

**City of Alexandria  
Meeting Minutes  
Tuesday, September 10, 2013  
7:00 P.M.  
Council Chambers**

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. Fletcher, Special Assistant to the City Manager; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Gates, Deputy City Manager; Police Captain Wemple; Ms. Smith, Director, Office of Management and Budget; Ms. Taylor, Office of Finance; Ms. Triggs, Director, Office of Finance; Ms. Davis, Office of Finance; Ms. McIlvaine, Deputy Director, Office of Housing; Mr. Keeler, Office of Housing; Mr. Frederick, Office of Housing; Mr. Baier, Director, Transportation and Environmental Services; Ms. Dastgheib, Transportation and Environmental Services; Mr. Lambert, Transportation and Environmental Services; Mr. Weaver, Transportation and Environmental Services; Mr. Clem, Transportation and Environmental Services; Ms. Reinfeld, Transportation and Environmental Services; Fire Chief Thiel; Mr. McPike, Director, General Services; Mr. Farner, Planning and Zoning; Ms. Niebauer, Director, Office of Human Rights; Mr. Custard, Health Department; Mr. Skrabak, Office of Environmental Quality; Mr. Sharma, Office of Environmental Quality; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

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

\* \* \* \* \*

**1. Calling the Roll.**

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

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

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

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

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

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the public hearing meeting minutes of

June 15 and the regular meeting minutes of June 25, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

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

None.

## **PROCLAMATIONS**

None.

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

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

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

4. Receipt of the Following Resignations from Members of Boards, Commissions and Committees:
  - (a) Affordable Housing Advisory Committee  
Marcus Allen
  - (b) Alcohol Safety Action Program Policy Board  
Sean Holihan
  - (c) Alexandria-Caen Sister City Committee  
Michelle Lore
  - (d) Children, Youth and Families Collaborative Commission  
Emma Beall
  - (e) Citizen Corps Council  
Bobby Mahoney
  - (f) Commission on Employment  
Chris Applegate
  - (g) Human Rights Commission  
Betty Morrison
  - (h) Public Records Advisory Commission  
Bill Toye  
Anthony Jones

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 9/10/13, and is incorporated as part of this record by reference.)

5. Uncontested Appointments to Boards, Commissions and Committees:

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

(A copy of the above uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 9/10/13, and is incorporated as part of this record by reference.)

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

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 9/10/13, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/10/13, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/10/13, and is incorporated as part of this record by reference.)

- 9.** Consideration of a Grant Application to the 2013 State Homeland Security Program (SHSP) Grant through the Virginia Department of Emergency Management (VDEM) for Emergency Response Equipment.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 9/10/13, and is incorporated as part of this record by reference.)

- 10.** Consideration of Acceptance of a Funding Allocation from the 2013 Local Emergency Management Program Grant in the Amount of \$60,904.43 for the City's Emergency Management Program.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/10/13, and is incorporated as part of this record by reference.)

- 11.** Consideration of a Grant Application to the Rescue Squad Assistance Fund (RSAF) Grant Program, Commonwealth of Virginia, Department of Health.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 9/10/13, and is incorporated as part of this record by reference.)

- 12.** Consideration of a Grant Application to the Virginia Alliance for Emergency Medical Education and Research (AEMER) EMS Research Grant For Up To \$20,000.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 9/10/13, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 9/10/13, and is incorporated as part of this record by reference.)

**14.** Consideration of a Grant Application to the Virginia Department of Behavioral Health and Developmental Services to Expand the Department of Community and Human Services System of Care Funding.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 9/10/13, and is incorporated as part of this record by reference.)

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

**15.** Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Extend Metered Parking Zones.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 9/10/13, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 15; 9/10/13, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 9/10/13, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 16; 9/10/13, and is incorporated as part of this record by reference.)

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 9/10/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 17; 9/10/13, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adopted the consent calendar, with the removal of items 8, 15 and 16, which were considered under separate motions, as follows:

4. City Council received the following resignations: (a) Marcus Allen, Affordable Housing Advisory Committee; (b) Sean Holihan, Alcohol Safety Action Program Policy Board; (c) Michelle Lore, Alexandria-Caen Sister City Committee; (d) Emma Beall, Children, Youth and Families Collaborative Commission; (e) Bobby Mahoney, Citizen Corps Council; (f) Chris Applegate, Commission on Employment; (g) Betty Morrison, Human Rights Commission; and (h) Bill Toye and Anthony Jones, Public Records Advisory Commission.

5. City Council made the following appointments to boards, commissions and committees: (a) appointed Thomas Owen as the one citizen member to the Alcohol Safety Action Program Policy Board; (b) appointed Mary Ann Radebach as the one citizen member to the Alexandria-Gyumri Sister City Committee; (c) appointed Pete Benavage as the one citizen member to the Beauregard Urban Design Advisory Committee; (d) appointed Jason Bruder as the one citizen member to the Citizen Corps Council; (e) appointed Charles Bailey as the one citizen member who is 60 years of age or older to the Commission on Aging; (f) reappointed Iris Henley and Dorothy Ramsey as the two business representatives from among recognized area businesses including minority-owned and small businesses, to the Commission on Employment; (g) reappointed David Arnaudo, Charles Benagh and Adam Osterman as the three citizen members to the Commission on Persons with Disabilities; (h) appointed Anna Stillner as the one citizen member, reappointed Margaret Wood as the one Planning District I representative and reappointed Laura Vetter as the one Public Records Advisory Commission representative to the Historic Alexandria Resources Commission; (i) reappointed Agnes

Artemel and Donald Simpson, Sr., as the two citizen members to the Industrial Development Authority; (j) appointed Matthew Damewood as the one landlord or representative of landlords to the Landlord-Tenant Relations Board; (k) reappointed Shawn Glerum as the one qualified professional skilled in architecture to the Potomac Yard Design Advisory Committee; (l) appointed Patricia Washington as the one representative of the Alexandria Convention and Visitors Association to the Torpedo Factory Art Center Board; and (m) appointed Allison Nance as the one Commission for the Arts representative and reappointed Arthur Fox as the one citizen representative who resides east of Washington Street and south of King Street to the Waterfront Commission.

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

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

9. City Council: 1. authorized the submission of a grant application to VDEM for grant funding totaling \$55,532; and 2. authorized the City Manager to execute all necessary documents that may be required.

10. City Council: 1. authorized the City Manager to accept the funding through the Virginia Department of Emergency Management in the amount of \$60,904.43; and 2. authorized the City Manager to execute all the necessary documents that may be required.

11. City Council: 1. approved the submission of a grant application (due September 16, 2013); and 2. authorized the City Manager to execute the necessary documents that may be required.

12. City Council: 1. approved the submission of a grant application (due September 30, 2013); and 2. authorized the City Manager to execute the necessary documents that may be required.

13. City Council: 1. authorized the City Manager to accept the funding through the Virginia Department of Emergency Management in the amount of \$25,611; and 2. authorized the City Manager to execute all the necessary documents that may be required.

14. City Council: 1. authorized the submission of the three-year grant application to BDHDS for funding in the amount of \$305,771 per year; and 2. approved a 3.5 FTE increase fully supported by grant revenues, to include: a 1.0 FTE caseworker to provide peer parent partner services as part of the intensive care coordination process; three 0.5 FTE direct support technicians to provide intensive in-home parent coaching services; and a 1.0 FTE health and community education specialist to coordinate a local chapter of Youth MOVE (Motivating Others through Voices of Experience) for youth with experience in the mental health, child welfare and juvenile justice systems, and to provide peer youth partner services as part of the intensive care coordination process. These grant-funded positions will terminate upon the expiration of the grant. The individuals who fill these positions will be notified of this

condition of employment at the time they are hired and will be required to sign an agreement of understanding with regard to this condition. There are no funds available in the City budget to continue these activities once the grant funds expire.

17. City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, September 21, 2013.

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

Councilman Wilson said they had a number of grant applications on the docket and they don't often hear what happens with the applications in the end, and he asked that Council be given a report periodically on the status of the reports.

Councilman Smedberg noted that a simple grid would be good: i.e., accepted, not accepted, and the amount.

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/10/13, and is incorporated as part of this record by reference.)

In response to a question from Council, Mr. Lambert, Transportation and Environmental Services, spoke to the potential hazardous waste drop-off alternative site in the north end. He also spoke to the partnership with ACPS at T.C. Williams and to the food waste composting program at the farmers markets in the City.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council authorized the release of \$210,000 from the FY 2014 contingent reserves (funded by the Residential Refuse Fee) to fund the recycling programs that had been preliminarily approved in the FY14 budget process. 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.

**15.** Introduction and First Reading. Consideration. Passage on First Reading of a Proposed Amendment to Extend Metered Parking Zones.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 9/10/13, and is incorporated as part of this record by reference.)

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 9/10/13, and is incorporated as part of this record by reference.



A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 15; 9/10/13, and is incorporated as part of this record by reference.)

In response to questions from Council, Mr. Baier, Director, Transportation and Environmental Services, and Ms. Dastgheib, Transportation and Environmental Services, spoke to the Park Mobile application coming to the City, to the Traffic and Parking Board meeting, and that staff is working on getting private garages open to provide some parking.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, September 21, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 9/10/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 16; 9/10/13, and is incorporated as part of this record by reference.)

In response to questions from Council, Ms. Triggs, Director, Office of Finance, spoke to the change to the process for the adjudication of tickets.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, September 21, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

## **CONTESTED APPOINTMENTS**

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

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

NAME:

ENDORSED BY:

Gus Ardura  
David Kitchens  
Clare McCaffrey  
Rebecca Mezny  
Mark Ramirez

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Mark Ramirez as the one qualified professional member to the Beauregard Urban Design Advisory Committee. There was no one consensus for the second qualified professional member appointment, so a revote had to be taken. The voting was as follows:

Euille	-	Ardura, McCaffrey
Silberberg	-	Ardura, Ramirez
Chapman	-	Mezny, Ramirez
Lovain	-	Kitchens, Ramirez
Pepper	-	Kitchens, Ramirez
Smedberg	-	Kitchens, Ramirez
Wilson	-	Ardura, Ramirez

**WHEREUPON**, ballots were again distributed, tellers were again appointed and ballots tallied with following results: City Council appointed Gus Ardura as the one qualified professional member to the Beauregard Urban Design Advisory Committee. The voting was as follows:

Euille	-	Ardura
Silberberg	-	Ardura
Chapman	-	Ardura
Lovain	-	Kitchens
Pepper	-	Kitchens
Smedberg	-	Kitchens
Wilson	-	Ardura

**19. Beautification Commission**  
1 Citizen Member

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

NAME:

ENDORSED BY:

Samson Agegnehu  
Beverly Patton

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Beverly Patton as the one citizen member to the Beautification Commission. The voting was as follows:

Euille	-	Patton
Silberberg	-	Patton
Chapman	-	Patton
Lovain	-	Patton
Pepper	-	Patton
Smedberg	-	Patton
Wilson	-	Patton

**20. Commission for the Arts**

1 Member Who Represents Arts Education or Business Expertise Relative to Arts and Cultural Development, Including Such Perspectives as Marketing, Finance/Funding, Tourism Promotion and Organizational Development

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

NAME:	ENDORSED BY:
-------	--------------

Kate Keeney  
Matthew Stensrud

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Matthew Stensrud as the one member who represents arts education or business expertise relative to arts and cultural development, including such perspectives as marketing, finance/funding, tourism promotion and organizational development to the Commission for the Arts. The voting was as follows:

Euille	-	Stensrud
Silberberg	-	Stensrud
Chapman	-	Stensrud
Lovain	-	Stensrud
Pepper	-	Stensrud
Smedberg	-	Stensrud
Wilson	-	Stensrud

**21. Commission on Aging**

1 Individual With Leadership Experience in a Volunteer Organization

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

NAME: ENDORSED BY:

Mary Lee Anderson  
Alexandra Condeelis

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Mary Lee Anderson as the one individual with leadership experience in a volunteer organization to the Commission on Aging. The voting was as follows:

Euille	-	Anderson
Silberberg	-	Anderson
Chapman	-	Anderson
Lovain	-	Anderson
Pepper	-	Anderson
Smedberg	-	Anderson
Wilson	-	Anderson

**22.** Commission on HIV/AIDS  
1 Citizen Member

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

NAME: ENDORSED BY:

Kenya Newby

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council waived the residency requirement and appointed Kenya Newby as the one citizen member to the Commission on HIV/AIDS. The voting was as follows:

Euille	-	Newby
Silberberg	-	Newby
Chapman	-	Newby
Lovain	-	Newby
Pepper	-	Newby
Smedberg	-	Newby
Wilson	-	Newby

**23.** George Washington Birthday Celebration Committee

1 Citizen Member

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

NAME: ENDORSED BY:

Maria Ciarrocchi  
Konstantin Gojnycz

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Konstantin Gojnycz as the one citizen member to the George Washington Birthday Celebration Committee. The voting was as follows:

Euille	-	Gojnycz
Silberberg	-	Gojnycz
Chapman	-	Ciarrocchi
Lovain	-	Gojnycz
Pepper	-	Gojnycz
Smedberg	-	Gojnycz
Wilson	-	Gojnycz

**24.** Sister Cities Committee  
1 Citizen Member

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

NAME: ENDORSED BY:

Katherine Dinkins  
Robert Hay, Jr.

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Robert Hay, Jr. as the one citizen member to the Sister Cities Committee. The voting was as follows:

Euille	-	Hay
Silberberg	-	Dinkins
Chapman	-	Hay
Lovain	-	Hay
Pepper	-	Hay
Smedberg	-	Hay
Wilson	-	Hay

- 25.** Social Services Advisory Board  
2 Citizen Members  
1 Parent Member

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

NAME: ENDORSED BY:

2 citizen members

Kenneth Batey  
Deena Disraelly  
Whitney Dubinsky  
Jeffrey Larrimore  
Synthoria Spencer

1 parent member

Clarissa Pearson  
Deb Riley

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Kenneth Batey and Deena Disraelly as the two citizen members and appointed Deb Riley as the one parent member to the Social Services Advisory Board. The voting was as follows:

Euille	-	Batey, Disraelly, Pearson
Silberberg	-	Batey, Larrimore, Riley
Chapman	-	Batey, Disraelly, Pearson
Lovain	-	Batey, Disraelly, Riley
Pepper	-	Batey, Disraelly, Riley
Smedberg	-	Batey, Larrimore, Riley
Wilson	-	Batey, Dubinsky, Riley

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

- 26.** Consideration of a Wesley Housing Development Corporation Funding Request for Lynhaven Apartments.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 9/10/13, and is incorporated as part of this record by reference.)

Ms. Davis, Director, Office of Housing, made a presentation of the report and she, along with Ms. McIlvaine, Deputy Director, and Mr. Keeler, Division Chief, responded to questions of

City Council.

Ms. Shelly Murphy, president and CEO, Wesley Housing Corporation, responded to questions of City Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, City Council: 1. approved a new loan of \$1.078 million to WHDC for the substantial renovation of the 28-unit Lynhaven Apartment complex, comprised of \$862,400 in federal HOME and \$215,600 in local matching funds from the Housing Opportunities Fund, to be added to the outstanding principal and interest balance of approximately \$422,000 from the existing City loan on the property for a total loan amount of \$1.5 million; and 2. authorized the City Manager to execute all necessary documents in connection with this project and its funding, including a support letter for WHDC's 4% (non-competitive) Low Income Housing Tax Credit application to VHDA and for tax exempt bond financing. 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.

**27. Update on the Implementation of the DASH Efficiency Study Recommendations.**

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 9/10/13, and is incorporated as part of this record by reference.)

Mr. Baier, Director, Transportation and Environmental Services, and Ms. Reinfeld, Division Chief, Transit Services, made a presentation of the report and responded to questions of City Council. DASH Board of Directors Chair Abramson and Ms. Modell, General Manager, DASH were also present.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council endorsed the recommendations detailed in the report and authorized the City Manager to execute a Memorandum of Understanding between the City and the ATC Board along the lines of the terms and conditions outline in the 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.

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

**ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

and

**ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Mayor Euille said he had an opportunity to attend a trip to Taiwan at the invitation of the Taiwan government and was one of ten mayors and county administrators from across the country who attended. He noted that it was very enlightening to see a democracy at work in a country of 23 million people. Mayor Euille said they met with federal government officials, the president's cabinet, as well as several mayors.

(b) Mayor Euille said the City had a successful arts festival this past weekend. He said vendors said their sales doubled from a year ago.

(c) Councilwoman Pepper said she was part of the March on Washington and it was a wonderful experience and she was pleased to be a part of it. She said the connections with Metrorail and DASH were perfect and all were on time.

(d) Councilwoman Pepper said she had occasion to fly out of Washington, D.C. and had to take cabs to get there. She said the taxicab credit card ordinance was operative as of September 1, and she took a cab going and back and both cabs had the appropriate mechanism to use credit cards.

(e) Councilwoman Pepper said she was very disturbed to look out her living room window to see huge gusts of smoke from a fire, and it turned out it was the warehouse in the 800 block of S. Pickett Street. She said cheers go to all the firefighters who worked on putting the fire out. She said that at the same time, the City had a water main break and it took maneuvering to get the right amount of water to the building.

Fire Chief Thiel gave an update on the fire and the investigation into the fire, which was concluded to be incendiary in nature.

City Manager Young noted that they met with Virginia American Water yesterday to get an understanding of the frequency of the water main breaks from their perspective. They indicated that they have a significant amount of investment in the repair and maintenance but they are not where they would like to be. He said Virginia American Water would like to be on a 100-year replacement cycle but are on a 300-year replacement cycle. Mr. Young said they indicated that relative to other systems, the frequency of water main breaks in Alexandria is below the norm and the system operates pretty well.

Mr. Baier, Director, Transportation and Environmental Services, said Virginia American Water will be sending a report within the next two weeks, which will be provided to Council.

(f) Councilmember Lovain spoke of the Children and Youth Master Plan, which has been in progress for a long time. He said that tomorrow night, the Children, Youth and Families Collaborative Commission will consider the draft plan, and they have had community forums and has had lots of research and discussions with stakeholders. The draft, which will be approved by the Commission tomorrow night, will go to the public for public hearings and review and will hopefully get to Council in December.

(g) Councilmember Lovain spoke of street lights, as Council received a letter over the summer by Dominion saying that they performed a one-time limited street light survey at their own expense in areas identified by T&ES and found numerous lights that were out. He said the letter said that under the contract with the Virginia Energy Purchasing Governmental Association, the cities and municipalities have responsibility for reporting of outages and not Dominion. Councilmember Lovain said he wondered if the City could do something to make it a better system by having a hotline or to have a place on the website.

Mr. Baier spoke of the reporting of outages in the past and the City's inability to push Dominion in any real way to expedite repairs.



(h) Councilman Chapman said that on September 25, the Eisenhower Avenue Partnership will have a breakfast with the City Manager talking about the future of what is coming to the Eisenhower Valley.

(i) Councilman Chapman said one of the newly formed City programs - a Space of His Own - which is the male version of a Space of Her Own - is looking for male mentors. He said if anyone is interested, they should contact him.

(j) Councilman Chapman said that on September 22, the Untouchables will celebrate their 25th anniversary and the group has been a grass roots group that has worked with mainly African-American boys starting at age 5-6 until college age.

(k) Vice Mayor Silberberg said that tomorrow is the anniversary of September 11 and the City will have an event to commemorate the anniversary at 10:00 a.m. on Market Square. She said not a day goes by that they don't think of those who perished on 9-11 or those who have served and sacrificed since then.

(l) Vice Mayor Silberberg said Council attended the dedication/ribbon cutting of the ice well restoration next to Gadsby's Tavern and she encouraged residents to see it.

(m) Vice Mayor Silberberg said that on July 13, the City celebrated its birthday and it had a beautiful concert by the Alexandria Symphony Orchestra.

(n) Councilman Wilson said that in light of the Chinquapin closure, they have extended the summer season at Old Towne Pool. He said he had the opportunity to go on Sunday for a few hours and it was very well attended. Councilman Wilson said that three or four people came up to him to thank the City for doing that. He passed on thanks to the Recreation, Parks and Cultural Activities Department for being creative and figuring out a way to keep the pool open a little longer.

(o) Councilman Wilson said he serves on the Long-Range Educational Facilities Planning Work Program and this summer they have been very busy. He said the three most immediate deliverables is later in the Fall they will finalize the enrollment forecasts and will be using the numbers the schools have on October 1.

(p) Councilman Wilson said he also serves on the City Schools Work Group and they will be meeting later in the month. Clearly it has not been a quiet summer in the schools with the leadership change that has occurred. He said there are very strong opinions and emotions about the decision of the School Board in the community, and they need to work together to define that direction in the future. He said the Work Group will be receiving an update on the shared services matrix this month.

(q) Councilman Smedberg said he has been busy this summer with things that will be coming back later with more updates and thorough reports. He said the Taxi Cab Task Force, the Pension Work Group, NVTA, NVTC and VRE will all be coming back with more thorough reports soon.

The following two items were taken out of order:

**29.** Consideration of a Resolution in Support of Virginia's Day to Serve. [ROLL-CALL

VOTE]

(A copy of the above resolution is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Silberberg, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the resolution in support of Virginia's Day to Serve. 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. 2572

WHEREAS, the governors of Virginia, Maryland and West Virginia and the mayor of Washington, D.C. have come together to support "Day to Serve"; and

WHEREAS, Day to Serve is a unique event that has inspired a diverse group of people of our larger region to set aside their political, religious and cultural differences to strengthen our collective communities by coming together to "feed the hungry, protect and enhance the environment, as well as strengthening our communities"; and

WHEREAS, the governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a Day of Service, between September 15-29, 2013; and

WHEREAS, since the Inaugural "Day to Serve" in 2012, this remarkable and unprecedented event swept from the state capital to local churches, schools, neighborhoods and families and resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and adopt a road campaigns; and

WHEREAS, the governor of Virginia has requested Virginians redouble our efforts for 2013.

NOW, THEREFORE, BE IT RESOLVED that the City of Alexandria supports the governor on this observance to call upon all faith based organizations, community organizations and Northern Virginia residents to participate in a Day to Serve in their communities; and

BE IT FURTHER RESOLVED that the City of Alexandria calls upon the Metropolitan Washington Council of Governments and Virginia's Planning District Commissions to adopt similar resolutions and encourages all local governments to support the "Day to Serve."

**30.** Consideration of a Resolution to Establish as a Position of the City Council of the City of Alexandria, Virginia, to Support an Amendment to Reverse Citizens United v. Federal Election

Commission, That Corporations Should Not Receive the Same Legal Rights as Natural Persons, That Money is Not Speech, and that Political Expenditures Can Be Regulated. [ROLL-CALL VOTE]

(A copy of the above resolution is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 30; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Silberberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the resolution to establish as a position of the City Council to support an amendment to reverse *Citizens v. Federal Election Commission*, that corporations should not receive the same legal rights as natural persons, that money is not speech, and that political expenditures can be regulated. 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. 2573

ESTABLISH AS A POSITION OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA, THAT CORPORATIONS SHOULD NOT RECEIVE THE SAME LEGAL RIGHTS AS NATURAL PERSONS, THAT MONEY IS NOT SPEECH, AND THAT POLITICAL EXPENDITURES CAN BE REGULATED

WHEREAS, We the people adopted and ratified the United States Constitution to protect the free speech and other rights of individuals, not corporations; and

WHEREAS, the United States Supreme Court's decision in *Citizens United v. Federal Election Commission* overturned longstanding precedent prohibiting corporations (and unions) from spending general treasury funds in our elections; and

WHEREAS, *Citizens United v. Federal Election Commission* and related federal court decisions present a serious and direct threat to our nation's republican democracy, while standing in direct contrast to our local Alexandria commitment to good government, civic and civil discourse, and broad participation in local decision-making; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people and states of the United States of America to use the constitution amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and republican self-government; and

WHEREAS, the people and states of the United States of America have strengthened the nation and preserved liberty and equality for all by using the amendment process throughout our history, including the overturning of erroneous Supreme Court decisions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Alexandria, Virginia commends the efforts of Congressmen James P. Moran and Gerald E. Connolly to address this issue; and

BE IT FURTHER RESOLVED that (i) the City Council of Alexandria, Virginia calls upon the Virginia General Assembly and the United States Congress to support an amendment to the U.S. Constitution to reverse *Citizens United v. Federal Election Commission* and related cases and to restore constitutional rights and fair elections to the people, and (ii) that constitutional amendment should make clear (a) that corporations are not entitled to the constitutional protections or "rights" of natural persons; (b) that money is not speech; (c) that regulating election-related spending is not the same as limiting political speech; and (d) that Congress and the states may place limits on election contributions and expenditures.

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

### **28. Combined Sewer System Permit Report.**

Mr. Skrabak, Director, Office of Environmental Quality, made a presentation of the report and responded to questions of City Council.

## **ORDINANCES AND RESOLUTIONS**

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

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 31; 9/10/13, and is incorporated as part of this record by reference.)

Mr. Williams, chair, Industrial Development Authority, explained the need for the refunding bonds.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council adopted the resolution authorizing the issuance of refunding bonds by the Industrial Development Authority for Volunteers of America. 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. 2574**

#### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA WITH RESPECT TO INDUSTRIAL DEVELOPMENT AUTHORITY FINANCING FOR VOLUNTEERS OF AMERICA, INC.**

WHEREAS, the Industrial Development Authority of the City of Alexandria (the "Authority") has considered the application of Volunteers of America, Inc. (the "Borrower"), a corporation which is described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code"), requesting the issuance of the Authority's revenue bond in an amount not to exceed \$4,800,000 (the "Bond") to assist the Borrower in (a) financing or refinancing certain of the costs of replacement of the roof and other renovations of the approximately 32,000

square foot four-story office building owned by the Borrower and serving primarily as corporate headquarters for the Borrower and its affiliate, located at 1660 Duke Street, Alexandria, Virginia (the "Facility"), (b) refunding those certain outstanding Pooled Loan Program Revenue Bonds, Series A of the Authority issued on September 1, 1999 to finance the costs of acquisition, renovation and equipping of the Facility and related expenditures and (c) financing bond issuance costs and other eligible expenditures (collectively, the "Project") and has held a public hearing in connection therewith on August 6, 2013; and

WHEREAS, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of such bonds; and

WHEREAS, the Authority issues its bonds on behalf of the City of Alexandria, Virginia (the "City"); the facilities of the Borrower described above are located in the City and the City Council of the City (the "Council") constitutes the highest elected governmental unit of the City; and

WHEREAS, the Authority has recommended that the Council approve the issuance of the Bond; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bond, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

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

1. The Council approves the issuance of the Bond by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), to permit the Authority to assist in the financing of the Project.
  2. The approval of the issuance of the Bond does not constitute an endorsement to a prospective purchaser of the Bond or the creditworthiness of the Bond or the Borrower.
  3. The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Alexandria, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the Bond. Neither the City of Alexandria, Virginia nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and money pledged therefor.
  4. This resolution shall take effect immediately upon its adoption.
- 32.** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Implement the Utility Tax Rate Increases Included in the FY 2014 Approved Budget.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 32; 9/10/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 32; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 32; 9/10/13, 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, second reading and final passage on Saturday, September 21, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**33.** Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 200 North Royal Street.

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 33; 9/10/13, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 33; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 33; 9/10/13, and is incorporated as part of this record by reference.)

Mr. McPike, Director, General Services, made a presentation of the report and responded to questions of City Council.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilmember Lovain and carried unanimously, City Council passed the ordinance on first reading and set it for public hearing, second reading and final passage on Saturday, September 21, 2013. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

**34.** Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement 106 of the City Code. [ROLL-CALL VOTE]

(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; 9/10/13, and is

incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 34; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the ordinance to Adopt Supplement 106 of the City Code. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4824

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 106," are hereby adopted as and shall constitute "The One Hundred and Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between March 12, 2013 through June 15, 2013, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after June 15, 2013, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between March 12, 2013 through June 15, 2013, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

**35.** Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Zoning Supplement Number 59. [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. 35; 9/10/13, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 35; 9/10/13, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the ordinance to Adopt Zoning Supplement Number 59. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

#### ORDINANCE NO. 4825

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

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

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 59," are hereby adopted as and shall constitute "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."



Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between March 12, 2013 and June 15, 2013 inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between March 12, 2013 and June 15, 2013, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after June 15, 2013.

Section 4. That one complete set of pages comprising "The Fifty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

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

## **OTHER**

### **36. Consideration of City Council Schedule.**

(A copy of the City Manager's memorandum dated September 5, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 36; 9/10/13, 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 approved the Council calendar which includes the schedule of City Council legislative meetings and public hearings for September 2013 through June 2014; and noted that the Potomac Yard Park Opening and Ribbon Cutting Ceremony has been scheduled for Saturday, November 16, 2013, at 8:30 a.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.

\* \* \* \* \*

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, the regular meeting of September 10, 2013, was adjourned at 9:55 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

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

ATTEST:

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