>
<b>20 Easter</b>	<b>21</b>	<b>22</b> 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>			

## 2014

# City Council Schedule as of 8/27/13

**May**

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1	2	3
4	5	6	7	8	9	10
11	12	13 7 P.M. – City Council First Legislative, Meeting, Council Chambers	14	15	16	17 9:30 A.M. – City Council Public Hearing, Council Chambers
18	19	20	21	22	23	24
25	26 HOLIDAY Memorial Day	27 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	28	29	30	31

**2014**



# City Council Schedule as of 8/27/13

## June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b>	10 <b>7 P.M.</b> – City Council First Legislative, Meeting, Council Chambers	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b> <b>9:30 A.M.</b> – City Council Public Hearing, Council Chambers
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>	<b>24</b> <b>7 P.M.</b> – City Council Second Legislative, Meeting, Council Chambers	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>					

## 2014