

**City of Alexandria Meeting Minutes
City Council Legislative Meeting
Council Chambers
Tuesday, February 26, 2013, 7:00 p.m.**

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

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Triggs, Director, Office of Finance; Mr. Caton, Legislative Director; Ms. Smith, Director, Office of Management and Budget; Ms. Taylor, Office of Management and Budget; Mr. McPike, Director, General Services; Police Captain Wemple, Police Department; Mr. Spengler, Director, Parks, Recreation and Cultural Activities; Ms. Bryan, Information Technology; and Mr. Lloyd.

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

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5:30 p.m. Work Session on the Alexandria Transit Company Annual Stockholder and DASH (to Include DASH Efficiency Study).

City Council held the work session.

1. Calling the Roll.

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

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2. Moment of Silence and Pledge of Allegiance

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

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

The Regular Meeting Minutes of February 12, 2013.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the regular meeting minutes of February 12, 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

4. Recognition of Members of the Youth Rugby Program (JRC.)

City Council recognized the members of the Youth Rugby Program from Gonzaga and T.C. Williams High Schools.

PROCLAMATIONS

5. Presentation of a Proclamation Declaring March 2, 2013, as St. Patrick's Day Parade Day and March as Irish-American Heritage Month.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council endorsed the proclamation for St. Patrick's Day Parade Day and Irish-American Heritage Month. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council endorsed the proclamation declaring Tuesday, February 26, 2013, as Pat Troy Day. 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

CONSENT CALENDAR (6-12)

(Resignations and Uncontested Appointments)

- 6. Receipt of the Following Resignations from Members of Boards, Commissions and Committees:
 - (a) Alexandria Redevelopment and Housing Authority
Stanley Vosper, Jr.
 - (b) Budget and Fiscal Affairs Advisory Committee
Jermaine Mincey
 - (c) Commission on Employment
Charles Sumpter
 - (d) Social Services Advisory Board
DeAnn Hughes

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 6 (a-d); 2/26/13, and is incorporated as part of this record by reference.)

7. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Sister City Committee
1 Citizen Member
- (b) Alexandria Gang Task Force
1 Citizen Member
- (c) Children, Youth and Families Collaborative Commission
1 Youth Member
- (d) Economic Opportunities Commission
1 Alternate Representative for Councilman Chapman
- (e) Emergency Medical Services Council
1 Citizen Member
- (f) Environmental Policy Commission
1 Member from the Field of Urban Planning
- (g) Landlord-Tenant Relations Board
1 Homeowner Representative
- (h) Northern Virginia Regional Park Authority
1 Citizen Member
- (i) Park and Recreation Commission
1 Member from Planning District I
1 Member from Planning District II

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 7 (a-i); 2/26/13, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

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

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/26/13, and is incorporated as part of this record by reference.)

9. Consideration of Submission of a Grant Application to the Virginia Housing Development Authority's (VHDA) REACH Program.

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 2/26/13, and is incorporated as part of this record by reference.)

10. Authorization To Apply For 2013 Americorps State Grant To Fund A Child Well-Being And Family Support Program At Brent Place.

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 2/26/13, and is incorporated as part of this record by reference.)

11. Consideration of a Renewal Grant Application to the Virginia Department of Motor Vehicles (DMV) for an Aggressive Driving and Driving Under the Influence (DUI) Interdiction Program.

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 2/26/13, and is incorporated as part of this record by reference.)

12. Consideration of a Grant Application to the Virginia Office of the Attorney General (OAG) to Enhance the Crisis Intervention Team (CIT) Program Within the Alexandria Police Department.

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 2/26/13, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the consent calendar, as follows:

6. City Council received the following resignations from boards, commissions and committees: (a) Stanley Vosper, Jr., Alexandria Redevelopment and Housing Authority; (b) Jermaine Mincey, Budget and Fiscal Affairs Advisory Committee; (c) Charles Sumpter, Commission on Employment; and (d) DeAnn Hughes, Social Services Advisory Board.

7. City Council made the following appointments to boards, commissions and committees: (a) appointed Colin Eilts as the one citizen member to the Alexandria-Caen Sister City Committee; (b) appointed Thomas Walczykowski as the one citizen member to the Alexandria Gang Task Force; (c) appointed Emma West as the one youth member to the Children, Youth and Families Collaborative Commission; (d) appointed LaDonna Sanders as the one alternate representative for Councilman Chapman to the Economic Opportunities Commission; (e) appointed Ellen McHugh as the one citizen member to the Emergency Medical Services Council; (f) reappointed Joshua Sawislak as the one member from the field of urban planning to the Environmental Policy Commission; (g) reappointed Lynn Pendlebury Colby as the one homeowner representative to the Landlord-Tenant Relations Board; (h) appointed Scott Price as the one citizen member to the Northern Virginia Regional Park Authority; and (i) reappointed William Cromley as the one member from Planning District I and Ripley Forbes as the one member from Planning District II to the Park and Recreation Commission.

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Ab Emam and Rebecca Mullen to the Alexandria Marketing Committee. The voting was as follows:

Euille	-	Emam, Mullen
Silberberg	-	Emam, Mullen
Chapman	-	Emam, Greene
Lovain	-	Emam, Mullen
Pepper	-	Emam, Mullen
Smedberg	-	Emam, Mullen
Wilson	-	Emam, Mullen

14. Board of Zoning Appeals
2 Citizen Members

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

NAME: ENDORSED BY:

John Keegan
David Lantzy
Melinda Lyle
Jennifer Walker

(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. 14; 2/26/13, 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 Melinda Lyle and Jennifer Walker to the Board of Zoning Appeals. The voting was as follows:

Euille	-	Lyle, Walker
Silberberg	-	Lantzy, Walker
Chapman	-	Lyle, Walker
Lovain	-	Lyle, Walker
Pepper	-	Lyle, Walker
Smedberg	-	Lyle, Walker
Wilson	-	Lyle, Walker

15. Commission for Women
1 Citizen Member

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

NAME: ENDORSED BY:

Monika Jones
Erica Rossi
Holly Wallace

(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. 15; 2/26/13, 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 Monika Jones to the Commission for Women. The voting was as follows:

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

16. Planning Commission
3 Citizen Members

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

NAME: ENDORSED BY:

Marcus Allen
Danielle Fidler
Donna Fossum
Derek Hyra
Nathan Macek
Daniel Straub
Maria Wasowski

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 2/26/13, 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 Derek Hyra, Nathan Macek and Maria Wasowski to the Planning Commission. The voting was as follows:

Euille	-	Allen, Macek, Wasowski
Silberberg	-	Fidler, Hyra, Wasowski
Chapman	-	Hyra, Macek, Wasowski
Lovain	-	Hyra, Macek, Wasowski
Pepper	-	Hyra, Macek, Wasowski

Smedberg - Hyra, Macek, Wasowski
Wilson - Hyra, Macek, Wasowski

17. Traffic and Parking Board
1 Citizen Member

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

NAME: ENDORSED BY:

Vishal Aswani

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, this vacancy will be readvertised in order to allow additional applicants to apply. 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

18. Final Status Report on Legislation Introduced in the 2013 General Assembly Session.

(A copy of the City Manager's memorandum dated February 25, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 2/26/13, and is incorporated as part of this record by reference.)

Mr. Caton, Legislative Director, made a presentation of the report and responded to questions of City Council. Delegate Herring, Delegate Krupicka and Senator Ebbin also spoke to Council about the bills before the General Assembly this session.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Silberberg and carried unanimously, City Council received 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.

19. Presentation of the Proposed Annual Operating Budget for FY 2014 (Including Schools), Calendar Year 2013 Real Property Assessments, and the Proposed Capital Improvement Program for FY 2014-2023 (Including the Schools CIP.)

City Manager Young presented the proposed annual operating budget for FY 2014, including schools, calendar year 2013 real property assessments, and the proposed Capital Improvement Program for FY 2014-2023, including the Schools CIP. Mr. Young responded to questions of City Council regarding the budget.

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council received the budget. 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.

20. Consideration of a Contingent Contract to Sell City Property at 1505 Powhatan Street.

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 2/26/13, and is incorporated as part of this record by reference.)

Mr. McPike, Director, General Services, made a presentation of the report and he, along with Ms. Wright, Planning and Zoning, responded to questions of City Council.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council authorized the City Manager to enter into a contract with Pulte Homes/11th Street Development to sell 1505 Powhatan Street for \$4,400,000 plus an affordable housing contribution of approximately \$85,000 with the contract contingent upon approval of the sale per Section 9.06 of the City Charter. 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 BY MEMBERS OF CITY COUNCIL

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ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Mayor Euille extended congratulations to Maestro Kluge with the Alexandria Symphony Orchestra who celebrated his 25th anniversary with the Orchestra. There were two concerts on February 9 and 10, and Maestro Kluge and his wife created a special rendition of a song that involved four musical groups. The symphony will have its annual fundraiser gala March 2 at the Westin Hotel in Alexandria.

2. Vice Mayor Silberberg shared the idea of an initiative related to the creative economy and branding the City as such. She said she has combined it with an arts initiative and she convened a roundtable of arts leaders, business and community leaders and looks forward to that. She also spoke of creating an arts fund, whereby people in the community could give and through ACT Alexandria have a separate, designated fund supporting the arts in Alexandria. She said it is a five point plan and includes an arts challenge as well, and specifically a music challenge for children of all ages for them to learn how to read music, pick up an instrument and by the time they graduate be able to read music and play an instrument.

Mayor Euille said the Council Retreat on March 23 would be the appropriate time to bring it forward.

3. Councilman Wilson said there has been an on-going conversation about the 224 N. Fayette Street, the former Carver Nursery School and American Legion Post 129, and everyone has been involved as the sale period comes to a close. He said he and Councilman

Smedberg worked to pull together a resolution they believe conveys an appropriate approach for Council to take as they proceed. There are the beginnings of fundraising going on to purchase the property, and the City wants to show its support for those efforts but also conveying the clear message that the City is not going to be the purchaser of last resort for the property.

Councilman Smedberg said the proposed resolution is one thing that was thought to be helpful when they asked for their help to get it to this point. He said they are lucky that the developer is willing to work with the various properties. He said there are challenges and hopefully the resolution is a charge to them to come up with a plan and to raise the funds.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adopted a resolution on the property at 224 N. Fayette Street. 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. 2544

WHEREAS, the building at 224 N. Fayette Street was constructed using Federal Funds in 1944 as the Carver Nursery School and was used to educate African-American children; and

WHEREAS, the building later became the William Thomas American Legion Post 129; and

WHEREAS, the City of Alexandria acknowledges that the building is meaningful for our community and helps tell the story of 20th Century Alexandria; and

WHEREAS, in 2009 a land-owner with a reputation for thoughtful and sensitive development in the Parker-Gray Historic District purchased the property with plans to redevelop; and

WHEREAS, the Parker-Gray Board of Architectural Review approved demolition of the property in July of 2009; and

WHEREAS, the Board of Architectural Review's decision was appealed to the City Council, which upheld the decision of the Board of Architectural Review in October of 2009; and

WHEREAS; after an appeal of the City Council's decision in Circuit Court, a settlement agreement allowed two years for the City to market the property for acquisition and preservation; and

WHEREAS; no purchaser has come forward during this period of time to acquire the property for any use; and

WHEREAS; under the terms of the settlement agreement, the landowner has the ability to now proceed with demolition; and

WHEREAS; any extension to that time period would be at the sole discretion of the landowner; and

WHEREAS; the City Council wishes to authorize the City Manager to proceed with actions designed to support private efforts to raise the necessary resources to acquire and preserve the property.

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

- 1) That the City Council recognizes the patience of the landowner in allowing additional time for purchasers to come forward.
- 2) That the City Council endorses efforts in the community to raise the necessary resources to acquire the property.
- 3) That the City Manager is authorized to utilize existing Staff to assist in researching available grants, donations and Federal or State appropriations that may assist in private efforts for the acquisition and preservation of this property.
- 4) That the City Manager is authorized to recommend to City Council reasonable accommodations (both financial and with land-use authority) to the landowner and potential purchasers to support any extension of time for purchasers to come forward.

4. Councilman Wilson said Council has been contacted about the City's regulations governing massage therapists, where currently a massage therapist has to pay a fee to the Health Department and subject themselves to additional regulations, particularly where they need to apply to the vice narcotics division of the Police Department and to provide a list of every house they wish to perform an in-home massage. Councilman Wilson asked the City Manager to look into the issue further and come back with a recommendation over the next several months.

5. Councilman Chapman thanked the community for attending the youth master plan community meetings, where it had over 400 people come out on three different dates. Hopefully it will be moving forward and they will hear more about it.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

21. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Establish the Real Estate and Personal Property Tax Rates for Calendar Year 2013 (Fiscal Year 2014).

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 2/26/13, 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. 21; 2/26/13, 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. 13; 2/26/13, and is incorporated as part of this record by reference.)

Ms. Taylor, Office of Management and Budget, noted that the rate will be set on March 12 in advance of the public hearing in April.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg City Council: 1. introduced the ordinance on first reading for the tax rate to be advertised for residential and commercial real property and personal property; and 2. set the ordinance for public hearing on Saturday, April 13 and second reading and final passage on Monday, May 6. 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

22. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated February 20, 2013, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 2/26/13, and is incorporated as part of this record by reference.)

Councilman Smedberg said there is a remote possibility that he may be out of town on March 11.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Vice Mayor Silberberg and carried unanimously, City Council: 1. received the updated City Council schedule which includes the locations of the budget work sessions and public presentation of the budget; and 2. approved the Council schedule. 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.

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THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously, the regular meeting of February 26, 2013, was adjourned at 10:19 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