

**City of Alexandria  
Meeting Minutes  
Tuesday, October 28, 2014  
6:00 P.M.  
Council Chambers**

Present: Mayor William D. Euille, Vice Mayor Allison Silberberg, and 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; Ms. Anderson, Assistant City Attorney; Ms. Snow, Assistant City Attorney; Police Captain Wemple; Mr. Jinks, Deputy City Manager; Ms. Triggs, Deputy City Manager; Mr. Gates, Deputy City Manager; Ms. Collins, Deputy City Manager; Mr. Moritz, Acting Director, Planning and Zoning; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Ms. Durham, Recreation, Parks and Cultural Activities; Mr. Browand, Recreation, Parks and Cultural Activities; Fire Chief Dubé; Assistant Fire Chief Thomas; Mr. Bosse, Fire Department; Ms. Birch, Director, Office of Management and Budget; Mr. Beaver, Office of Management and Budget; Mr. Lambert, Acting Director, Transportation and Environmental Services; Ms. Marks, Deputy Director, Transportation and Environmental Services; Mr. Maslanka, Transportation and Environmental Services; Ms. Baker, Director, Office of Project Implementation; Mr. McPike, Director, General Services; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

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

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**1. Calling the Roll.**

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

**Closed Meeting.**

**2.** 6:00 P.M. - Consideration of Convening a Closed Meeting for Consultation with Legal Counsel and Staff Regarding Actual or Probable Litigation and Consultation with Legal Counsel Regarding Specific Legal Matters, Acquisition of Real Estate, and to Discuss a Personnel Matter.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried 6-0, City Council convened in closed meeting to discuss the possible investment of public funds for certain economic development incentives, to consult with staff and legal counsel regarding threatened or pending litigation, and to consult with legal counsel regarding specific legal matters, specifically, two possible partial real estate abatements in

support of economic development, potential litigation and/or the settlement of certain environmental matters, including federal issues, and threatened and pending litigation, involving a certain local ordinance, pursuant to Sections 2.2-3711(a)(6) and (7) of the Code of Virginia. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none. (Councilmember Lovain was absent for the vote but joined Council in closed meeting.)

**3. Moment of Silence and Pledge of Allegiance.**

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

**4. Reading and Acting Upon the Minutes of the Following Meetings of City Council:**

The Regular Meeting Minutes of October 14, 2014; and  
The Public Hearing Meeting Minutes of October 18, 2014.

**WHEREUPON**, a motion was made by Councilman Wilson and seconded by Councilman Smedberg, to approve the regular meeting minutes of October 14, 2014 and the public hearing meeting minutes of October 18, 2014.

Vice Mayor Silberberg requested clarification on a condition from docket item #10, LaBergerie Restaurant, from the October 18 meeting.

Mr. Moritz, Acting Director, Planning and Zoning, clarified condition #9 on page 11 of the minutes regarding the windows being closed on the carriage house, and he confirmed with the applicant that the doors will also be closed and in fact the applicant will replace the garage door with windows.

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

**ORAL REPORTS FROM CITY COUNCIL ON BOARDS, COMMISSIONS AND COMMITTEES**

**Washington Metropolitan Area Transit Authority - Momentum 2025**

Mayor Euille asked staff to give an update on the item.

Mr. Jinks, Deputy City Manager, along with Mr. Lambert, Acting Director, Transportation and Environmental Services, Mr. Maslanka, Transit Division, Transportation and Environmental Services, and Ms. Marks, Deputy Director, Transportation and Environmental Services, gave an update on WMATA's Momentum 2025 and responded to questions of City Council.

**Northern Virginia Transportation Authority**

Mayor Euille reported that the NVRTA had a work session last Friday in Fairfax where the board members and facilitator talked about looking at the funding process for the long-term benefits for the entire Northern Virginia region and how they are supposed to be responsive to

the request for transit, transportation, roads, bridges and funding.

### **Transportation Planning Board**

Councilmember Lovain said the TPB's most important function is the approval of the constrained long-range plan for all major transportation projects in the region. The TPB has passed a regional transportation priorities plan that laid out its vision of what the transportation future should look like in the region, and it is consistent with the region forward and the plans the Council of Governments has approved, to focus development around activity centers and the metro stations and to approve transit connections. Councilmember Lovain said it also approved the call for projects for the next round and for the first time, the call for projects is seriously requesting jurisdictions and DOT's to bring forward projects consistent with those plans with a transit focus and the focus around serving the activity centers throughout the region. Councilmember Lovain said it also approved the StreetSmarts program for the next year to try to encourage pedestrian and bicycle safety. He said that in 2013, 66 pedestrians were run down by automobiles.

### **Alexandria Transportation Commission**

Councilmember Lovain said he would report on this at the next Council meeting.

### **Library Board**

Vice Mayor Silberberg said the basement of the Burke Library was vacated by ACPS last summer, and over the past few months community members have been contacting the library and City officials regarding the space. Community members are requesting that the basement be returned to the library, mentioning the need for meeting room space and room for technology labs and other services on the West End. The library submitted a CIP request for space planning that would provide recommendations to transform the basement and is requesting formal notice that the space officially belongs to the library. Council will discuss that as the space is transformed. Vice Mayor Silberberg said on the stormwater upgrading issue at the Burke Library, they are set to begin the upgrades to the parking lot, which will result in improved stormwater management there. This is funded by an EPA grant that originally was to have been used for a green roof.

### **Alexandria Gang Prevention Task Force**

Vice Mayor Silberberg said the Task Force met recently. She said gang activity is very low and they tend to work upstream in terms of prevention. It has a very pro-active team effort. The risky behaviors that adults need to be cognizant of include substance abuse, teen pregnancy, and gang prevention efforts in general. Getting involved, mentoring and tutoring a young person is an excellent way to make a difference.

Vice Mayor Silberberg said she attended a Council of Governments meeting for Region Forward Coalition and the thrust of the meeting was about livability. Dr. Haering, the Health Department Director, did a great job speaking to the Region Forward Coalition and his main point was that they need to integrate health into the policies. It takes an effort to focus on three main items: nutrition, tobacco free areas and exercise.

Councilman Chapman said mentorship is the biggest positive effect they can have on

prevention of gangs. If one person can take time to mentor a young person, that will greatly decrease the percentage of that person becoming gang involved.

### **Long Range Educational Facilities Workgroup**

Councilman Wilson said the workgroup is a joint committee of school and City folks working together to address the growth in student enrollment. They have the official preliminary enrollment for the school year, and it did grow again by a little over four percent. The estimate was right on target, and this is the second year in a row that it has been on target with the estimate, and that's pretty important. They have seen four percent annual growth in student enrollment on average since September 2006. While kindergarten still grew, the estimate was off by eight percent – they estimated eight percent higher than it turned out to be. He said the 9<sup>th</sup> grade number was 17 percent off on the other end – there were 17 percent more 9<sup>th</sup> graders than expected. Councilman Wilson said they have gotten rid of all the subcommittees and pulled it into the main committee and are moving forward as one group. The draft report will be finalized in December and will start an extensive community roll-out effort going to PTA's, civic associations and it will come to the School Board and Council as it goes forward.

### **City/Schools Subcommittee**

Councilman Wilson said the subcommittee met yesterday for its monthly meeting. It talked again about Patrick Henry and their efforts are delayed. They expect to have the A&E report back sometime in May and they will make the decision about what they would like to see there and it will become a CIP request in a future budget process. It also discussed the coordination with the Schools as it relates to the ongoing bike and pedestrian plan. There was a desire to make sure the Schools are involved with that and a lot of the efforts that come out of that will involve the Schools and the need for them to be at the table but active participants.

### **Climate, Energy and Environmental Policy Committee (CEEPC) and Metropolitan Washington Air Quality Committee (MWAQC) Joint Meeting**

Councilwoman Pepper said she represents the City on two environmental committees at the Council of Governments – the WMAQC and the CEEPC, and the committees held a joint meeting earlier this month. The Washington area has been designated by the EPA as an ozone non-attainment area and it has been in effect since 1999. Since then, the region has done a slew of things trying to turn it around and come into compliance. They were almost there and just as it had reached that point, it appears that EPA is considering seriously lowering or reducing the ozone standard, which will make it even harder for the region to reach attainment. Potentially it could mean that the region will remain in non-attainment for years to come. The question was what can it do and where does it go from here. Councilwoman Pepper said the joint committee turned its focus on the transportation sector and transportation projects, specifically on the Transportation Planning Board. She said the joint board took action in two ways: by requesting that the relevant COG policy committees affirm the region's greenhouse gas reduction goals consistent with action that Alexandria has already taken, and to request that COG create a professional level working group to explore whether there should be targets for the transportation sector. A resolution was passed and the information was incorporated in a letter that was sent to the TPB expressing the actions of the joint committee.

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

## **CONSENT CALENDAR (5)**

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

5. Consideration of an Increase to the Duke Street Sidewalks at I-395 Project from VDOT Surplus Funds.

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/28/14, and is incorporated as part of this record by reference.)

### **END OF CONSENT CALENDAR**

City Council removed item #5 from the consent calendar and considered it under separate discussion.

5. Consideration of an Increase to the Duke Street Sidewalks at I-395 Project from VDOT Surplus Funds.

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 10/28/14, and is incorporated as part of this record by reference.)

Mr. Lambert, Acting Director, Transportation and Environmental Services, along with Ms. Baker, Director, Project Implementation, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council increased the Duke Street sidewalk at I-395 project by \$400,000 in VDOT grant funds from \$810,000 to \$1,210,000, with a request for staff, during budget proceedings, to provide an update on the projects. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

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

(The following item was heard out of order)

8. City Council Receipt of the Report on the Condition of and Recommendation for Future Improvements to the Warwick Pool Facility.

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 10/28/14, and is incorporated as part of this record by reference.)

Mr. Spengler, Director, Recreation, Parks and Cultural Activities, made a presentation of the staff report and he, along with Mr. Young, City Manager, and Ms. Durham, Recreation, Parks and Cultural Activities, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman

Smedberg and carried unanimously, City Council: 1. received the report and the Park and Recreation Commission recommendation for improvements to the Warwick Pool Facility; 2. determined that Council intends that the City provide aquatics at the Warwick site as a capital investment priority ahead of other neighborhood serving aquatic facilities; and 3. acknowledged that the timing and funding level of any future Warwick Pool improvements will be determined through the forthcoming FY 2016 to FY 2025 Capital Improvement Program budget process, asking the City Manager, when preparing the FY 16-25 CIP to provide Council with a trade-off package for Council to consider as part of that CIP to address Warwick Pool, without assigning a number to it this evening. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**6. Consideration of an Update to City Council Regarding the Food Truck Pilot Program.**

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 10/28/14, and is incorporated as part of this record by reference.)

Ms. Anderson, Assistant City Attorney, made a presentation of the staff report and update and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council received the update and directed staff to prepare an ordinance to extend the end date of the Food Truck Pilot Program from October 31, 2015 to December 31, 2015 and confirmed City Council's prior intent that the Food Truck Pilot Program be limited to food trucks that vend to the public. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**7. Consideration of the Proposed City Legislative Package for the 2015 General Assembly Session.**

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/28/14, and is incorporated as part of this record by reference.)

Mr. Caton, Legislative Director, made a presentation of the staff report and responded to questions of City Council.

**WHEREUPON**, a motion was made by Councilman Smedberg and seconded by Councilwoman Pepper that City Council: 1. received the proposals for the City's 2015 Legislative Package, as recommended by Council's Legislative Subcommittee and included in attachment 1; 2. scheduled the legislative package proposals for public hearing on Saturday, November 15, 2014; 3. scheduled the proposed City Charter amendments for public hearing on Saturday, November 15, 2014; and scheduled adoption of the Legislative Package for Tuesday, November 25, 2014.

Councilman Chapman requested the addition of support for the State housing trust fund be included.

Mr. Caton said he would reflect the addition of affordable housing for the November 15 docket item.

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

**9.** Consideration of a September 16, 2014 Letter from the Alexandria Waterfront Commission Asking City Council to Reaffirm its Commitment to Maintain an Active Waterfront with Recreational Boating Opportunities, to Include Pleasure Boat Slips, in the Design and Implementation of the Planned Waterfront Small Area Plan.

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 10/28/14, and is incorporated as part of this record by reference.)

Mr. Browand, Recreation, Parks and Cultural Activities, made a presentation of the staff report and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously, City Council reaffirmed its commitment to maintain an active waterfront with recreational boating opportunities, including the provision of pleasure boat slips, in the design and implementation of the planned Waterfront Small Area Plan. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**10.** Consideration of Receipt of FY 2015 First Quarter Capital Projects Status Report Related to City Council Approved Capital Projects.

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/28/14, and is incorporated as part of this record by reference.)

Mr. Lambert, Acting Director, Transportation and Environmental Services, Mr. Bever, Assistant Budget Director, Office of Management and Budget, Ms. Baker, Director, Office of Project Implementation, and Mr. McPike, Director, General Services, responded to questions of City Council regarding capital projects.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council received as information the FY 2015 first quarter capital projects status report. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **WORK SESSION**

**11.** Work Session: Fire Department Briefing

(A copy of the powerpoint presentation is on file in the Office of the City Clerk and Clerk

of Council, marked Exhibit No. 1 of Item No. 11; 10/28/14, and is incorporated as part of this record by reference.)

Fire Chief Dubé made a presentation of his report and he, along with Assistant Chief Thomas and Mr. Bosse, Fire Department, responded to questions of City Council.

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

1. Mayor Euille said the Northern Virginia Regional Commission will conduct a Syrian Refugee blanket drive November 1-22, and it includes Alexandria, Fairfax, Loudoun, Arlington, Prince William and others, and they are hoping to exceed and double last year's number of 18,000 blankets, which were shipped to Turkey. Locations for drop-offs are at City Hall in the Market Square Lobby and the Beatley Central Library.

2. Mayor Euille said that a few weeks ago, Livability Magazine did a survey of cities and towns across America, and it ranked Alexandria to be in the top 100 places to live, noting that there were more than 2,000 cities to be ranked.

3. Mayor Euille asked the City Manager to speak to the ad-hoc monitoring group for the waterfront construction.

Mr. Young, City Manager, gave an update on the ad-hoc monitoring group and the organization of the group.

4. Mayor Euille said the next event for the Mayor's Anti-Bullying campaign initiative is on November 3 at 4:00 p.m. at T.C. Williams High School.

5. Mayor Euille said this morning was the welcome to the completion ceremony for Old Town Commons, which is the newly redeveloped James Bland project on the north side of the City. It includes 300 new units and of the 300, 134 units are for public housing families.

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

**12.** Receipt of the Fiscal Year 2016 Budget Calendar.

(A copy of the powerpoint presentation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 10/28/14, and is incorporated as part of this record by reference.)

Mr. Young, City Manager, and Ms. Birch, Director, Office of Management and Budget, made a presentation of the budget calendar and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council received the FY 2016 budget calendar, for option #2. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **OTHER**

**13. Consideration of the City Council Schedule.**

(A copy of the City Manager's memorandum dated October 22, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 10/28/14, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Vice Mayor Silberberg and carried unanimously, City Council: 1. received the revised Council Calendar, which includes: the Alexandria Chamber of Commerce's 2014 Business Competitiveness Summit and Expo on Monday, November 3, from 8:00 a.m. to 2:00 p.m. at the Westin Alexandria, 400 Courthouse Square, Alexandria; the civic engagement meeting of the City's boards, commissions and civic groups, which is scheduled for Monday, November 3 at 5:00 p.m. at the Durant Center, 1605 Cameron Street, Alexandria; and the Alexandria Commission on Persons with Disabilities annual awards ceremony and reception, which is scheduled for Tuesday, June 23, 2015 at 5:30 p.m. in the Vola Lawson Lobby; and 2. approved the calendar. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**Closed Meeting Continued (If Needed)**

**14. Consideration of Convening a Closed Meeting for Consultation with Legal Counsel and Staff Regarding Actual or Probable Litigation and Consultation with Legal Counsel Regarding Specific Legal Matters, Acquisition of Real Estate, and to Discuss a Personnel Matter.**

City Council did not continue the closed meeting.

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

The resolution reads as follows:

**RESOLUTION NO. 2648**

WHEREAS, the Alexandria City Council has this 28th day of October 2014, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

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

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

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried unanimously, the regular meeting of October 28, 2014, was adjourned at 11:08 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

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WILLIAM D. EUILLE      MAYOR

ATTEST:

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Jacqueline M. Henderson  
City Clerk and Clerk of Council