

**City of Alexandria
Meeting Minutes
Saturday, June 14, 2014
9:30 A.M.
City Council Public Hearing**

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. Banks, City Attorney; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Mr. Fletcher, Special Assistant to the City Manager; Ms. Hamer, Director, Planning and Zoning (P&Z); Mr. Randall, Urban Planner, P&Z; Mr. Moritz, Deputy Director, P&Z; Mr. Dambach, Division Chief, P&Z; Ms. Baker, Director, Department of Project Implementation (DPI); Mr. Gammon, Civil Engineer, DPI; Ms. Williams, Principal Planner, DPI; Ms. Marks, Acting Deputy Director, Transportation and Environmental Services (T&ES); Mr. Lawrence, Urban Planner, P&Z; Mr. Spengler, Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. Browand, Division Chief, RPCA; Mr. Geratz, Principal Planner, P&Z; Ms. Eischer, Principal Planner, P&Z; Mr. Skrabak, Deputy Director, T&ES; Mr. Frederick, Housing Analyst, Office of Housing; Mr. Kerns, Division Chief, P&Z; Mr. Clark, Treasurer, Finance; Ms. Taylor, Finance; Police Captain Wemple; Ms. Bryan, ITS; and Mr. Lloyd.

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

OPENING

1. Calling the Roll.

Mayor Euille called the meeting to order, and the Deputy City Clerk called the roll. All the members of Council were present. (Councilman Smedberg arrived at 9:38 a.m. Councilwoman Pepper arrived at 9:50 a.m.)

2. Public Discussion Period.

The following persons participated in the public discussion period:

(1) Robert Eiffert, 1418 Juliana Place, representing the Commission on Aging, requested that Council consider giving the City Manager different guidance for the budgeting process for the FY2015 budget. Mr. Eiffert stated that programs that service the most vulnerable individuals in the community deserve special consideration during the budget deliberations and requested that those individuals be protected from future budget cuts. Mr.

Eiffert also stated that the process needs more transparency than it already has and should include more stakeholders in the discussions. Mr. Eiffert requested that the Focus Area Teams be broadened to include boards and commissions to improve the process and prevent the shockwave the community experienced this year.

(2) Dino Drudi, 315 North West Street, spoke about the City building trust within the community and he pointed out that City Council should be careful not to create unintended consequences when making decisions that may affect the entire community for years.

(3) Kathryn Papp, 504 Cameron Street, thanked CVS/Caremark and the management at the King Street store with their help with product shifting and helping the community find solutions for the sale of beer/wine and preventing littering and consumption in the public parks.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-10)

Planning Commission

3. Special Use Permit #2014-0035
6101 Stevenson Avenue - Global Health College
Public hearing and consideration of a request to operate a private academic school and a request for a parking reduction; zoned OCM (50)/Office Commercial Medium.
Applicant: Global Health College, LLC represented by M. Catharine Puskar, attorney
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 06/14/14, and is incorporated as part of this record by reference.)

4. Special Use Permit #2013-0092
2309 Mount Vernon Avenue - Restaurant
Public Hearing and Consideration of a request to operate a restaurant and a request for a parking reduction; zoned CL/Commercial Low and Mount Vernon Avenue Urban Overlay. Applicant: D&M, LLC represented by Duncan Blair, attorney
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/14/14, and is incorporated as part of this record by reference.)

5. Special Use Permit #2014-0029
106 Hume Ave - Emma's Coffee Shop and Wine Bar
Public Hearing and Consideration of a request to extend a previously approved Special Use Permit (SUP #2012-0077) to operate a restaurant; zoned CL/Commercial Low.
Applicant: Connie Desrosiers
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of

the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 06/14/14, and is incorporated as part of this record by reference.)

6. Special Use Permit #2014-0030
3040 and 3046 Colvin Street - Vehicle Storage Lot
Public Hearing and Consideration of a request for storage of more than 20 vehicles; zoned I/Industrial. Applicant: Dennis A. Whitestone and Engin Artemel
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/14/14, and is incorporated as part of this record by reference.)

7. Special Use Permit #2014-0034
106 Mount Vernon Avenue - Yoli's In Home Daycare
Public Hearing and Consideration of a request to operate a child care home; zoned RB/Residential. Applicant: Yolanda Acho
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/14/14, and is incorporated as part of this record by reference.)

8. Special Use Permit #2014-0041
618-B South Pickett Street - General Automobile Repair
(Parcel Address: 600 South Pickett Street)
Public Hearing and Consideration of a request to operate a general automobile repair business; zoned I/Industrial. Applicant: Kambiz Behbahani
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/14/14, and is incorporated as part of this record by reference.)

9. Special Use Permit #2014-0042
821 Slaters Lane - Slaters Two
(Parcel Address: 1551 Potomac Greens Drive)
Public Hearing and Consideration of a request to operate a restaurant and a request for a parking reduction; zoned CDD#10/Coordinated Development District. Applicant: Slater's Market, LLC represented by Susan Gonzalez
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/14/14, and is incorporated as part of this record by reference.)

10. Special Use Permit #2014-0043
917 Princess Street - Third Baptist Church
Public Hearing and Consideration of a request for a parking reduction to allow an

existing church to keep its existing parking arrangement after a major renovation; zoned RB/Residential. Applicant: Third Baptist Church of Alexandria
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/14/14, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilmember Lovain and carried unanimously, City Council approved the consent calendar, with the exception of docket items #4, #8, and #10, which were considered under separate motions. The approvals were as follows:

3. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.
9. City Council approved the Planning Commission recommendation.

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.

4. Special Use Permit #2013-0092
2309 Mount Vernon Avenue - Restaurant
Public Hearing and Consideration of a request to operate a restaurant and a request for a parking reduction; zoned CL/Commercial Low and Mount Vernon Avenue Urban Overlay. Applicant: D&M, LLC represented by Duncan Blair, attorney
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Dambach, Division Chief, Planning and Zoning, and Ms. Marks, Acting Deputy Director, Transportation and Environmental Services, responded to questions from Council about parking reductions in areas with increasing parking constraints.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the Planning Commission recommendation. 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.

8. Special Use Permit #2014-0041
618-B South Pickett Street - General Automobile Repair
(Parcel Address: 600 South Pickett Street)
Public Hearing and Consideration of a request to operate a general automobile repair business; zoned I/Industrial. Applicant: Kambiz Behbahani
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Dambach, Division Chief, Planning and Zoning, responded to question from Council about enforcement of the SUP, specifically in CDD zones and the possibility of creating new language to notify applicants located in areas where enforcement might become an issue.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. 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.

10. Special Use Permit #2014-0043
917 Princess Street - Third Baptist Church
Public Hearing and Consideration of a request for a parking reduction to allow an existing church to keep its existing parking arrangement after a major renovation; zoned RB/Residential. Applicant: Third Baptist Church of Alexandria
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Dambach, Division Chief, Planning and Zoning, responded to questions from Council about the parking arrangement at the church and how it would be impacted by any upcoming parking study from the City.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. 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

11. Public Hearing on the Recommendation from the City Council Naming Committee on the Proposal to Name the City Playground at the Nannie J. Lee Recreation Center the Ruthanne Lodato Memorial Playground.

(A copy of the City Manager's memorandum dated June 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/14/14, and is incorporated as part of this record by reference.)

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

(1) Lindsey Swanson, 203 East Wray Avenue, spoke in support of naming the playground in honor of Mrs. Lodato.

(2) Bill Rivers, 15 West Mount Ida Avenue, spoke in support of naming the playground in honor of Mrs. Lodato.

(3) Cathy Puskar, 215 East Oak Street, spoke in support of naming the playground in honor of Mrs. Lodato.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilmember Lovain and carried unanimously, City Council closed the public hearing and: (1) received the recommendation of the City Council Naming Committee to name the City playground at the Nannie J. Lee Recreation Center, 1108 Jefferson St., the Ruthanne Lodato Memorial Playground; and (2) concurred with the recommendation of the City Council Naming Committee and approved the naming of the City playground at the Nannie J. Lee Recreation Center, 1108 Jefferson St., the Ruthanne Lodato Memorial Playground. 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 OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

12. Text Amendment #2014-0002
Townhouse Access Ways
A) Initiation of a text amendment; B) Public Hearing and Consideration of a text amendment to Section 1-400(B) and Section 7-1600 of the Zoning Ordinance to allow access ways for townhouse developments to be included as part of the lot for purposes of floor area calculation under certain circumstances. Staff: Department of Planning and Zoning
Planning Commission Action: Initiated and Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Geratz, Principal Planner, Planning and Zoning, gave a presentation of the Text Amendment staff report and responded to questions from Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilmember Lovain and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. 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.

13. Waterfront Landscape Design and Flood Mitigation Plan
Public Hearing and Consideration of the Waterfront Landscape Design and Flood Mitigation Plan that implements the Waterfront Plan. Staff: Department of Planning and Zoning
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 06/14/14, and is incorporated as part of this record by reference.)

Ms. Hamer, Director, Planning and Zoning, introduced the consultant from OLIN and briefly explained the elements of the proposed plan. Mr. Graffam, OLIN Studios, gave a presentation of the landscape design elements of the Waterfront Plan. Mr. Gammon, Civil Engineer, Department of Project Implementation, explained the flood mitigation aspects of the plan, and he along with Ms. Baker, Director, Department of Project Implementation, responded to questions from Council about flood mitigation and mechanisms for flood prevention. Ms. Hamer explained the plans for relocation of the Alexandria Seaport Foundation, removal and relocation of the City Marina and the location of new kayak launch and responded to questions from Council.

Council took a ten minute recess at 12:05 p.m.

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

(1) Van Van Fleet, 26 Wolfe Street, representing the Old Town Civic Association, expressed concerns about short comings with the landscape and flood mitigation plan presented by the consulting firm and requested that the Corps of Engineers review the issue and make a recommendation, the types of programming/activities planned for the public spaces along the Waterfront, the traffic and parking impacts this plan will have on the Old and Historic District, and displacement of the Alexandria Seaport Foundation.

(2) Jody Manor, 823 King Street, spoke in support of the landscape design and flood mitigation plan.

(3) Judy Noritake, 605 Prince Street, spoke in support of the landscape design and flood mitigation plan.

(4) Bob Wood, 711 Potomac Street, spoke against the landscape design and flood mitigation plan.

(5) Esat Aksu, 910 Cameron Street, spoke in opposition to the removal of the City Marina.

(6) Selim Aksu, 910 Cameron Street, spoke in opposition to the removal of the City Marina.

(7) Ted Pulliam, 2506 Sanford Street, spoke in support of the landscape design and flood mitigation plan.

(8) Tom Terry, 825 Rivergate Place, spoke in opposition to the proposed kayak launch at Tide Lock Park.

(9) Mari Lou Livingood, 2 Duke Street, representing the Alexandria Seaport Foundation, requested a waterfront access location for the Alexandria Seaport Foundation to be included in the design process.

(10) Charlotte Hall, 9150 Union Farm Road, representing the Waterfront Commission and the Chamber of Commerce, spoke in support of the landscape design and flood mitigation plan.

(11) Patricia Washington, 625 North Washington Street, representing the Alexandria Convention and Visitors Association, spoke in support of the landscape design and flood mitigation plan.

(12) Stephanie Landrum, 625 North Washington Street, representing the Alexandria Economic Development Partnership, spoke in support of the landscape design and flood mitigation plan.

(13) Hugh Van Horn, 416 South Pitt Street, expressed concern about the flood mitigation aspect of the proposed plan.

(14) Robert O'Neil, 420 North Lee Street, expressed concern about the City Marina and the potential arrangement with the Old Dominion Boat Club for marina slips.

(15) Bert Ely, 200 South Pitt Street, representing the Friends of the Alexandria Waterfront, spoke in opposition to the landscape design and flood mitigation plan.

(16) Katy Cannady, 20 East Oak Street, spoke in opposition to the landscape design and flood mitigation plan.

(17) Pat Miller, 404 Laverne Avenue, representing the Art History Committee, spoke in support of the landscape design and flood mitigation plan.

(18) Nathan Read, 222 North Union Street, spoke in opposition to removing the City Marina.

(19) John McPherson, 832 South Pitt Street, spoke in opposition to removing the City Marina.

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

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman

Wilson and carried unanimously, City Council approved the Planning Commission recommendation to: (1) approve the 15-30% Schematic Design (Phase I Schematic Design) for the Waterfront and affirm that staff should proceed with Phase II for completion of design and construction documents that incorporated detailed estimates of capital and maintenance/operating costs; and (2) to direct staff to return in the fall with cost estimates and a phasing and funding plan for Waterfront Small Area Plan Implementation. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilman Smedberg and Councilman Wilson; Opposed, none.

14. Special Use Permit #2014-0015
517 South Washington Street - Funeral Home
Public Hearing and Consideration of a request to operate a funeral home and a request for a parking reduction; zoned CL/Commercial Low. Applicant: Jefferson Development, LLC represented by Duncan Blair, attorney
Planning Commission Action: Recommend Denial 7-0
THE APPLICANT HAS REQUESTED DEFERRAL OF THIS ITEM.

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 06/14/14, and is incorporated as part of this record by reference.)

This item was deferred.

15. Special Use Permit #2014-0038
4109, 4115, 4121, and 4125 Mount Vernon Avenue - Four Mile Run Market
Public Hearing and Consideration of a request for various amendments to a previously approved Special Use Permit (SUP #2010-0029) to expand a farmers/artisans market; zoned NR/Neighborhood Retail. Applicant: Four Mile Run Market, Inc.
Planning Commission Action: Recommend Approval as amended 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Dambach, Division Chief, Planning and Zoning, gave a presentation on the proposal and responded to questions from Council about the policy recommendation.

WHEREUPON, upon motion by Councilman Wilson, second by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. 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.

16. Special Use Permit #2014-0032
1050 North Fayette Street - Yates Auto Care
Public Hearing and Consideration of a request to renew approval for operation of an existing, non-complying, light automobile repair (car wash and automobile detailing)business; zoned CRMU/H/Commercial Residential Mixed Use - High.

Applicant: Jeffrey Yates

Planning Commission Action: Recommend Approval as amended 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Dambach, Division Chief, Planning and Zoning, gave a presentation on the proposal and responded to questions from Council about the 15-year extension and future development in the area.

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

(1) Jeffrey Yates, applicant and owner, requested that City Council grant him the 15 year extension without the five year review by staff in order for him to qualify for a bank loan to make improvements to the property.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. 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.

17. Development Special Use Permit #2013-0026
Transportation Management Plan Special Use Permit #2014-0019
4800 Kenmore Avenue - Seminary Overlook
(Building Addresses: 4700, 4704-4800, 4804-4854 Kenmore Avenue)
Public Hearing and Consideration of requests for: (A) a development special use permit and site plan, with a modification, to construct four multifamily residential buildings pursuant to Coordinated Development District concept plan (CDD #2012-0005); and (B) a special use permit for a transportation management plan; zoned CDD #22/Coordinated Development District #22 (Beauregard Small Area Plan).
Applicant: Home Properties Seminary Hills, LLC represented by M. Catharine Puskar, attorney
Planning Commission Action: DSUP #2013-0026 & TMP SUP #2014-0019
Recommend Approval as amended 6-1

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Lawrence, Urban Planner, Planning and Zoning, gave a presentation on the proposal and he, along with Mr. Frederick, Housing Analyst, Office of Housing, responded to questions from Council about affordable housing units and relocation assistance, timeline for the project, transportation and infrastructure improvements and costs.

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

(1) Cathy Puskar, 2200 Clarendon Boulevard, attorney for the applicant, spoke in

support of the proposal.

(2) Pete Benavage, 5066 Fairbanks Avenue, representing the Beauregard Urban Design Advisory Commission, spoke in support of the proposal.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. 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.

18. Master Plan Amendment #2014-0003
Rezoning #2014-0003
Development Special Use Permit #2013-0021
206, 208, 210, and 212 South Patrick Street - Residential Development
Public Hearing and Consideration of requests for: (A) an amendment to the Old Town Small Area Plan chapter of the Master Plan to amend the land use designation from CL/Commercial Low to CD/Commercial Downtown; (B) an amendment to the official zoning map to change the zone from CL/Commercial Low to CD/Commercial Downtown; (C) a development special use permit and site plan, with modifications and a subdivision, to construct four residential units; and a special use permit request for a parking reduction to permit all compact parking spaces; zoned CL/Commercial Low (Old Town Small Area Plan). Applicant: Galena Capital Partners, represented by Mary Catherine Gibbs, attorney
Planning Commission Action: MPA #2014-0003 Adopt Resolution and Recommend Approval as amended 7-0; REZ #2014-0003 Recommend Approval as amended 7-0; DSUP #2013-00021 Recommend Approval 7-0.

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Geratz, Principal Planner, Planning and Zoning, gave presentation of the proposal and responded to questions from Council about 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 vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

Please note: City Council held the public hearing for items #19 and #22 together.

19. Development Special Use Permit #2013-0022
1505 Powhatan Street - Residential Development
Public Hearing and Consideration of a request for a development special use permit and site plan, with modifications, to construct 16 townhouse style multi-family units; and a special use permit for a parking reduction; zoned CSL/Commercial Service Low (Northeast Small Area Plan). Applicant: Pulte Home Corporation, represented

by M. Catharine Puskar, attorney

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission reported dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 06/14/14, and is incorporated as part of this record by reference.)

Mr. Geratz, Principal Planner, Planning and Zoning, gave a presentation of the proposal and responded to questions from Council.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously, City Council closed the public hearing meeting and approved the Planning Commission recommendation. 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.

20. City Charter Section 9.06 Case #2014-0003 - For City Council Information Only - No Action Needed
1505 Powhatan Street - Sale of Public Property
Public Hearing and Consideration of a request for Planning Commission to 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. Staff: Department of General Services
Planning Commission Action: Approved 7-0

(A copy of the Planning Commission report dated June 3, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 06/14/14, and is incorporated as part of this record by reference.)

City Council received this item for informational purposes only.

ORDINANCES AND RESOLUTIONS

21. Public Hearing, Second Reading and Final Passage of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended. [ROLL-CALL VOTE] THIS ITEM HAS BEEN DEFERRED.

This item was deferred.

22. Public Hearing, Second Reading and Final Passage of an Ordinance to Sell City Property at 1505 Powhatan Street. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 06/14/14, 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. 22; 06/14/14, 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. 22; 06/14/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council closed the public hearing and approved an ordinance to sell City property at 1505 Powhatan Street. 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. 4885

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 1505 Powhatan Street in the City of Alexandria, Virginia to Pulte Home Corporation.

WHEREAS, the City of Alexandria owns the real property located at 1505 Powhatan Street in Alexandria, Virginia; and

WHEREAS, the City Council has previously declared 1505 Powhatan Street to be surplus property and authorized the City Manager to issue a Request for Proposals for the potential sale and redevelopment of the property; and

WHEREAS, the City, through its Request for Proposals process, has received multiple proposals from potential developers to purchase and redevelop 1505 Powhatan Street; and

WHEREAS, the highest rated proposal as ranked by the City Real Estate Committee using the evaluation criteria included in the Request for Proposals was submitted by Pulte Home Corporation; and

WHEREAS, the proposal submitted by Pulte Home Corporation included an offer price of \$4,400,000; and

WHEREAS, the city manager has recommended the sale of this property to Pulte Home Corporation for the sum of \$4,400,000, subject to the terms and conditions as set forth more specifically in the June 11, 2014 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 Pulte Home Corporation for the sum of \$4,400,000, subject to the terms and conditions as set forth more specifically in the June 11, 2014 Docket Memorandum, be, and the same is hereby, approved and authorized:

1505 Powhatan Street, Tax Map Reference No. 044.02-01-01.

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.

23. Public Hearing, Second Reading and Final Passage of a Proposed Amendment to Title 10 (Motor Vehicles and Traffic), Chapter 1 (General Provisions) of The Code of the City of Alexandria, Virginia, 1981, as Amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 06/14/14, 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. 23; 06/14/14, 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. 23; 06/14/14, 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 approved the ordinance for a proposed amendment to Title 10 (Motor Vehicles and Traffic), Chapter 1 (General Provisions) of the Code of the City of Alexandria, Virginia, 1981, as amended. 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. 4886

AN ORDINANCE to amend and reordain Title 10 (MOTOR VEHICLES AND TRAFFIC),

Chapter 1 (GENERAL PROVISIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 10, Chapter 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 10-1-15 to read as follows:

(New language is underscored; deleted material is ~~stricken~~)

Sec. 10-1-15 Truck routes.

(a) The operator of every motor truck passing through the city shall be restricted to using such vehicles on the streets under the jurisdiction of the city hereinafter designated, and it shall be unlawful for any such operator to use such vehicle on any streets other than those hereinafter designated:

(1) All of U.S. Route numbered 1 in the city, except for the Monroe Avenue Bridge. Use of the Monroe Avenue Bridge shall be restricted to motor trucks that do not exceed 15 tons gross weight.

(2) U.S. Route numbered 1 from the north city line to Monroe Avenue; Monroe Avenue between U.S. Route numbered 1 and Mount Vernon Avenue; Mount Vernon Avenue between Monroe Avenue and West Glebe Road; and West Glebe Road between U.S. Route numbered 1 and the north city line.

(3) State Route numbered 7 from the west city line to Interstate 395 Callahan Drive; ~~Callahan Drive~~; State Route numbered 236 from the west city line to U.S. Route numbered 1 south; U.S. Route numbered 1 between State Road numbered 236 and the south city line; and State Route numbered 241.

(4) Interstate Routes numbered 95 and 495.

(b) The director of traffic is authorized and directed to erect appropriate official signs on the above designated streets, except for Interstate 95 and 495, and at the city limits on all other streets entering the city. This section shall not be deemed violated if at the time of the alleged violation the sign placed in conformity with this section is missing or is substantially defaced so that an ordinarily observant person under the same circumstances would not be aware of the existence of this section. (Code 1963, Sec. 22-15)

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

24. Public Hearing, Second Reading and Passage of a Proposed Amendment to Title 13 (Miscellaneous Offenses), Chapter 1 (General Offenses), Section 37 (Public transit passenger vehicles, school buses, rail transit cars and rail stations - prohibited conduct) and Addition of Title 10 (Motor Vehicles and Traffic), Chapter 3 (Operation of Vehicles), Section 17 (Dedicated Transitways) [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 06/14/14, and is

incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinances is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 24; 06/14/14, and is incorporated as part of this record by reference.

A copy of the ordinances 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; 06/14/14, 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 approved ordinances for a proposed amendment to Title 13 (Miscellaneous Offenses), Chapter 1 (General Offenses), Section 37 (Public transit passenger vehicles, school buses, rail transit cars and rail stations - prohibited conduct) and Addition of Title 10 (Motor Vehicles and Traffic), Chapter 3 (Operation of Vehicles), Section 17 (Dedicated Transitways). 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 ordinances read as follows:

ORDINANCE NO. 4887

AN ORDINANCE to amend and reordain Title 13 (MISCELLANEOUS OFFENSES), Chapter 1 (GENERAL OFFENSES) of The Code of the City of Alexandria, Virginia, 1981, as amended, by amending Section 13-1-37 regarding conduct on public transit and within dedicated transitways and related infrastructure.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 1 of Title 13 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the following additions and deletions to Section 13-1-37, as follows:

(New language is underscored; deleted language is ~~stricken through~~.)

Sec. 13-1-37 Public transit passenger vehicles, school buses, rail transit cars and rail transit stations - prohibited conduct.

[Intervening sections are unchanged.]

(b) It shall be unlawful for any passenger or occupant aboard a public transit passenger vehicle, school bus, rail car or DOT vehicle or for any person within any rail transit station or at any bus stop to:

[Intervening sections are unchanged.]

- (6) board any public transit passenger vehicle through the rear exit door unless directed to do so by an employee or agent of the carrier, with the exception of services utilizing off-board fare collection;
- ~~(7) knowingly board a public transit passenger vehicle, rail car, or DOT vehicle without either paying the established fare or presenting a valid transfer or pass for such transportation;~~
- ~~(8) board a public transit passenger vehicle or a rail car without either paying the established fare or presenting a valid transfer or pass for such transportation;~~
- ~~(9) board a rail car or enter the paid area of the WMATA rail system without the farecard required for such entry;—~~
- ~~(10) leave the paid area of the WMATA rail system after having traveled upon a rail car without having presented a valid farecard or otherwise paying the established fare; or—~~
- ~~(11) refuse to pay the established fare on any public transit passenger vehicle, rail car or DOT vehicle, or at any rail transit station.—~~

Any person convicted of violating this subsection (b) shall be guilty of a class 4 misdemeanor.

(c) It shall be unlawful for any passenger or occupant aboard a public transit passenger vehicle, school bus, rail car or DOT vehicle or for any person within any rail transit station or at any bus stop to:

- (1) knowingly board a public transit passenger vehicle, rail car, or DOT vehicle without either paying the established fare or presenting a valid transfer or pass for such transportation;
- (2) board a rail car or enter the paid area of the WMATA rail system without the farecard required for such entry;
- (3) leave the paid area of the WMATA rail system after having traveled upon a rail car without having presented a valid farecard or otherwise paying the established fare; or
- (4) refuse to pay the established fare on any public transit passenger vehicle, rail car or DOT vehicle, or at any rail transit station.

Any person who violates this subsection (c) shall be liable for a civil penalty in the amount of \$100.

(e d) It shall be unlawful for any passenger or occupant aboard a public transit passenger vehicle, school bus, rail car or DOT vehicle or for any person within any rail transit station to:

[Subsequent numbered sections unchanged; change is simply re-indexing prior section (c) as current section (d)]

(d e) It shall be unlawful for any passenger or occupant aboard a public transit passenger vehicle, school bus or rail car, or for any person within any rail transit station in the city, to refuse to leave the bus, rail car or rail transit station after having been ordered to do so by the operator of the bus or rail car or by any other employee or agent of the operator or owner of the bus, rail car or rail transit station. Any person convicted of violating this subsection (d) shall be guilty of a class 1 misdemeanor.

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

ORDINANCE NO. 4888

AN ORDINANCE to amend and reordain Title 10 (MOTOR VEHICLES AND TRAFFIC), Chapter 3 (OPERATION OF VEHICLES), Article A (GENERAL PROVISIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding a new Section 10-3-17 regarding creation of and enforcement within dedicated transitways.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 3 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 adding the following new Section 10-3-17, as follows:

(All new language)

Sec. 10-3-17 Dedicated Transitways

- (a) The city council, by resolution, may designate lanes designed and constructed for such purposes as full time transitways for the exclusive use of designated buses and other transit vehicles. No vehicles other than designated buses and other transit vehicles shall, for any purpose, enter or travel in a designated transitway, except at the express direction of law enforcement or by emergency vehicles pursuant to a protocol to be established by the City.
- (b) Transitways shall be at all times reserved for use in the manner set forth in section (a) above.
- (c) Signs designating transitways shall be plainly posted along the entire route and at every possible ingress/egress point.
- (d) Any person operating a vehicle in a transitway in violation of this section shall be guilty of a traffic infraction that is not a moving violation. Upon conviction, such infractions shall be punishable as follows:
 - (1) for a first offense, by a fine of \$200;
 - (2) for a second offense within a period of five years from the first offense, by a fine of \$500;
 - (3) for a third offense within a period of five years of the first offense, by a fine of \$750; and
 - (4) for a fourth or subsequent offense within a period of five years of the first offense,

by a fine of \$1,000.

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

25. Public Hearing, Second Reading and Final Passage of an Ordinance Repealing and Reenacting Chapter 2 (Food and Food Establishments), Title 11 (Health, Environmental and Sanitary Regulations) of The Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 06/14/14, 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; 06/14/14, 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; 06/14/14, 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 approved an ordinance repealing and reenacting Chapter 2 (Food and Food Establishments), Title 11 (Health, Environmental and Sanitary Regulations) of the Code of the City of Alexandria, Virginia, 1981, as amended. 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. 4889

AN ORDINANCE to repeal and reenact Chapter 2 (FOOD AND FOOD ESTABLISHMENTS), Title 11 (HEALTH, ENVIRONMENTAL AND SANITARY REGULATIONS) of The Code of the City of Alexandria, Virginia, 1981, as amended.

WHEREAS, the health and safety of the public requires the regulation of food and food establishments located within the City of Alexandria; and

WHEREAS, existing provisions of the city code that safeguard public health in food establishments are based upon the 2009 Food Code of the United States Food and Drug Administration ("FDA"); and

WHEREAS, the FDA intends that its Food Code be updated and revised every four years, in order to incorporate the most current scientific knowledge and new technologies in the food packaging and food service industries; and

WHEREAS, the FDA has recently promulgated its 2013 Model Food Code, which incorporates nationally recognized public health standards designed to provide the greatest possible protection from and prevention of infectious and non-infectious food-borne diseases; and

WHEREAS, the regulatory scheme set out in the 2013 FDA Model Food Code is presently employed in numerous food industries, as well as the meat and poultry inspection systems of the federal government, and has been endorsed by the National Conference for Food Protection; and

WHEREAS, neighboring jurisdictions in Northern Virginia are planning to implement the 2013 FDA Model Food Code, and the adoption of this code by the City of Alexandria will help to establish uniform standards for the regulation of food and food establishments in the region; now, therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 2 of Title 11 of the Code of the City of Alexandria, Virginia 1981, as amended be, and the same hereby is, repealed and reordained.

CHAPTER 2: Food and Food Establishments

ARTICLE A: General Provisions

Sec. 11-2-1 Title.

This chapter shall be known and may be cited as "The Food Safety Code of the City of Alexandria".

Sec. 11-2-2 Purpose.

This chapter shall be liberally construed and applied by the DIRECTOR to promote its underlying purpose of safeguarding public health and ensuring that FOOD is safe, unadulterated and properly presented when offered to the CONSUMER.

Sec. 11-2-3 Incorporation of Prevailing Federal Food Code.

All chapters, appendices and annexes of the current and prevailing United States Food Code ("Food Code"), as adopted and promulgated by the Food and Drug Administration and Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services and the Food Safety and Inspection Service of the U.S. Department of Agriculture, including such chapters, appendices and annexes as may hereafter be added and/or amended from time to time, but excepting those sections of the FDA Food Code identified in section 11-2-5, are hereby adopted and incorporated in their entirety into this chapter as if fully set forth herein. In the event of conflict or inconsistency between this chapter and the Food Code, the provisions of this chapter shall prevail and control.

Sec. 11-2-4 Definitions.

Words appearing in SMALL CAPS are defined in this chapter or in the FDA Food Code. The following words and phrases, when used in this chapter, including in the incorporated FDA

Food Code, shall have the meanings given below, unless the context clearly indicates a different intention or it is otherwise expressly provided:

(a) "*Catering*" means the preparation and/or service of FOOD by a FOOD ESTABLISHMENT at a location other than on the PREMISES of their FOOD ESTABLISHMENT.

"Catering" does not include:

- 1) Carry out service where a CONSUMER picks up FOOD from the FOOD ESTABLISHMENT'S PREMISES;
- 2) Delivery of FOOD by a FOOD ESTABLISHMENT to a CONSUMER;
- 3) A private chef or cook who, as the employee of a CONSUMER, prepares FOOD solely in the CONSUMER'S home; or
- 4) Vending to the general public except at temporary events or farmers markets unless the caterer is also licensed as a MOBILE FOOD ESTABLISHMENT.

(b) "*Certificate*" means the photo identification card issued by the DIRECTOR, or the comparable document issued by another jurisdiction or private vendor that is accepted by the DIRECTOR, which demonstrates that the individual identified on the CERTIFICATE has been determined to be a FOOD PROTECTION MANAGER.

(c) "*Commissary*" means a permitted FOOD ESTABLISHMENT where FOOD is stored, prepared, portioned, or packaged, or any combination of these, where such FOOD is intended for service at another FOOD ESTABLISHMENT. It is also the place which is used as the base of operations for one or more MOBILE FOOD ESTABLISHMENTS where such MOBILE FOOD ESTABLISHMENTS are serviced, cleaned, supplied, and maintained, and where the EQUIPMENT, UTENSILS and facilities are serviced, washed and sanitized.

(d) "*Director*" means the director of the Alexandria Health Department or his designee. In the City of Alexandria, the DIRECTOR is the REGULATORY AUTHORITY with jurisdiction over FOOD ESTABLISHMENTS.

(e) "Food protection manager" means a person who is certified by a food protection manager program that is evaluated and listed by a Conference of Food Protection-recognized accrediting agency as conforming to the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs.

(f) "*Mobile food establishment*" means a FOOD ESTABLISHMENT that is designed to be readily moveable and which operates from a COMMISSARY that is a FOOD ESTABLISHMENT holding a valid PERMIT from the REGULATORY AUTHORITY in the jurisdiction in which it is located. MOBILE FOOD ESTABLISHMENTS include food trucks, food push carts, food trailers, and similar mobile units where FOOD is prepared and/or served.

Sec. 11-2-5 Modifications to FDA Food Code.

(a) The portions of the FDA Food Code addressed in this subsection are not adopted by incorporation into this chapter. Rather, they are modified in the manner set out below, and their modified versions shall apply in the city:

- (1) The definition of "permit" in Paragraph 1-201.10(B) is modified to read as

follows:

"*Permit*" means the license issued by the DIRECTOR that authorizes a PERSON to operate a FOOD ESTABLISHMENT.

(2) The definition of "Person in charge" in Paragraph 1-201.10(B) is modified to read as follows:

"*Person in charge*" means the individual present in a FOOD ESTABLISHMENT who is responsible for the food service operation at the time of an inspection authorized by this chapter. If no single individual is responsible for the food service operation, then any business owner or EMPLOYEE present shall be deemed the "PERSON IN CHARGE."

(3) Section 6-402.11 of the FDA Food Code is modified to read as follows:

Public toilet rooms shall be provided for CONSUMERS whenever seating for CONSUMERS is provided on the PREMISES. CONSUMERS shall not be permitted to gain access to toilet rooms by passing through a kitchen, food preparation, food storage, or UTENSIL washing area. Toilet rooms shall be conveniently located and accessible to EMPLOYEES during all hours of operation. Toilet rooms must be entirely separate and apart from any rooms or areas used for UTENSIL washing or for the manufacture, storage, and handling of FOOD products. Public and EMPLOYEE toilet facilities shall be installed according to and in the number required by the Virginia Uniform Statewide Building Code (VUSBC).

(4) Paragraph 8-304.10 (A) of the FDA Food Code is modified to read as follows:

A copy of this chapter and the version of FDA Food Code adopted in Section 11-2-3 above shall be maintained for public inspection in the office of the Alexandria Health Department's Environmental Health Division. A link to this chapter and the full text of the version of FDA Food Code adopted in Section 11-2-3 above shall be placed on the Alexandria Health Department's website.

(5) Paragraph 8-902.10(A) of Annex 1 of the FDA Food Code is modified to read as follows:

If admission to the PREMISES of a FOOD ESTABLISHMENT is denied or other circumstances exist that would justify an inspection order under LAW, to make an inspection that includes the recordation of information by any means of audio-visual recordation including (but not limited to) photography, tape-recording and videotaping.

(b) Paragraph 2-102.11(B), Section 2-102.20, Section 8-911.10, and Section 8-913.10 of the FDA Food Code are not adopted or incorporated into this chapter and shall be of no effect in the city.

Secs. 11-2-6 through 11-2-10 reserved.

ARTICLE B: Mobile Food Establishments

Sec. 11-2-11 General.

MOBILE FOOD ESTABLISHMENTS shall comply with the requirements of this chapter. All MOBILE FOOD ESTABLISHMENTS are to be clearly identified with the establishment trade name and contact phone number conspicuously displayed on both sides and the back of the unit. The PERMIT sticker issued under this chapter shall be posted on the left rear of the MOBILE FOOD ESTABLISHMENT so as to be clearly visible to the public.

Sec. 11-2-12 Sink requirements for mobile food establishments.

(a) A MOBILE FOOD ESTABLISHMENT shall be equipped with a hand sink and a three-compartment sink. However, the DIRECTOR may waive the requirement for a three-compartment sink if the menu items dispensed from the MOBILE FOOD ESTABLISHMENT do

not require significant preparation and the MOBILE FOOD ESTABLISHMENT has access to a three-compartment sink at its COMMISSARY. The DIRECTOR may also waive the requirement for a hand sink if only prepackaged FOOD is dispensed, or if an alternate method to hand washing, approved by the DIRECTOR, is used. Such alternate methods may include, but are not limited to, use of disposable hand washing towelettes, disposable gloves, sanitizing solutions that meet the specifications of 21 C.F.R. 178.1010 or other techniques approved by the DIRECTOR.

Sec. 11-2-13 Single service utensils.

MOBILE FOOD ESTABLISHMENTS shall dispense only SINGLE-SERVICE ARTICLES for use by the CONSUMER.

Sec. 11-2-14 Commissary.

(a) MOBILE FOOD ESTABLISHMENTS shall operate from a COMMISSARY that possesses a FOOD ESTABLISHMENT PERMIT issued in accordance with this chapter. However, the DIRECTOR may allow a MOBILE FOOD ESTABLISHMENT to operate from a COMMISSARY located outside the City of Alexandria if the COMMISSARY is a permitted FOOD ESTABLISHMENT that has been inspected by that jurisdiction's REGULATORY AUTHORITY and has been determined by that REGULATORY AUTHORITY to have sufficient space, EQUIPMENT, and capacities to act as the COMMISSARY for the MOBILE FOOD ESTABLISHMENT.

Secs. 11-2-15 through 11-2-20 reserved.

ARTICLE C: Compliance Procedures

Sec. 11-2-21 Permits for food establishments.

(a) No PERSON shall operate a FOOD ESTABLISHMENT unless that PERSON possesses a valid PERMIT issued by the DIRECTOR. Only a PERSON who complies with the requirements of this chapter shall be entitled to receive or retain such a PERMIT. PERMITS are not transferable. A valid PERMIT shall be posted in every FOOD ESTABLISHMENT in a conspicuous place. FOOD ESTABLISHMENT PERMITS are issued for a calendar year and expire on December 31 regardless of the month of issue.

(b) An initial application fee and an annual renewal application fee shall be assessed for each permitted FOOD ESTABLISHMENT including TEMPORARY FOOD ESTABLISHMENTS operating less than 14 days. These fees shall be in the amounts established by the General Assembly of the Commonwealth of Virginia and/or the Alexandria City Council. Such fees shall not be applicable to FOOD ESTABLISHMENTS operated by the Alexandria City Public Schools. The application fees shall be based on a calendar year and shall be due and payable on or before December 31 or upon initial application. The fees shall not be prorated. A late payment fee in an amount established by the Alexandria City Council shall be assessed to each FOOD ESTABLISHMENT owner who pays their renewal application fee more than 14 days after their PERMIT has expired.

(c) FOOD ESTABLISHMENTS failing to file the required application for renewal of the PERMIT will be operating without a valid PERMIT and will be subject to immediate closure in accordance with Section 11-2-29 of this chapter.

(d) No PERSON shall provide CATERING services unless their application for a FOOD ESTABLISHMENT PERMIT indicated their intention to provide CATERING services and a plan review was conducted as specified in subsection 11-2-51(b) of this chapter.

Sec. 11-2-22 Exemption.

The DIRECTOR may exempt coffee and related beverage service and service areas and such one time events or affairs from such provisions or requirements of this chapter as the DIRECTOR may deem advisable upon determining that the operation of such service, service areas, events or affairs will not adversely affect the public health.

Sec. 11-2-23 Permits for vending machines.

(a) No PERSON shall operate a VENDING MACHINE which vends TIME/TEMPERATURE CONTROL FOR SAFETY FOOD without a valid PERMIT issued by the DIRECTOR. PERSONS who do not comply with the requirements of this chapter shall not be entitled to receive or retain such a PERMIT. VENDING MACHINE PERMITS are issued for a calendar year and expire on December 31 regardless of the month of issue. PERMITS are not transferable.

(b) An initial application fee and an annual renewal application fee shall be assessed for each permitted VENDING MACHINE. These fees shall be in the amounts established by the Alexandria City Council. The application fees shall be based on a calendar year and shall be due and payable on or before December 31 or upon initial application. The fees shall not be prorated. A late payment fee in an amount established by the Alexandria City Council shall be assessed to each vending machine operator who pays their renewal application fee more than 14 days after their PERMIT has expired.

(c) Operators of VENDING MACHINES failing to file the required application for renewal of the PERMIT shall be operating without a valid PERMIT and shall be subject to immediate closure in accordance with section 11-2-29 of this chapter.

(d) The operator's company name and service telephone number shall be displayed on each VENDING MACHINE or conspicuously adjacent to the VENDING MACHINE bank.

(e) All operators of VENDING MACHINES shall:

(1) comply with the requirements of this chapter;

(2) maintain at the operator's headquarters, or at some other designated location within the city, a list of all VENDING MACHINES operated by such operator within the city and the complete address of each machine location and of each COMMISSARY or other FOOD ESTABLISHMENT from which his machines are serviced, shall make this information available to the DIRECTOR upon request and shall keep it current;

(3) notify the DIRECTOR of each new VENDING MACHINE location at which machines vending TIME/TEMPERATURE CONTROL FOR SAFETY FOOD have been placed in operation; and

(4) notify the DIRECTOR of any change in operations involving new types of VENDING MACHINES or conversions of existing machines to dispense products other than those for which the machines were built.

Sec. 11-2-24 Food Protection Manager certificate.

It shall be unlawful to operate a FOOD ESTABLISHMENT unless it is under the immediate control of a PERSON with a valid CERTIFICATE identifying them as a FOOD PROTECTION MANAGER. This section does not apply to certain types of FOOD ESTABLISHMENTS deemed by the DIRECTOR to pose minimal risk of causing, or contributing to, foodborne illness based on the nature of the operation and extent of FOOD preparation. Specifically:

a) FOOD ESTABLISHMENTS that do not handle or prepare any FOOD and sell only commercially prepackaged FOOD in unopened packaging shall be exempt from this section if the FOOD ESTABLISHMENT measures the temperature of their refrigeration units at least twice a day and keeps a log of these measurements.

b) FOOD ESTABLISHMENTS not preparing TIME/TEMPERATURE CONTROL FOR SAFETY FOOD

shall be exempt from this section if the FOOD ESTABLISHMENT implements a documented EMPLOYEE training program that provides training to all EMPLOYEES at least quarterly on hand washing, their Employee Health Policy, and the proper way to wash, rinse and sanitize UTENSILS and EQUIPMENT.

Sec. 11-2-25 Issuance of Food Protection Manager certificate.

(a) Any PERSON desiring to obtain a CERTIFICATE required by section 11-2-24 shall apply in writing on forms provided or accepted by the DIRECTOR. Such application shall include the name and address of the applicant and the signature of the applicant. The DIRECTOR may designate a private vendor to issue, on the DIRECTOR's behalf, a CERTIFICATE to any PERSON who successfully complies with the provisions of this chapter.

(b) A CERTIFICATE shall be issued only to a PERSON who has passed a FOOD PROTECTION MANAGER certification examination from a FOOD PROTECTION MANAGER certification program that is evaluated and listed by a Conference for Food Protection recognized accrediting agency.

(c) A CERTIFICATE shall be issued in the name of an individual applicant only, shall not be assignable or transferable, shall bear a photograph of the CERTIFICATE holder, and shall be valid only for a period of five years from the date of notification of the successful completion of the approved exam.

(d) A CERTIFICATE shall remain the property of the issuing REGULATORY AUTHORITY.

(e) A CERTIFICATE shall be renewed for a five-year period upon passing a FOOD PROTECTION MANAGER certification examination from a FOOD PROTECTION MANAGER certification program that is evaluated and listed by a Conference for Food Protection recognized accrediting agency.

(f) If the applicant's CERTIFICATE has been revoked or suspended during the preceding five years, the applicant shall retake and pass the FOOD PROTECTION MANAGER certification examination from a FOOD PROTECTION MANAGER certification program that is evaluated and listed by a Conference for Food Protection recognized accrediting agency. The DIRECTOR may, at his discretion, designate a specific vendor to administer the examination.

Sec. 11-2-26 Suspension of permit or certificate in emergencies.

(a) If the DIRECTOR deems an emergency to exist, the DIRECTOR may without warning, notice or hearing, order the suspension of any PERMIT or CERTIFICATE issued under this chapter if the holder of the PERMIT or CERTIFICATE does not comply with the requirements of this chapter, or if the operation of the FOOD ESTABLISHMENT does not comply with the requirements of this chapter, or if the operation of the FOOD ESTABLISHMENT otherwise constitutes a substantial and IMMINENT HEALTH HAZARD. Suspension is effective upon service of the notice required by subsection (b) of this section. When a PERMIT is suspended, all food-handling operations at the FOOD ESTABLISHMENT shall immediately cease. If the reason for the suspension is eliminated prior to the suspension being sustained by the DIRECTOR, the suspension shall be terminated.

(b) Whenever a PERMIT or CERTIFICATE has been ordered suspended, the holder of the PERMIT or CERTIFICATE or the person in charge shall be notified in writing that the PERMIT or CERTIFICATE is suspended effective upon service of the notice and that an opportunity for a hearing will be provided if written request for a hearing is filed with the DIRECTOR by the holder of the PERMIT or CERTIFICATE within 10 days. The holder of the PERMIT or CERTIFICATE shall be afforded an opportunity for hearing within 20 days of receipt by the DIRECTOR of a request for a hearing from the holder. If no written request for a hearing is filed within 10 days, the

suspension is sustained. The DIRECTOR may end a suspension at any time if the reason for suspension no longer exists.

(c) The DIRECTOR, in lieu of suspending a PERMIT, may suspend the applicability of the PERMIT to a specific area of the FOOD ESTABLISHMENT PREMISES or VENDING MACHINE, or to specific products.

Sec. 11-2-27 Revocation of permit or certificate.

(a) The DIRECTOR may, after providing the opportunity for a hearing, order the revocation of a PERMIT or CERTIFICATE issued under this chapter for serious or repeated violations of any of the requirements of this chapter or for interference with the DIRECTOR in the performance of his duty.

(b) Prior to ordering the revocation, the DIRECTOR shall notify, in writing, the holder of the PERMIT or CERTIFICATE or the PERSON IN CHARGE of the specific reasons for which the PERMIT or CERTIFICATE is to be revoked, and that the PERMIT or CERTIFICATE shall be revoked on the tenth day following service of the notice unless a written request for a hearing is filed with the DIRECTOR by the holder of the PERMIT or CERTIFICATE within such 10-day period. If no request for hearing is filed within the 10-day period, the PERMIT or CERTIFICATE shall be revoked by order of the DIRECTOR and the revocation shall be final.

Sec. 11-2-28 Service of notices.

A notice required by this chapter is properly served when it is delivered to the holder of the PERMIT or CERTIFICATE or to the PERSON IN CHARGE, or when it is sent by registered or certified mail, return receipt requested, to the last known address of the holder of the PERMIT or CERTIFICATE. A copy of the notice shall be filed with the records of the Health Department.

Sec. 11-2-29 Closing of food establishments.

The DIRECTOR shall order the closure of (i) any FOOD ESTABLISHMENT which is operated without the PERMIT required by section 11-2-21 or (ii) any VENDING MACHINE operated without the PERMIT required by section 11-2-23. The closure order shall be in writing, shall specifically state the reason for the closure and shall clearly specify the compliance requirements necessary to have the order revoked. The sheriff of the city shall enforce the closure order until it is rescinded by the DIRECTOR in writing. Upon receipt of satisfactory proof of compliance with the written requirements set forth in the closure order, the DIRECTOR shall immediately issue a written rescission of the order.

Sec. 11-2-30 Hearings.

The hearings provided for in this chapter shall be conducted by the DIRECTOR at a time and place designated by the DIRECTOR. Any oral testimony given at a hearing shall be summarily reported or recorded. The DIRECTOR shall make a finding based upon the hearing record and shall issue, sustain, modify or rescind any notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the holder of the PERMIT or CERTIFICATE by the DIRECTOR.

Sec. 11-2-31 Application after revocation.

Whenever a revocation of a PERMIT or CERTIFICATE has become final, the holder of the revoked PERMIT or CERTIFICATE may submit a written application for a new PERMIT or CERTIFICATE.

Secs. 11-2-32 through 11-2-40 reserved.

ARTICLE D: Civil Penalty

Sec. 11-2-41 Penalties.

(a) It shall be unlawful for a PERSON to fail to comply with any provision of this chapter, including a provision of the FDA Food Code, that applies to the PERSON. It also shall be unlawful for any FOOD ESTABLISHMENT or MOBILE FOOD ESTABLISHMENT to fail to comply with any provision of this chapter that applies to it. A PERSON who fails to comply with any provision applicable to him shall be in violation of this chapter. The owner of any such FOOD ESTABLISHMENT or MOBILE FOOD ESTABLISHMENT which fails to comply with any applicable provision shall be in violation of this chapter. For each violation, the PERSON or owner shall be liable for a civil penalty. Each day that a violation exists or persists shall constitute a separate violation of this chapter.

(b) Operating a FOOD ESTABLISHMENT or a MOBILE FOOD ESTABLISHMENT after the PERMIT has been suspended or revoked shall be a class one civil violation as specified in Section 1-1-11. Operating a FOOD ESTABLISHMENT or a MOBILE FOOD ESTABLISHMENT without obtaining an initial PERMIT shall be a class two civil violation as specified in Section 1-1-11. Any other violation of this chapter or the FDA Food Code shall be a class four civil violation as specified in Section 1-1-11 of the Code of the City of Alexandria.

Sec. 11-2-42 Procedures.

(a) Upon determining that one or more violations of this chapter have occurred, the DIRECTOR shall cause a written notice of the violation or violations to be delivered to the PERSON who is in violation of this chapter and, in the case of an owner of a FOOD ESTABLISHMENT or MOBILE FOOD ESTABLISHMENT who is in violation of this chapter, to the owner or to the PERSON IN CHARGE of the FOOD ESTABLISHMENT or MOBILE FOOD ESTABLISHMENT. The notice shall, with respect to each violation, contain the following information:

(1) a description of the violation, with a citation to the City Code or FDA Food Code section that has been violated;

(2) a statement of the amount of the civil penalty to be assessed; and

(3) a statement that the PERSON or owner in violation may elect either (i) to make an appearance in person, or in writing by mail, to the treasurer of the city by a specific date, admit liability for or plead no contest to the violation, abate the violation, and pay the civil penalty established for the violation, or (ii) to contest the violation by filing with the DIRECTOR, within 10 days of receipt of the notice, a written notice of the election to contest the violation, in which case the PERSON or owner shall be entitled to an administrative hearing before the DIRECTOR.

(b) If, after an administrative hearing, the DIRECTOR finds that a violation of this chapter has occurred, the PERSON or owner found to be in violation shall, within 10 days of the finding, pay the civil penalty originally assessed.

(c) If a PERSON or owner charged with a violation of this chapter does not elect to admit liability or plead no contest and to pay the assessed penalty, or, following an administrative hearing which results in a finding that a violation has occurred, does not pay the assessed penalty, the violation shall be tried in the Alexandria General District Court upon a warrant in debt or a motion for judgment, with the same right of appeal as provided in civil actions at law.

(d) A plea of no contest to, and a finding or admission of liability for, a violation of this chapter shall not be deemed a criminal conviction.

(e) The remedies provided in this section are cumulative and not exclusive. The designation of a violation of this chapter as a civil violation shall not be construed as prohibiting city officials from initiating appropriate administrative or civil procedures to prevent, correct,

restrain or abate violations of the chapter.

Secs. 11-2-43 through 11-2-50 reserved.

ARTICLE E: Review of Plans and Specifications

Sec. 11-2-51 Submission of plans, specifications and other data; inspection prior to operation; fees.

(a) Whenever a FOOD ESTABLISHMENT is constructed or remodeled or whenever an existing structure is converted to use as a FOOD ESTABLISHMENT, plans and specifications for such construction, remodeling, or conversion shall be submitted to the DIRECTOR for his review prior to commencement of such construction, remodeling or conversion. The DIRECTOR shall approve the plans and specifications if they meet the requirements of this chapter and the FDA Food Code. The DIRECTOR's approval of any plans or specifications shall not be viewed to be a determination that said plans or specifications are free from error. The owner shall have final responsibility for the accuracy and completeness of the plans and specifications, as well as for subsequent construction and installation.

(b) Whenever an applicant for a FOOD ESTABLISHMENT PERMIT indicates their intention to offer CATERING services, a CATERING menu and plans and specifications shall be submitted to the DIRECTOR for his review and approval prior to commencement of such CATERING operation. The plans and specifications shall include the EQUIPMENT necessary to safely transport FOOD from the FOOD ESTABLISHMENT to a remote location and safely hold and serve it. The plans and specifications shall also include the EQUIPMENT necessary to safely prepare FOOD if some or all of the FOOD preparation will be done at the remote location.

(c) Whenever plans and specifications are required to be submitted and approved, the DIRECTOR shall inspect the FOOD ESTABLISHMENT prior to its beginning operation to determine compliance with the approved plans and specifications and with the requirements contained in this chapter.

(d) A plan review fee in an amount established by city council shall be paid to the DIRECTOR upon submission of FOOD ESTABLISHMENT plans.

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

26. Public Hearing, Second Reading and Final Passage of a Supplemental Appropriation Ordinance 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, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 06/14/14, 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; 06/14/14, 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; 06/14/14, 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 approved a supplemental appropriation ordinance for the support of the City government for Fiscal Year 2014. 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. 4890

AN ORDINANCE making provision 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 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 2014 the source of such amount being external grant awards for which the proceeds were received or accepted prior to June 30, 2014, 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 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Police	\$ 500,000
Housing	1,100,551
Fire	150,075
Community and Human Services	112,979
Recreation	8,407
Sheriff	9,775
Court Service Unit	<u>27,500</u>
Total Estimated Revenue \$	<u>1,909,287</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Police	\$ 500,000
Housing	1,100,551
Fire	150,075
Community and Human Services	112,979
Recreation	8,407
Sheriff	9,775

Court Service Unit	<u>25,000</u>
Total Estimated Revenue	<u>\$ 1,909,287</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 2014 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	<u>\$ 5,588,948</u>
Total Estimated Revenue	<u>\$ 5,588,948</u>

APPROPRIATION:

Non-Departmental	<u>\$ 5,588,948</u>
Total Appropriation	<u>\$ 5,588,948</u>

Section 3. 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 2014, the source of such amount being Other Special Revenue, and further, that the council does hereby allot the amount so appropriated, as follows:

OTHER SPECIAL REVENUE

ESTIMATED REVENUE:

Special Events Reimbursements	<u>\$ 97,264</u>
Total Estimated Revenue	<u>\$ 97,264</u>

APPROPRIATION:

Recreation, Parks and Cultural Activities	<u>\$ 97,264</u>
Total Appropriation	<u>\$ 97,264</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 2014, the source of such amount being Internal Services Fund Balance, and further that the Council does hereby allot the amount so appropriated for fiscal year 2014, as follows:

INTERNAL SERVICES FUND

ESTIMATED REVENUE:

Internal Services Fund Balance	\$ 863,333
Total Estimated Revenue	<u>\$ 863,333</u>

APPROPRIATION:

Transportation and Environmental Services	\$ 863,333
Total Appropriation	<u>\$ 863,333</u>

Section 5. 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 2014, 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 2014, as follows:

CAPITAL PROJECTS

ESTIMATED REVENUE:

Capital Projects	\$ 138,260
Total Estimated Revenue	<u>\$ 138,260</u>

APPROPRIATION:

Capital Projects	\$ 138,260
Total Appropriation	<u>\$ 138,260</u>

Section 6. 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 2014, the source of such amount being donations and other activities, and further that the Council does hereby allot the amount so appropriated for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Historic Alexandria	\$ 10,000
Recreation	5,825
Transportation and Environmental Services	10,000
Court Service Unit	<u>30,629</u>
Total Estimated Revenue	<u>\$ 56,454</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Historic Alexandria	\$	10,000
Recreation		5,825
Transportation and Environmental Services		10,000
Court Service Unit		<u>30,629</u>
Total Estimated Revenue		<u>\$ 56,454</u>

Section 7. 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 2014, 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>\$18,263,136</u>
Total Estimated Revenue	<u>\$18,263,136</u>

APPROPRIATION:

Transit Subsidies	<u>\$ 18,263,136</u>
Total Appropriation	<u>\$ 18,263,136</u>

Section 8. 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:

Information Technology Services	25,422
Management and Budget	190,227
Sheriff	353,866
General Services	44,629
Transportation and Environmental Services	184,694
Fire	644,963
Police	426,279
Community and Human Services	182,510
Recreation	116,010
Code Administration	17,244
Commonwealth's Attorney	11,006
Projection Implementation	1,312
Circuit Court	2,882

City Attorney	4,927
City Clerk	1,066
City Council	645
City Manager's Office	4,957
Clerk of the Court	5,893
Emergency Communications	15,423
Finance	27,247
Health	4,379
Historic Alexandria	5,615
Housing	5,074
Human Resources	7,063
Human Rights	1,744
Court Service Unit	1,499
Law Library	223
Library	14,916
Communications	5,401
Transit Subsidies	2,460
Planning and Zoning	14,535
Real Estate Assessments	2,857
Voter Registration	1,382
Office of Performance Accountability and Internal Audit	\$ (199,039)
Non-Departmental	\$ (2,129,311)
Total Appropriation	\$ <u>0</u>

Section 9. 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 2014, the source of such amount being Transfers in from the General Fund in support of the Special Revenue Fund, and further that the Council does hereby allot the amount so appropriated for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Transfers in from General Fund	\$ 166,113
Total Estimated Revenue	\$ <u>166,113</u>

APPROPRIATION:

Law Library	\$ 223
Community and Human Services	<u>165,890</u>
Total Appropriation	\$ <u>166,113</u>

Section 10. 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 2014, the source of such amount being Transfers in from the General Fund in support of the Library Fund, and

further that the Council does hereby allot the amount so appropriated for fiscal year 2014, as follows:

LIBRARY FUND

ESTIMATED REVENUE:

Transfers in from General Fund	\$ 14,916
Total Estimated Revenue	<u>\$ 14,916</u>

APPROPRIATION:

Library Fund	\$ 14,916
Total Appropriation	<u>\$ 14,916</u>

Section 11. 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 2014, the source of such amount being Transfers in from the General Fund in support of the Affordable Housing Fund, and further that the Council does hereby allot the amount so appropriated for fiscal year 2014, as follows:

AFFORDABLE HOUSING FUND

ESTIMATED REVENUE:

Transfers in from General Fund	\$ 5,074
Total Estimated Revenue	<u>\$ 5,074</u>

APPROPRIATION:

Affordable Housing Fund	\$ 5,074
Total Appropriation	<u>\$ 5,074</u>

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

27. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Appropriations for the Support of the City Government for Fiscal Year 2015. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 5, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 06/14/14, 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; 06/14/14, 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; 06/14/14, 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 approved an ordinance to make appropriations for the support of the City government for Fiscal Year 2015. 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. 4891

AN ORDINANCE making appropriations for the support of the government of the City of Alexandria, Virginia, for Fiscal Year 2015.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That, pursuant to Section 6.07 of the City Charter, the sum of \$867,047,306 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 2014 and ending on the thirtieth day of June 2015.

Section 2. That, pursuant to Section 6.07 of the City Charter, the sum of \$867,047,306 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 2014 and ending on the thirtieth day of June 2015 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 Appropriation</u>	-
18 th Circuit Court	\$1,566,692
18 th General District Court	106,710
18 th Juvenile Court	58,942
City Attorney	2,750,066
City Clerk and Clerk of Council	422,246
City Council	513,278
City Manager	2,288,367
Clerk of Court	1,602,691
Code Administration	6,522,148

Commonwealth's Attorney	3,000,172
Contingent Reserves	7,956
Court Service Unit	1,616,880
Economic Development	5,156,855
Emergency Communications	7,161,972
Finance	14,151,180
Fire	44,791,870
General Debt Service	62,664,899
General Services	13,733,472
Health	6,149,432
Human Resources	3,873,374
Human Rights	735,083
Human and Community Services	88,100,246
Information Technology Services	10,802,110
Internal Audit	860,566
Law Library	116,808
Non-Departmental	9,340,280
Office of Communications	1,313,916
Office of Historical Alexandria	3,561,214
Office of Housing	3,462,082
Office of Management and Budget	1,259,906
Office of Project Implementation	3,134,644
Other Correctional Activities	4,516,638
Other Educational Activities	11,877
Other Health Activities	1,765,350
Planning & Zoning	5,544,825
Police	55,451,022
Real Estate Assessments	0
Recreation, Parks & Cultural Activities	21,824,109
Registrar of Voters	1,271,261
Sheriff	30,849,717
Transit Subsidies	52,455,378
Transportation and Environmental Services	36,755,441
Capital Projects	92,164,283
Component Unit-Library	7,031,470
Component Unit-Schools	251,838,526
Internal Services	4,741,350
TOTAL APPROPRIATIONS	\$867,047,306

Section 3. That, pursuant to Section 6.07 of the City Charter, the sum of \$867,047,306 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 2014 and ending on the thirtieth day of June 2015 be, and the same hereby is, further appropriated to the following principal objects of city expenditures (net of interfund transfers, which are described in detail in Section 7):

<u>Object of Expenditures</u>	<u>Appropriation</u>
Personnel Service	\$ 269,406,306
Non-Personnel Services	160,156,274
Capital Outlay	151,591
Debt Service	64,441,506
Component Unit-Library	7,031,470
Component Unit-Schools	251,838,526
Component Unit-Alexandria Transit Company	17,116,000
Equipment Replacement	4,741,350
Capital Projects	92,164,283
TOTAL APPROPRIATIONS	\$867,047,306

Section 4. That the sum of \$867,047,306 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 2014 and ending on the thirtieth day of June 2015 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
General Property Taxes	\$416,462,083
Other Local Taxes	135,299,034
Permits, Fees and Licenses	9,889,469
Fines and Forfeitures	5,815,000
Intergovernmental Revenue	188,380,770
Charges for Services	45,317,960
Revenue from Use of Money and Property	4,850,966
Miscellaneous Revenue	7,908,229
Spendable Fund Balance – Donations	306,191
Bond Proceeds - Future Sale	33,396,000
Spendable Fund Balance - General Fund: Subsequent Year’s Budget as Committed	12,321,149
Spendable Fund Balance – Stormwater Fund	465,551
Spendable Fund Balance – Code Administration Fund	1,700,000

Spendable Fund Balance – Transportation/Potomac Yard	3,335,303
Spendable Fund Balance – Internal Service	579,600
TOTAL ESTIMATED REVENUE	<u>\$867,047,306</u>

Section 5. That, pursuant to Section 6.14 of the City Charter, the sum of \$92,464,283 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 2014 and ending on the thirtieth day of June 2015. This sum, which consists of the \$92,164,283 appropriated as Capital Projects in Section 3 of this ordinance, as well as a \$300,000 interfund transfer from the Capital Projects Fund to the General Fund, is appropriated as follows: (i) \$74,748,466 capital projects that are included in the City government Fiscal Year 2015 - 2024 Capital Improvement Program adopted by City Council on May 1, 2014; and (ii) \$17,715,817 to the capital projects identified in the Alexandria City Public Schools' capital budget approved by the School Board on May 23, 2014.

Section 6. That the sum of \$92,464,283 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 2014 and ending on the thirtieth day of June 2015 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
Intergovernmental Revenue	\$ 22,207,000
Transfer In from Special Revenue – Potomac Yard	2,525,000
Transfer In from Special Revenue – Code Fund	1,700,000
Transfer In from Special Revenue Fund - Sewer	209,449
Transfer In from Transportation Improvement Program	3,050,000
Transfer In from General Fund (Cash Capital)	18,058,794
Prior Year General Fund Cash Capital and General Obligation Bonds	3,000,000
Prior Year Transportation Improvement Program Balances	3,550,000
Prior Year Sewer Fund Balance	465,551
Miscellaneous Revenue	516,437
Private Capital Contributions	1,816,052
Comcast Revenues	1,970,000
Bond Proceeds - Future Sale – Including Sanitary Sewer	33,396,000
TOTAL ESTIMATED REVENUE	<u>\$ 92,464,283</u>

Section 7. That the sum of \$293,203,120 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	\$ 36,777,269	Special Revenue Fund - General	\$ 36,777,269
Special Revenue Fund - Sewer	2,793,574	General Fund	2,793,574
Special Revenue Fund - Stormwater	113,000	General Fund	113,000
Special Revenue Fund	1,700,000	Capital Projects	1,700,000
General Fund	628,705	Special Revenue Fund - Affordable Housing	628,705
Capital Projects Fund	300,000	General Fund	300,000
Special Revenue Fund - Sewer	209,449	Capital Projects	209,449
General Fund	18,058,794	Capital Projects Fund	18,058,794
General Fund – Transportation Improvement Program	3,175,215	Capital Projects Fund	3,175,215
Potomac Yard Fund	2,614,482	Capital Projects Fund	2,614,482
NVTA Fund	4,080,000	Capital Projects Fund	4,080,000
General Fund	12,167,000	NVTA Fund	12,167,000
General Fund	191,811,472	Component Unit-Schools	191,811,472
NVTA Fund	12,167,000	Component Unit-Alexandria Transit Company	12,167,000
General Fund	<u>6,607,160</u>	Component Unit-Library	<u>6,607,160</u>
TOTALS	<u>\$ 293,203,120</u>	TOTALS	<u>\$ 293,203,120</u>

Section 8. That the sum of \$867,047,306 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 2014 and ending on the thirtieth day of June 2015 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 \$867,047,306 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 2014 and ending on the thirtieth day of June 2015 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 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, 2014 but which are payable in fiscal year 2015 and for which amounts were appropriated but not expended in fiscal year 2014 and further, that the City Council does hereby allot the amounts so appropriated to the several City departments for fiscal year 2015 as follows:

GENERAL FUND

Circuit Court	\$ 36,000
Code Administration	36,000
Community and Human Services	1,125,000
Court Services	38,000
Economic Development Activities	11,000
Emergency Communications	63,000
Finance	1,274,000
Fire	585,000
General Services	530,000
Health	62,000
Human Resources	44,000
Information Technology Services	263,000
Internal Audit	31,000
Non-Departmental	221,000
Office of Communications	24,000
Office of Historic Alexandria	34,000
Office of Management and Budget	3,000
Planning and Zoning	51,000
Police	553,000
Recreation and Cultural Activities	837,000
Sheriff	581,000
Transit Subsidies	286,000
Transportation and Environmental Services	2,034,000
Total General Fund	\$8,722,000

Section 11. That this ordinance shall become effective upon the date and at the time of its final passage.

28. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Sheet No. 058.03 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 430 and 450 South Pickett Street from CSL/Commercial Services Low to CDD #17a/Coordinated Development District 17a Cameron Park in accordance with the said zoning map amendment heretofore approved by City Council as Rezoning No. 2013-0005. (Implementation ordinance for the map amendment approved by the City Council on May 17, 2014 for the Cameron Park project) [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. 28; 06/14/14, 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. 28; 06/14/14, 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 closed the public hearing and approved an ordinance to amend and reordain Sheet No. 058.03 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 430 and 450 South Pickett Street from CSL/Commercial Services Low to CDD#17a/Coordinated Development District 17a Cameron Park in accordance with the said zoning map amendment heretofore approved by City Council as Rezoning No. 2013-0005. 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. 4892

AN ORDINANCE to amend and reordain Sheet No. 058.03 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 430 and 450 South Pickett Street from CSL/Commercial Services Low to CDD #17a/Coordinated Development District 17a Cameron Park in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2013-0005.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2013-0005 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 May 6, 2014 of a rezoning of the property at 430 and 450 South Pickett Street from CSL/Commercial Services Low to CDD #17a/Coordinated Development District 17a Cameron Park, which recommendation was approved by the City Council at public hearing on May 17, 2014;

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. 058.03 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: 430 South Pickett Street, Tax Map #058.03-03-02
450 South Pickett Street, Tax Map #058.03-03-01

From: CSL/Commercial Service Low

To: CDD #17a/Coordinated Development District #17a Cameron Park

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. 058.03 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.

29. 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 I incorporating therein the amendment heretofore approved by City Council to the Landmark Van Dorn Corridor Plan in the Landmark Van Dorn Small Area Plan chapter of such master plan as Master Plan Amendment No. 2013-0008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementation ordinance for the master plan amendment approved by City Council on May 17, 2014 for the Cameron Park Project) [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. 29; 06/14/14, 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; 06/14/14, 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 approved an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by City Council to the Landmark Van Dorn Corridor Plan in the Landmark Van Dorn Small Area Plan chapter of such master plan as Master Plan Amendment No. 2013-0008 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The vote was as follows: In favor, Mayor Eulle, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4893

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Landmark Van Dorn Corridor Plan in the Landmark Van Dorn Small Area Plan chapter of such master plan as Master Plan Amendment No. 2013-0008 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. 2013-0008, 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 6, 2104 of an amendment to the Landmark Van Dorn Corridor Plan in the Landmark Van Dorn Small Area Plan Chapter of the Master Plan of the City of Alexandria to increase the allowable height for block M1 which recommendation was approved by the City Council at public hearing on May 17, 2014;

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 Corridor Plan of the Landmark Van Dorn Small Area Plan Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by adding a note to the height map in figure 6-16 on page 114 of the Landmark Van Dorn Corridor Plan that says:

“The maximum building height for block “M 1” as defined by the Landmark Van Dorn Corridor Plan is 85 feet”

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions 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.

30. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Section 5-600 (CDD/Coordinated Development District) of Title V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by City Council as Text Amendment No. 2014-0003. (Implementation ordinance for the text amendment approved by City Council to establish the CDD for the Cameron Park Project) [ROLL-CALL VOTE]

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously by roll-call vote, City Council closed the public hearing and approved an ordinance to amend and reordain Section 5-602 (Coordinated Development Districts created, consistency with master plan, required approvals) of Section 5-600 (CDD/Coordinated Development District) of Title V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by City Council as Text Amendment No. 2014-0003. 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. 4894

AN ORDINANCE to amend and reordain Section 5-602 (Coordinated development districts created, consistency with master plan, required approvals) of Section 5-600 (CDD/Coordinated Development District) of Title V (Mixed Use Zones) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2014-0003.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2014-0003, 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 6, 2014 of a text amendment to the Zoning Ordinance to adopt revised floodplain regulations, which recommendation was approved by the City Council at public hearing on May 17, 2014.

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 the following language to Table 1. Coordinated Development Districts:

CDD #	CDD Name	Without a CDD Special Use Permit	With a CDD Special Use Permit		
			<i>Maximum FAR and/or Development Levels</i>	<i>Maximum Height</i>	<i>Uses</i>
17a	Cameron Park	CSL/Commercial Service Low Zone regulations shall apply	The development controls, including FAR and number of units for land within this CDD, as shown in the approved CDD-17a Concept Plan, in addition to the provisions in the Landmark Van Dorn Corridor Plan.	The maximum heights shall conform to the CDD-17a Concept Plan	Mix of residential (multifamily and/or townhouse) and retail uses

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

Section 3. That Section 5-602, as amended pursuant to Section 1 of this ordinance, 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, 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.

31. Consideration of a Resolution Concurring with the Alexandria City Public Schools' FY 2015 and FY 2016 Virginia Retirement System Contribution Rates. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 8, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 06/14/14, 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 approved a resolution concurring with the Alexandria City Public Schools' FY 2015 and FY 2016 Virginia Retirement System Contribution Rates. 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. 2628

BE IT RESOLVED, that the City of Alexandria 55200 does hereby acknowledge that the Alexandria City Public Schools has made the election for its contribution rate to be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the City of Alexandria 55200 does hereby certify to the Virginia Retirement System Board of Trustees that it concurs with the election of the Alexandria City Public Schools to pay the Certified Rate, as required by Item 467(I) of the 2014 Appropriation Act; and

NOW, THEREFORE, the officers of the City of Alexandria 55200 are hereby authorized and directed in the name of the City of Alexandria 55200 to execute any required contract to carry out the provisions of this resolution. In execution of any such contract which may be required, the seal of the City of Alexandria 55200, as appropriate, shall be affixed and attested by the Clerk.

32. Consideration of a Resolution to Establish the 2014 Personal Property Tax Relief Rates.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 9, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 06/14/14, 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 approved the resolution to establish the 2014 Personal Property Tax Relief Rates. 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. 2629

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 61%; and
 2. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(B) is 50%; and
 3. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(C) is 40%; 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 for Calendar Year 2014.
33. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 1-400(B) (Interpretation of Zoning Regulations) of Article I (General Regulations) and Section 7-1600 (Townhouses) of Article VII (Supplemental Zone Regulations) both of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by City Council as Text Amendment No. 2014-0002. (implementation ordinance for the Text Amendment if approved by City Council on June 14, 2014 regarding Townhouse drive aisles)

(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; 06/14/14, 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; 06/14/14, 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 passed the ordinance on first reading and set it for public hearing and final passage on June 24, 2014. 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.

34. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town Small Area Plan chapter of such master plan as Master Plan Amendment No. 2014-0003 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementation ordinance for the Master Plan Amendment if approved by City Council on June 14, 2014 for the South Patrick Street 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. 34; 06/14/14, 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. 34; 06/14/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council passed the ordinance on first reading and set it for public hearing and final passage on June 24, 2014. 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.

35. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Sheet No. 074.01 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 206, 208, 210, and 212 South Patrick Street from, CL/Commercial Low to RM/Townhouse Zone in accordance with the said zoning map amendment heretofore approved by City Council as Rezoning No. 2014-0003. (Implementation ordinance for the map amendment if approved by City Council on June 14, 2014 for the South Patrick Street residential 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. 35; 06/14/14, 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. 35; 06/14/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council passed the ordinance on first reading and set it for public hearing and final passage on June 24, 2014. 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 OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

THERE BEING NO FURTHER BUSINESS TO CONSIDER, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously the public hearing meeting of June 14, 2014 was adjourned at 4:15 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