

**City of Alexandria
Meeting Minutes
Saturday, November 16 , 2024 9:30 AM
City Council Legislative Meeting**

PRESENT: Mayor Justin M. Wilson, Vice Mayor Amy B. Jackson, Members of Council Canek Aguirre, Sarah R. Bagley, John Taylor Chapman, Alyia Gaskins, and R. Kirk McPike.

ABSENT: None.

ALSO PRESENT: Mr. Parajon, City Manager; Ms. Cordell Ivery, City Attorney; Ms. Zechman Brown, Deputy City Attorney; Mr. Lambert, Deputy City Manager; Ms. Predeoux, Deputy City Manager; Ms. Orr, Deputy Director, Transportation and Environmental Services (T&ES); Ms. Carroll, T&ES; Mr. Knight, T&ES; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Shelby, P&Z; Ms. Beach, P&Z; Mr. Farner, Deputy Director, P&Z; Mr. Kerns, P&Z; Ms. McIlvaine, Director, Office of Housing; Ms. Jovovic, Office of Housing; Ms. Contreras, P&Z; Mr. Alves, P&Z; Mr. Smith, Information Technology Services (ITS); Ms., Demeke, ITS; and Police Sgt. May.

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

I. OPENING

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of City Council were present, with Councilman Aguirre, Councilman Chapman, and Councilman McPike participating via Zoom.

2. Approval of the Electronic Participation [ROLL-CALL VOTE]

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously by roll-call vote, City Council approved the electronic participation resolution. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

The resolution reads as follows:

Resolution No. 3263

Resolution Regarding Electronic Participation by a Member of City Council

WHEREAS, Virginia Code Section 2.2-3708.3 provides that an individual member of a public body may fully participate in meetings electronically if any such member meets the criteria of the code and the public body has adopted an Electronic Meeting Policy; and

WHEREAS, City Council adopted an Electronic Participation Policy on June 22, 2021 as Resolution No. 3011; and

WHEREAS, City Council Member Canek Aguirre has notified the Mayor and the Clerk that he is unavailable to be physically present for the November 16, 2024 City Council Meeting due to a personal matter, specifically travel for work; and

WHEREAS, City Council Member John Taylor Chapman has notified the Mayor and the Clerk that he is unavailable to be physically present for the November 16, 2024, City Council Meeting due to a personal matter, specifically travel for work; and

WHEREAS, City Council Member R. Kirk McPike has notified the Mayor and the Clerk that he is unavailable to be physically present for the November 12, 2024 City Council Meeting due to a personal matter, specifically travel for a family emergency; and

WHEREAS a Council Member may participate in a City Council Meeting by electronic means for an unlimited number of times during this calendar year for a medical reason for the member or a family member of the member; and

WHEREAS the City Council Members John Taylor Chapman and Canek Aguirre will participate in the City Council Meeting by video conference call from Tampa, FL and arrangements have been made to ensure the member shall be heard by all participants at the City Council Meeting; and

WHEREAS the City Council Member R. Kirk McPike will participate in the City Council Meeting by video conference call from Boerne, TX and arrangements have been made to ensure the member shall be heard by all participants at the City Council Meeting; and

WHEREAS a quorum of the City Council is physically assembled in person.

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

That pursuant to Virginia Code 2.2-3708.3 and the City Council's Electronic Meeting Policy Resolution 3011, City Council Member John Chapman, Canek Aguirre, and R. Kirk McPike will participate remotely in this meeting by video conference call.

3. Public Discussion Period

The following persons participated in the public discussion period:

1. Damon Minnix, representing SSPBA, spoke about the amendments to the ordinance related to the Independent Policing Review Board.
2. Alison O'Connell, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
3. Rose Esber, Alexandria, spoke about flooding in her neighborhood and in protest to the war in Gaza.
4. Glen Pine, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
5. Nicholas Gentry, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
6. Melissa Elbirt, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
7. Mariam Creedon, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
8. Nour Barudi, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
9. Janice Grenadier, Alexandria, spoke about corruption with the courts.
10. Sara Husein Bazar, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
11. Dino Drudi, Alexandria, spoke about increased density in the City.
12. Amanda Eisenhour, Alexandria, spoke in protest to the war in Gaza and requested the City divest from Israel.
13. Marie Smith, Alexandria, spoke about the recent election and the need

from diverse parties on City Council.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins and carried unanimously, City Council closed the public discussion period. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

II. ACTION CONSENT CALENDAR (4)

Planning Commission

4. Special Use Permit #2024-00057
1313 Cleveland Street
Public Hearing and consideration of a Special Use Permit to construct a new single-unit dwelling on a developed substandard lot, zoned; R8/Residential
Applicant: Richard Thomas Price Jr
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 11/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Vice Mayor Jackson and carried unanimously, City Council approved the Planning Commission recommendation. The vote was follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

III. ROLL-CALL CONSENT CALENDAR (5-7)

5. Public Hearing, Second Reading and Final Passage of an Ordinance authorizing the owner of the property located at 461 Swann Avenue to construct and maintain an encroachment for outdoor dining at that location (Implementation Ordinance for Encroachment No. 2024-00002 associated with 461 Swann Avenue/Founding Farmers approved by City Council on September 14, 2024).
[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 Item No. 5; 11/16/24, 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 Item No. 5; 11/16/24, and is incorporated as part of this record by reference.)

6. Public Hearing, Second Reading and Final Passage of an Ordinance to Grant a Non-exclusive Franchise to Crown Castle Fiber LLC for use of the public rights-of-way by companies to design, install, provide, operate, maintain, repair, control, upgrade, construct, and remove a fiber network for the purpose of providing Telecommunications Services within the City. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 11/16/24, 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 Item No. 8; 11/16/24, 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 Item No. 8; 11/16/24, and is incorporated as part of this record by reference.)

7. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2025. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 11/16/24, 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 Item No. 7; 11/16/24, 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 Item No. 7; 11/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilwoman Gaskins and carried unanimously, City Council approved the roll-call consent calendar. The approvals were as follows:

5. City Council adopted an ordinance authorizing the owner of the property

located at 461 Swann Avenue to construct and maintain an encroachment for outdoor dining at that location. The ordinance reads as follows:

ORDINANCE NO. 5559

AN ORDINANCE authorizing the owner of the property located at 461 Swann Avenue to construct and maintain an encroachment for outdoor dining at that location.

WHEREAS, OT Block A1 Sub, LLC is the Owner ("Owner") of the property located at 461 Swann Avenue, in the City of Alexandria, Virginia; and

WHEREAS, Owner desires to establish and maintain outdoor dining which will encroach into the public sidewalk right-of-way at that location; and

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

WHEREAS, in Encroachment No. 2024-00002 the Planning Commission of the City of Alexandria recommended approval to the City Council subject to certain conditions at one of its regular meetings held on September 5, 2024, which recommendation was approved by the City Council at its public hearing on September 14, 2024 and

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

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Owner be, and the same hereby is, authorized to establish and maintain an encroachment into the public sidewalk right-of-way at 461 Swann Avenue as shown in the attached Encroachment Plat, in the City of Alexandria, said encroachment consisting of outdoor dining, including a pergola, fencing, and decorative plantings, until the encroachment is removed or destroyed or the authorization to maintain it is terminated by the city; provided, that this authorization to establish and maintain the encroachment shall not be construed to relieve Owner of liability for any negligence on their part on account of or in connection with the encroachment and shall be subject to the provisions set forth below.

Section 2. That the authorization hereby granted to establish and maintain said encroachment shall be subject to and conditioned upon Owner maintaining, at all times and at their own expense, liability insurance, covering both bodily injury and property damage,

with a company authorized to transact business in the Commonwealth of Virginia and with minimum limits as follows:

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

This liability insurance policy shall identify the City of Alexandria and Owner as named insureds and shall provide for the indemnification of the City of Alexandria and Owner against any and all loss occasioned by the establishment, construction, placement, existence, use or maintenance of the encroachment. Evidence of the policy and any renewal thereof shall be filed with the city attorney's office. Any other provision herein to the contrary notwithstanding, in the event this policy of insurance lapses, is canceled, is not renewed or otherwise ceases to be in force and effect, the authorization herein granted to establish and maintain the encroachment shall, at the option of the city, forthwith and without notice or demand by the city, terminate. In that event, Owner shall, upon notice from the city, remove the encroachment from the public right-of-way, or the city, at its option, may remove the encroachment at the expense and risk of Owner. Nothing in this section shall relieve Owner of its obligations and undertakings required under this ordinance.

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

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

(d) Within the encroachment areas identified in the metes and bounds exhibit, the applicant may not erect any additional equipment or structures or enlarge or intensify any existing equipment or structures shall without prior approval of the Directors of P&Z and T&ES. No administrative changes may be made after approval of the encroachment ordinance.

(e) The proposed encroachment must comply with DSUP2020-10028.

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

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

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

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

Section 8. The terms "Owner" shall be deemed to include OT Block A1 Sub, LLC and its respective successors in interest.

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

6. City Council adopted an ordinance to grant a non-exclusive franchise to Crown Castle Fiber LLC, for use of the public rights-of-way by companies to design, install, provide, operate, maintain, repair, control, upgrade, construct, and remove a fiber network for the purpose of providing telecommunications services within the City.

The ordinance reads as follows:

ORDINANCE NO. 5560

AN ORDINANCE to initiate and establish the process for soliciting and granting non-exclusive Franchise proposals by the City of Alexandria, Virginia, from companies that desire to use the public rights-of-way and occupy the City's streets for the design, installation, provision, operation, maintenance, repair, control, upgrade, construction and removal of a fiber network for the purpose of providing Telecommunications Services within the City. Telecommunications Services shall mean the offering of telecommunications, *i.e.*, the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received, for a fee directly to the public or to such classes of users as to be effectively available directly to the public regardless of the facilities used, but not including cable services.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the City of Alexandria proposes to grant non-exclusive Franchise(s) in the manner prescribed by law, for use of the public rights-of-way by companies to design, install, provide, operate, maintain, repair, control, upgrade, construct and remove a fiber optic network to provide Telecommunications Services in the public rights of ways of the City of Alexandria, Virginia, as set forth in the following proposed franchise ordinance.

ORDINANCE NO. 5549

AN ORDINANCE to grant to Crown Castle, LLC., its successors and assigns, a franchise, under certain conditions, permitting the grantee to use the public rights-of-ways in the City of Alexandria for the design, installation, provision, operation, maintenance, repair, control, upgrade, construction and removal of a fiber network to provide Telecommunications Services in the City.

THE CITY COUNCIL HEREBY ORDAINS:

Section 1. That this Franchise is hereby granted to Crown Castle, LLC. hereinafter referred to as "Grantee," its successors and assigns, to permit the Grantee to design, install, provide, operate, maintain, repair, upgrade, construct and remove a fiber network to provide Telecommunications Services, excluding cable, in the public rights of-ways in the City in accordance with the terms and conditions set forth in the Right-Of-Way Franchise Agreement, attached hereto as Exhibit A and fully incorporated herein by reference.

Section 2. That said Franchise is awarded to the Grantee after public notice and invitation for bids, as required by law, pursuant to Section 2 of Ordinance No. 5549, and after the invitation for bids was duly closed and all bids were fully and carefully

investigated and evaluated. More than one franchise may be awarded pursuant to this Ordinance.

Section 3. That the Grantee be, and hereby is granted a franchise for an initial term of fifteen (15) years, with two five (5) year extensions each, for a possible term of 25 years, subject to City Council approval to design, construct, operate, control, provide, install, maintain, repair, upgrade, and remove a fiber network and related infrastructure to provide Telecommunications Services, excluding cable services, in the public rights-of-ways in the City. The Grantee shall strictly comply with the terms of this Ordinance and with the Franchise Agreement, together with all applicable laws and regulations of the City of Alexandria, the Commonwealth of Virginia and the United States, and any regulatory agency having jurisdiction, including, without limitation, with the following conditions:

- 1. All necessary permits shall be obtained for each and every excavation or installation, including but not limited to boring in and/or under public rights-of-ways or other public places.*
- 2. In the event the relocation, construction, reconstruction, maintenance or repair by the City, Commonwealth of Virginia or the Washington Metropolitan Area Transit Authority of any facilities or services is necessary or desirable, and it is necessary to alter or relocate, either permanently or temporarily , any of the Grantee's property in the public rights-of-ways or other public property in order to accomplish the same, the Grantee shall, after reasonable notice , move, alter or relocate its property at its own cost and expense and should the Grantee fail to comply with such notice, its property may be removed, altered or relocated by the City, Commonwealth or the Metropolitan Area Transit Authority at the cost of the Grantee and without liability for any resulting damage. The Grantee shall do everything reasonably necessary, in a timely manner, to prevent any delays in construction or any project of the City, the Commonwealth or the Washington Metropolitan Area Transit Authority.*
- 3. This Franchise may be assigned or transferred; provided, however, that no such assignment or transfer shall be effective without the prior written consent of the City, which consent shall not be unreasonably withheld.*
- 4. The Grantee will obtain liability insurance to the satisfaction of the City Attorney, which insurance shall name the City as an additional insured.*
- 5. The Grantee will not use the privileges granted by this Franchise to provide the functional equivalent of a cable system or Cable Services as defined in sections 9-3-17 and 9-3-18 of the Code of the City of Alexandria (1950), as amended.*
- 6. The Grantee shall protect all property of the City or any other person during any work of designing, constructing, operating, installing, maintaining,*

repairing, upgrading or removing its system in or adjacent to the public rights-of-ways or other public place, and shall fully restore, in kind, any property damaged or destroyed during such work.

7. *That nothing in this Franchise shall increase or strengthen the rights that other franchisees may have. The City shall have no liability to the grantee for exercising any rights the City may have in general or under its franchises with other franchisees, regardless of the effect of such exercise on the Grantee.*
8. *The Grantee shall remove its property at its own expense at the expiration or termination hereof.*

Section 4. That the City Manager be and hereby is authorized to execute such documents as may be required to effectuate the Franchise hereby granted.

Section 5. That the City Clerk be and hereby is authorized to attest the execution of said documents and to affix thereon the official seal of the City of Alexandria, Virginia.

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

7. City Council adopted an ordinance to make supplemental appropriations for the support of the government for fiscal year 2025.

The ordinance reads as follows:

ORDINANCE NO. 5561

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2025.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the city for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2024, but which are payable in Fiscal Year 2025, and for which amounts were appropriated but not expended in Fiscal Year 2024 and further that the council does hereby allot the amounts so appropriated to the several city departments for Fiscal Year 2025, as follows:

EQUIPMENT REPLACEMENT RESERVE FUND

Office of the Sheriff	\$	213,347
General Services		57,465
Transportation and Environmental Services		1,407,064

Fire	1,037,302
Police	1,957,196
Criminal Justice Services	30,000
Total Equipment Replacement Reserve Fund	<u>\$ 4,702,374</u>

Section 2. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2025 the source of such amount being external grant funds for which the proceeds were received or accepted prior to June 30, 2024, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2025, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Housing	<u>\$ 5,722,557</u>
Total Estimated Revenue	<u>\$ 5,722,557</u>

APPROPRIATION:

Housing	<u>\$ 5,722,557</u>
Total Appropriation	<u>\$ 5,722,557</u>

Section 3. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2025 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2024 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2025, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Commonwealth's Attorney	\$ 20,675
Clerk of Court	31,386
Police Department	1,291,141
Community and Human Services	2,555,150
Historic Alexandria	99,772

Fire	246,997
Recreation	57,000
Transportation and Environment Services	<u>366,703</u>
Total Estimated Revenue	<u>\$ 4,668,824</u>

APPROPRIATION:

Commonwealth's Attorney	\$ 20,675
Clerk of Court	31,386
Police Department	1,291,141
Community and Human Services	2,555,150
Historic Alexandria	99,772
Fire	246,997
Recreation	57,000
Transportation and Environment Services	<u>366,703</u>
Total Appropriation	<u>\$ 4,668,824</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the Alexandria Transit Company for Fiscal Year 2025 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2024 but not appropriated, and further that the council does hereby allot the amount so appropriated to the Alexandria Transit Company for Fiscal Year 2025, as follows:

SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)

ESTIMATED REVENUE:

Alexandria Transit Company	\$ <u>335,000</u>
Total Estimated Revenue	<u>\$ 335,000</u>

APPROPRIATION:

Alexandria Transit Company	\$ <u>335,000</u>
Total Appropriation	<u>\$ 335,000</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2025 the source of such amount being the residual balances accumulated as of June 30, 2024, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2025, as follows:

DONATIONS AND OTHER SPECIAL REVENUE FUNDS

ESTIMATED REVENUE:

Office of the Sheriff	250,000
Community and Human Services	190,479
Transportation and Environmental Services	350,000
Recreation	<u>\$ 445,649</u>
Total Estimated Revenue	<u>\$ 1,236,128</u>

APPROPRIATION:

Office of the Sheriff	250,000
Community and Human Services	190,479
Transportation and Environmental Services	350,000
Recreation	<u>\$ 445,649</u>
Total Appropriation	<u>\$ 1,236,128</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2025 the source of such amount being the residual balances accumulated as of June 30, 2024, in accounts for donations, fees and other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2025, as follows:

OTHER SPECIAL REVENUE FUND – SEIZED ASSETS

ESTIMATED REVENUE:

Commonwealth’s Attorney	<u>\$ 136,829</u>
Total Estimated Revenue	<u>\$ 136,829</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Commonwealth’s Attorney	<u>\$ 136,829</u>
Total Appropriation	<u>\$ 136,829</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures of the city for Fiscal Year 2025 the source

of such amount being Component Unit – Alexandria Libraries Fund, and further that the Council does hereby allot the amount so appropriated, as follows:

COMPONENT UNIT

APPROPRIATION:

Component Unit – Libraries	\$ 73,085
Total Appropriation	<u>\$ 73,085</u>

Section 8. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2025, the source of such amount being Assigned General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Assigned General Fund Balance	\$ 3,294,959
Total Estimated Revenue	<u>\$ 3,294,959</u>

APPROPRIATION:

Internal Audit	\$ 112,500
Human Resources	40,000
Office of the Sheriff	300,000
Registrar of Voters	287,900
Police	125,000
Fire Department	439,471
Community and Human Services	1,056,153
Historic Alexandria	75,000
Management and Budget	170,000
Recreation	120,000
Non-Departmental	553,935
Library	15,000
Total Appropriation	<u>\$ 3,294,959</u>

Section 9. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year

2025, the source of such amount being Capital Project Fund revenue, intergovernmental revenue and developer contributions and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2025, as follows:

CAPITAL PROJECTS

ESTIMATED REVENUE:

Capital Projects – Cash Capital	\$ (1,250,000)
Capital Projects – Developer Contributions	1,901,350
Capital Projects – Potomac Yard Fund	10,000,000
Capital Projects – Intergovernmental Revenue	<u>4,159,241</u>
Total Estimated Revenue	<u>\$ 14,810,591</u>

APPROPRIATION:

Storm Sewer Spot Improvements	\$ (1,250,000)
Lucky Run	167,180
Smart Mobility Lab	963,000
DASH On Route Federal Earmark	1,000,000
Sewer Separation	1,901,350
Potomac Yard Metrorail Station Project	10,000,000
Highway Safety Improvement Program (T-intersections)	<u>2,029,061</u>
Total Appropriation	<u>\$14,810,591</u>

Section 10. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2025, the source of such amount being Potomac Yard Metro Fund Revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2025, as follows:

POTOMAC YARD METRO FUND

Transportation and Environmental Services	\$ 10,000,000
Project Implementation	<u>3,900</u>
Total Potomac Yard Metro Fund	<u>\$ 10,003,900</u>

APPROPRIATION:

Potomac Yard Metrorail Station	\$ 10,000,000
CIP Development – Project Implementation	<u>3,900</u>
Total Appropriation	<u>\$ 10,003,900</u>

Section 11. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the Office of Housing for Fiscal Year 2025 the source of such amount being loan repayments, developer contributions, and Housing Trust Fund balance for which the proceeds were authorized and adjusted after July 1, 2024 and will be transferred, and further that the council does hereby allot the amount so appropriated to the Office of Housing for Fiscal Year 2025, as follows:

SPECIAL REVENUE FUND – AFFORDABLE HOUSING FUND

ESTIMATED REVENUE:

Developer contributions & loan repayments	\$ 9,859,918
Housing Trust Fund balance	<u>\$ 236,665</u>
Total Estimated Revenue	<u>\$ 10,096,583</u>

APPROPRIATION:

Housing	\$ 10,096,583
Total Appropriation	<u>\$ 10,096,583</u>

Section 12. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations for Fiscal Year 2025 the source of such amounts being in the General Fund and grant funds in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

Court Services Unit	\$ (1,659,473)
Nondepartmental	(120,000)
Recreation	548,769
Criminal Justice Services	1,110,704
Circuit Court Judges	<u>120,000</u>
Total Appropriation	<u>\$ 0</u>

GRANT FUNDS

Court Service Unit	\$ (358,250)
Recreation	205,660
Criminal Justice Services	<u>152,590</u>
Total Appropriation	<u>\$ 0</u>

Section 13. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations for Fiscal Year 2025 the source of such amounts being in the American Rescue Plan Act Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

ARPA FUND

General Services	\$ (34,156)
Court Service Unit	(97,924)
Recreation, Parks and Cultural Activities	(202,112)
Community and Human Services	(31,107)
Information Technology Services	(3,749)
Non-Departmental	<u>\$ 369,048</u>
Total Appropriation	<u><u>\$ 0</u></u>

Section 14. That this ordinance shall be effective upon the date and at the time of its final passage.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

IV. OTHER BUSINESS

Reports and Recommendations from City Manager

8. Public Hearing and Consideration of a First Amendment to a Five-Year License Agreement dated July 1, 2024, between the City of Alexandria and Zayo Group, LLC to Permit Zayo to Install Approximately 1,017 feet of fiber in existing Verizon Conduits in the vicinity of 1900 Duke Street in the City of Alexandria's Public Rights-of-Ways.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 11/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously, City Council closed the public hearing and approved the first amendment to a five-year license agreement dated July 1, 2024, between the City of Alexandria and Zayo Group, LLC, to permit Zayo to install approximately 1,017 feet of fiber in existing Verizon conduits in the vicinity of 1900 Duke Street in the City of Alexandria's Public rights-of-way. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

9. Public Hearing and Consideration of an Appeal of the Traffic and Parking Board's July 22, 2024, Decision to Recommend Roadway Design Changes on South Pickett Street between Duke Street and Edsall Road.

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 11/16/24, and is incorporated as part of this record by reference.)

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

1. Asa Orrin-Brown, Alexandria, spoke in support of the proposed changes.
2. Sunny Pietrafesa, Alexandria, spoke against the proposed changes.
3. Nicole Radshaw, Alexandria, spoke in support of the proposed changes.
4. Dane Lauritzen, Alexandria, spoke in support of the proposed changes.
5. Sash Impastato, Alexandria, spoke against the proposed changes.
6. Greg Hillson, Alexandria, spoke in favor of the proposed changes.
7. Bill Evanina, Alexandria, spoke against the proposed changes.
8. Phoebe Coy, Alexandria, spoke in favor of the proposed changes.
9. Zack DesJardins, Alexandria, spoke in favor of the proposed changes.
10. Chris McNamee, spoke against the proposed changes.
11. Katie Bilek, Alexandria, spoke against the proposed changes.
12. Bob Cox, Alexandria, spoke in support of the proposed changes.
13. Christopher Damato, Alexandria, spoke about widening sidewalks in favor of pedestrian safety.
14. Everett Hellmuth, spoke against the proposed changes.
15. Mike Doyle, Alexandria, spoke in support of the proposed changes.
16. Ken Notis, Alexandria, spoke in support of the proposed changes.
17. Martin Menez, Alexandria, spoke against the proposed changes.

18. Linda Stowe, Alexandria, spoke in support of the proposed changes.
19. Jacob Yosef, Alexandria, spoke in support of the proposed changes.
20. John Stowe, Alexandria, spoke in support of the proposed changes.
21. Carter Flemming, Alexandria, representing the Federation of Civic Associations, spoke against the proposed changes.
22. Randy Cole, Alexandria, spoke in favor of the proposed changes.
23. Aaron Warnke, Alexandria, spoke in favor of the proposed changes.
24. William Blumberg, Alexandria, spoke against the proposed changes.

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilwoman Gaskins and carried unanimously, City Council closed public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

WHEREUPON, upon motion by Councilman McPike, seconded by Councilman Aguirre and carried 4-3, City Council affirmed the decision on the Traffic and Parking Board and denied the appeal. The vote was as follows: In favor, Mayor Wilson, Councilman Aguirre, Councilmember Bagley, and Councilman McPike; Opposed, Vice Mayor Jackson, Councilman Chapman, and Councilwoman Gaskins.

City Council took a brief recess for lunch and resumed the meeting at 12:40 p.m.

**V. Public Hearing Matters
Planning Commission (continued)**

***Please note: The following items were considered out of order.**

10. Master Plan Amendment #2024-00003
AlexWest Small Area Plan
(A) Initiation of a Master Plan Amendment; and (B) Public Hearing and consideration of an amendment to the Master Plan to create the AlexWest Small Area Plan replacing the Alexandria West Small Area Plan and the Beauregard Small Area Plan. Applicant: City of Alexandria Department of Planning & Zoning
Planning Commission Recommend Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 11/16/24, and is incorporated as part of this

record by reference.)

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

1. Nathaly Zelaya, Alexandria, representing Tenants and Workers United, spoke against the Small Area Plan.
2. Phoebe Coy, Alexandria, representing YIMBYs, spoke in support of the Small Area Plan.
3. Melanie Alvord, Alexandria, representing the Farlington Neighborhood Association, spoke against the Small Area Plan.
4. Jacob Yoseph, Alexandria, spoke in support of the Small Area Plan.
5. Evan Pritchard, attorney, spoke in support of the Small Area Plan.
6. Kenneth Wire, attorney, spoke in support of the Small Area Plan.
7. Megan Rappolt, attorney, spoke in support of the Small Area Plan.

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

WHEREUPON, upon motion by Councilwoman Gaskins, seconded by Councilmember Bagley and carried unanimously, City Council approved the Planning Commission recommendation with the following amendments:

- To include staff's recommendation from Tier A regarding the heights on the UDR property;
- to include staff's recommendation from Tier A regarding the heights on the Southern Towers property;
- to include staff's recommendation for the removal of the expanded alternative options for the Phase II Upland Park open space;
- for the plan to return to Council in 3 years instead of 5 years; and
- include language in Chapter 9 regarding the task on the Anti-Displacement Strategy to include the community in the development of the specific criteria.

The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

11. Special Use Permit #2024-00041

404-A E Alexandria Avenue

Public Hearing and consideration of Special Use Permits to construct a single-unit dwelling on a vacant substandard lot and for a lot without frontage on a public street; zoned: R-2-5/Residential. Applicant: Eric Teran and Daniela Gross

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 11/16/24, and is incorporated as part of this record by reference.)

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

1. Matthew Kaim, Alexandria, spoke against the special use permit.
2. Jason Plosch, Alexandria, spoke against the special use permit.
3. Monica L. Parry, Alexandria, spoke against the special use permit.
4. Alicia Montgomery, Alexandria, spoke against the special use permit.
5. Catharine Rice, Alexandria, spoke against the special use permit.
6. Brett Rice, Alexandria, spoke against the special use permit.
7. Yashin Lin, Alexandria, spoke against the special use permit.
8. Will Ragland, Alexandria, spoke in support of the special use permit.
9. Eric Teran, Alexandria, applicant, spoke in support of the special use permit and responded to questions from Council.

WHEREUPON, upon motion by Councilmember Bagley, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

A motion was made by Councilman McPike, seconded by Councilmember Bagley to approve the Planning Commission recommendation. The motion failed 2-5. The vote was as follows: In favor, Councilmember Bagley and Councilman McPike; Opposed, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilman Chapman, and Councilwoman Gaskins.

WHEREUPON, upon motion by Councilwoman Gaskins, seconded by Vice

Mayor Jackson and carried 5-2, City Council denied the Special Use Permit. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilman Chapman, and Councilwoman Gaskins; Opposed, Councilmember Bagley and Councilman McPike.

12. Zoning Text Amendment #2024-00008

(A) Initiation of a Text Amendment and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend the use limitations in Articles III-VI to include the limitation that retail uses principally selling tobacco products, nicotine vapor products, alternative nicotine products, or hemp products cannot be located within 1,000 linear feet of a day care center, a public school, and a private academic school and Section 2-191 retail shopping establishment, to amend the definition to include uses principally selling tobacco products, nicotine vapor products, alternative nicotine products, or hemp products. Applicant: City of Alexandria
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 11/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilwoman Gaskins and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

13. Development Special Use Permit #2024-10008

5216 Seminary Road Townhomes - 5216 Seminary Road
Public Hearing and consideration of a Development Special Use Permit with modifications and a Subdivision, including Special Use Permits for a Cluster Development per § 11-601 of the Zoning Ordinance and Bonus Density for the provision of affordable housing per § 7-700 to construct seven townhouse units, zoned: RB/Townhouse. Applicant: Verity Builders, LLC, represented by M. Catharine Puskar, attorney.
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 11/16/24, and is incorporated as part of this record by reference.)

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

1. Nandan Kenkeremath, Alexandria, spoke against the development special use permit.

2. Linda Powell, Alexandria, spoke against the development special use permit.
3. Cathy Puskar, attorney for the applicant, spoke in support of the development special use permit and responded to questions from Council.

WHEREUPON, upon motion by Councilmember Bagley, seconded by Councilwoman Gaskins and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

VI. FOR INFORMATION ONLY

14. **Zoning Ordinance Subdivision cases are heard by the Planning Commission, placed on the City Council docket for information, and heard by City Council only upon appeal.**

Subdivision #2024-00009

1007 Oronoco Street

Public Hearing and consideration of a request for a Subdivision with variations to re-subdivide an existing lot into two lots; zoned RB/Townhouse Zone. Applicant: Genuario Properties, Inc.

Planning Commission Action: Approved 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 11/16/24, and is incorporated as part of this record by reference.)

15. **The following item will be heard by the Planning Commission only and referred to City Council for information only.**

City Charter Section 9.06 Case #2024-00004

200 Block of King Street (between Lee Street and Fairfax Street)

Public Hearing and consideration of a request for the Planning Commission to review whether the closure of the 200 block of King Street to vehicular traffic by the City of Alexandria is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.

Applicant: City of Alexandria

Planning Commission Action: Approved 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 11/16/24, and is incorporated as part of this record by reference.)

VII. ORDINANCES AND RESOLUTIONS

16. Public Hearing, Second Reading and Final Passage of an Ordinance Approving and Authorizing the Temporary Closure of the 200 Block of King Street to Vehicular Traffic. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 11/16/24, 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 Item No. 16; 11/16/24, 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 Item No. 16; 11/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously by roll-call vote, City Council adopted an ordinance approving and authorizing the temporary closure of the 200 block of King Street to vehicular traffic. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5562

AN ORDINANCE Approving and Authorizing the Temporary Closure of the 200 Block of King Street to Vehicular Traffic

WHEREAS, the 200 block of King Street, between Fairfax Street and Lee Street, is a two-way street with several restaurants, retail shops, and residences; and

WHEREAS, on September 10, 2024, the Mayor of the City of Alexandria ("City") directed staff to develop a pilot program to test closing the 200 block of King Street to vehicular traffic; and

WHEREAS, in 2019, the City Council directed staff to develop a pilot program to test closing the 100 block of King Street to vehicular traffic; and

WHEREAS, in 2021, the City Council approved the permanent closure of the 100 block of King Street to vehicular traffic to allow for additional space for pedestrians and for businesses to expand their operations outdoors; and

WHEREAS, in 2012, the City Council adopted the [Waterfront Small Area Plan](#), which recommends closing the unit block of King Street and the Strand north of the parking garage entrance to traffic (except EMS, fire, police, etc.) to make a pedestrian plaza; and

WHEREAS, in 2022, the City Council approved the permanent closure of the unit block of King Street and the northern portion of Strand Street to vehicular traffic to allow for additional space for pedestrians and for businesses to expand their operations outdoors; and

WHEREAS, the closures of the 100 block of King Street, unit block of King Street, and northern portion of Strand Street provide additional pedestrian space and outdoor dining areas that are beneficial to the waterfront area, while the traffic circulation in this area is not dependent on keeping these blocks open to vehicles; and

WHEREAS, the City now intends to experiment with the closure of the 200 block of King Street through a pilot program that would temporarily close the 200 block of King Street in two phases; and

WHEREAS, the first phase would occur from November 22, 2024, through January 6, 2025, and the second phase would occur from March 14, 2025, through September 30, 2025;

WHEREAS, City staff will work together with the Old Town Business Association on the 200 block of King Street to make better use of public space, meet public safety requirements, and provide opportunities for continued outdoor dining and retail activities; and

WHEREAS, City Staff will evaluate the benefits and impacts of a temporary closure of the 200 block of King Street, including on deliveries, disabled access, and public safety response, and will return to City Council in the Fall of 2025 with a recommendation to make this closure permanent if deemed desirable; and

WHEREAS, on October 28, 2024, the Traffic and Parking Board reviewed and made a recommendation to support the temporary closure of the 200 block of King Street to vehicular traffic, along with the temporary removal of parking spaces on that block, based on the reasons provided herein; and

WHEREAS, on November 7, 2024, the Planning Commission found that temporary or permanent closure of the 200 block of King Street to vehicular traffic was consistent with the City of Alexandria Master Plan; and

WHEREAS, pursuant to City Charter § 2.03(a) and Code of Virginia § 15.2-2006, the City has the authority to close streets and alleys; and

WHEREAS, the City has complied with the legal requirements in order to temporarily close this block to vehicular traffic; and

WHEREAS, in consideration of the findings of the Traffic and Parking Board and the Planning Commission, and the report of the staff, the City Council of the City of Alexandria, has determined that the temporary closure of the 200 block of King Street to vehicular traffic is desirable; therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That, pursuant to City Charter § 2.03(a) and Code of Virginia § 15.2-2006, temporary closure of the 200 block of King Street, located between North Fairfax Street and North Lee Street to vehicular traffic from November 22, 2024, to January 6, 2025, to conduct a pilot project is approved.

Section 2. That, pursuant to City Charter § 2.03(a) and the Code of Virginia § 15.2-2006, the pilot program may continue for a second temporary closure of the 200 block of King Street in the 2025 calendar year, from March 14, 2025 through September 30, 2025.

Section 3. That the city manager be, and hereby is, authorized to do on behalf of the City of Alexandria all things necessary or desirable to carry into effect these temporary closures, including the execution of documents.

Section 4. That the city clerk be, and hereby is, authorized to attest the execution by the city manager of all documents necessary or desirable to carry into effect this closure, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 5. That this ordinance shall be effective at the time of its final passage and shall expire on September 30, 2025.

17. Public Hearing, Second Hearing and Final Passage of an Ordinance to amend and reordain Section 3 (Towing and Storage Fees and Regulations) of Chapter 13 (Towing and Storage of Motor Vehicles) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria, Virginia, 1981, as amended.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 11/16/24, 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 Item No. 17; 11/16/24, 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 Item No. 17; 11/16/24, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Vice Mayor Jackson, seconded by Councilmember Bagley and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Section 3 (Towing and Storage Fees and Regulations) of Chapter 13 (Towing and Storage of Motor Vehicles) of Title 9 (Licensing and Regulation) of the Code of the City of Alexandria, Virginia, 1981, as amended. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 5563

AN ORDINANCE to amend and reordain Section 9-13-3 (TOWING AND STORAGE FEES AND REGULATIONS) of Chapter 13 (TOWING AND STORAGE OF MOTOR VEHICLES) of Title 9 (LICENSING AND REGULATION) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9, Chapter 13 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by deleting the text shown in strikethrough and adding the text shown in underline as follows:

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

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

(1) for the towing of a motor vehicle (i) less than 7,500 pounds gross vehicle weight rating, the maximum fee shall be ~~\$135~~ \$150; (ii) for medium tows, 7,500 to 10,000 pounds gross vehicle weight rating, the maximum fee shall be \$250; (iii) for heavy tows, greater than 10,000 pounds gross vehicle weight rating, the maximum fee shall be \$500;

(2) for the storage of a towed motor vehicle, the maximum fee for each 24-hour period of storage, or portion thereof, shall be \$50 for any (i) vehicle 22 feet or less and (ii) \$5.00 per foot for any vehicle over 22 feet in length; provided, that no storage fee may be charged for the first 24 hours of storage; and

(3) for towing a vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday, an additional after-hours fee of no more than ~~\$25~~ \$30 per instance may be charged; however, in no event shall more than two such fees be charged for towing any such vehicle. No charge shall be made for storage and safekeeping for a period of 24 hours or less.

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

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

(c) Any towed motor vehicle that is covered by this chapter shall be towed directly to and stored at a facility located in the City of Alexandria or in the Commonwealth of Virginia within three miles of the boundaries of the City of Alexandria. It shall be unlawful for any person to cause a towed vehicle to be stored at a facility more than three miles beyond the boundaries of the City of Alexandria. If the facility at which a towed motor vehicle is stored is located beyond the boundaries of the City of Alexandria, any storage fee shall be assessed at the rate of the jurisdiction in which the lot is located. This applies only to storage fees and not towing fees, after hours fees or any other fees regulated by this chapter.

(d) Vehicle release.

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

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

Section 2. That Chapter 13 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage.

18. Public Hearing, Second Reading and Final Passage of proposed changes to the Ordinances for the Independent Policing Auditor as well as the Independent Community Policing Review Board. [ROLL-CALL VOTE]

Please note item #18 has been deferred until the January 25 2025 public hearing meeting.

19. Closed Session (if needed).

Not needed.

VIII. ADJOURN.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilmember Bagley, seconded by Councilwoman Gaskins and carried unanimously, City Council adjourned the public hearing meeting of November 16, 2024 at 3:43 p.m. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

APPROVED BY:



JUSTIN M. WILSON MAYOR

ATTEST:



Gloria A. Sitton, CMC City Clerk

Adopted: December 10, 2024