

**City of Alexandria**  
**Saturday, June 17, 2023 9:30 AM**  
**City Council Public Hearing**  
**Meeting Minutes**

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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. Anderson, City Attorney; Mr. Moritz, Director, Planning and Zoning (P&Z); Ms. Zechman-Brown, Deputy City Attorney; Ms. McIlvaine, Director, Office of Housing; Mr. Lambert, Deputy City Manager; Mr. LaColla, Division Chief, P&Z; Ms. Horowitz, P&Z; Mr. Browand, Deputy Director, Recreation, Parks, and Cultural Activities (RPCA); Mr. Silva, P&Z; Ms. Contreras, P&Z; Ms. Durham, Deputy Director, RPCA; Mr. Coleman, Deputy Director, General Services; Ms. Spengler, Director, RPCA; Mr. Dofflemyer, Transportation and Environmental Services (T&ES); Ms. Harwell, P&Z; Mr. Kerns, Division Chief, P&Z; Mr. Knight, T&ES; Mr. Freed, Office of Climate Change; Mr. Lucarelli, T&ES; Ms. Znidarsic, RPCA; Ms. Cooper, P&Z; Ms. Demeke, Information Technology Services (ITS); Mr. Smith, ITS; and Police Captain Ballantine.

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

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**I. OPENING**

1. Calling the Roll.

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

2. Approval of Electronic Participation Resolution by Members of City Council [ROLL-CALL VOTE]

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

The resolution reads as follows:

**Resolution No. 3168**

**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 Alyia Gaskins has notified the Mayor and the Clerk that he is unavailable to be physically present for the June 17, 2023 City Council Meeting due to a medical matter, specifically caring for a family member; 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 Member will participate in the City Council Meeting by video conference call from Orlando, FL 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 Alyia Gaskins will participate remotely in this meeting by video conference call.

**3. Public Discussion Period**

The following persons participated in the public discussion period:

1. Kevin Brady, Alexandria, spoke in support of the upcoming Duke Street in Motion project.
2. Shira Eller, Alexandria, spoke in support of Medicare for All.
3. Jonathan Krall, Alexandria, spoke in support of Medicare for All.
4. Dane Lauritzen, Alexandria, spoke in support of Duke Street in Motion.
5. Molly Pugh, Alexandria, spoke in support of Duke Street in Motion.
6. Bonnie O'Day, Alexandria, spoke in support of Duke Street in Motion

7. Matthew Charpentier, Alexandria, spoke in support of Duke Street in Motion.
8. Saba Fentew, Alexandria, spoke about issues at the Southern Towers apartment complex.
9. Alphonzo Clements, spoke about additional funding for DASH employees' salaries.
10. Kingsley Crabbe, Lorton, Virginia, spoke about additional funding for DASH employees' salaries.
11. Dino Drudi, Alexandria, spoke about additional cost for finishing the Metro station.
12. Tarig Dafalla, Alexandria, spoke about issues at the Southern Towers apartment complex.
13. Boyd Walker, Alexandria, spoke in opposition to the establishment of a Business Improvement District in the City.
14. Eden Kidane, Alexandria, spoke about issues at the Southern Towers apartment complex.
15. Anna Gosling, Alexandria, spoke in support of the Duke Street in Motion project.

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**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilmember Bagley 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; Absent, Councilwoman Gaskins.

## **II. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES ACTION CONSENT CALENDAR (4-6)**

### **Planning Commission**

4. Special Use Permit #2023-00021  
5150, 5200 and 5230 Eisenhower Avenue (parcel addresses: 5150 and 5200 Eisenhower Avenue)  
Public Hearing and consideration of a request for a Special Use Permit for a Change of Ownership, an extension of a Special Use Permit term and to expand the square footage for noncomplying uses (amending SUP#2009-00021); zoned: OCM (100)/ Office Commercial Medium and OCH/ Office Commercial High.  
Applicant: Terreno Eisenhower LLC, represented by Kenneth Wire, Attorney  
Planning Commission Action: Recommended Approval 6-0

(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; 06/17/23, and is incorporated as part of this record by reference.)

5. Special Use Permit #2023-00029  
625 First Street and 510 Second Street  
Public Hearing and consideration of a Special Use Permit for outdoor dining with over 40 seats (amending SUP #2022-00074); zoned: CD/Commercial downtown.  
Applicant: EAHG Alexandria LP, represented by Robert D. Brant, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 06/17/23, and is incorporated as part of this record by reference.)

6. Special Use Permit #2023-00030  
133 South Peyton Street  
Public Hearing and consideration of a request for a Special Use Permit to allow an animal care facility with overnight accommodation; zoned: OCH/ Office Commercial High. Applicant: Four Rescues, LLC  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 6; 06/17/23, and is incorporated as part of this record by reference.)

### **END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the action consent calendar, with the exception of docket item #5, which was considered under separate motion. The approvals were as follows:

4. City Council approved the Planning Commission recommendation.
6. City Council 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.

5. Special Use Permit #2023-00029  
625 First Street and 510 Second Street  
Public Hearing and consideration of a Special Use Permit for outdoor dining with over 40 seats (amending SUP #2022-00074); zoned: CD/Commercial downtown.  
Applicant: EAHG Alexandria LP, represented by Robert D. Brant, attorney  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 5; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation, with an amendment to condition #36, stating that the number of seats would be subject to the State Building Code and shall not encroach in the public right-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.

### **III. ROLL-CALL CONSENT CALENDAR (7-12)**

7. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 11-704 (APPLICATION OF TMP PROGRAM TO DEVELOPMENT; REQUIRED PARTICIPATION) and add and ordain Section 11-715 (ADMINISTRATIVE AMENDMENT OF TMP SUP) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00012 (Implementation Ordinance for Text Amendment No. 2022-00012 associated with Transportation Management Plans approved by City Council on May 23, 2023). [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. 7; 06/17/23, 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; 06/17/23, and is incorporated as part of this record by reference.)

8. Public Hearing, Second Reading and Final Passage of an Ordinance to vacate a portion of the public right-of-way abutting 5165 Seminary Road, 5118 Fairbanks Avenue, and 2641, 2648, and 2658 Foster Avenue (VAC No. 2023-00003)(Implementation Ordinance for Vacation No. 2023-00003 associated with Upland Park Foster Avenue approved by City Council on May 13, 2023). [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. 8; 06/17/23, 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; 06/17/23, and is

incorporated as part of this record by reference.)

9. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Supplemental Appropriations for the Support of the City Government for Fiscal Year 2023. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 06/17/23, 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. 9; 06/17/23, 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. 9; 06/17/23, and is incorporated as part of this record by reference.)

10. Public Hearing, Second Reading and Final Passage of an Ordinance to Make Appropriations for the Support of the City Government for Fiscal Year 2024. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 10; 06/17/23, 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. 10; 06/17/23, 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. 10; 06/17/23, and is incorporated as part of this record by reference.)

11. Public Hearing, Second Reading and Final Passage of an Ordinance Authorizing and Empowering the Issuance, Sale and Delivery of General Obligation Bonds to Finance City and Schools Capital Projects and to Refund Certain Outstanding Bonds of the City.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 11; 06/17/23, 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. 11; 06/17/23, 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. 11; 06/17/23, and is incorporated as part of this record by reference.)

12. Public Hearing, Second Reading and Final Passage of an Ordinance to adopt a reduced Real Estate rate as tax relief by establishing a new class of property for the surviving spouse of a member of the Armed Forces of the United States who died in the line of duty, based on a determination from the U.S. Department of Defense. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 06/17/23, 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. 12; 06/17/23, 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. 12; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Jackson, seconded by Councilman Chapman and carried unanimously by roll-call vote, City Council approved the roll-call consent calendar, with exception of docket item #7, which was considered under separate motion. The approvals were as follows:

8. City Council adopted an ordinance to vacate a portion of the public right-of-way abutting 5165 Seminary Road, 5118 Fairbanks Avenue, and 2641, 2648, and 2658 Foster Avenue (VAC No. 2023-00003).

The ordinance reads as follows:

**ORDINANCE NO. 5498**

**AN ORDINANCE** to vacate a portion of the public right-of-way abutting 5165 Seminary Road, 5118 Fairbanks Avenue, and 2641, 2648, and 2658 Foster Avenue (VAC No. 2023-00003).

**WHEREAS**, Alexandria Development Associates, LLC (Owner) has applied for the vacation of a portion of the public right-of-way abutting 5165 Seminary Road, 5118 Fairbanks Avenue, and 2641, 2648, and 2658 Foster Avenue in the City of Alexandria, Virginia; and

WHEREAS, in Vacation No. 2023-00003, the planning commission recommended approval to the City Council on May 2, 2023 of a vacation of public right of way, which recommendation was approved by the City Council at public hearing on May 13, 2023; and

WHEREAS, viewers, Deb Roepke, Jen Atkins, and Jeannette Ankoma-Sey have been, and again by this ordinance are, duly appointed by the Council of the City of Alexandria, to make their report in conjunction with this vacation; and

WHEREAS, the procedures required by law, including the publication of notice in a newspaper of general circulation in the City of Alexandria, have been followed in conjunction with this vacation; and

WHEREAS, in consideration of the report of the viewers, of other evidence relative to this vacation and of compliance with the conditions set forth in this ordinance, the Council of the City of Alexandria, has determined that the portion of the public right-of-way to be vacated is no longer desirable for public use and that the public interest will not be harmed by this vacation; therefore,

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

Section 1. That the vacation of the public right-of-way to Owner, as shown on the plat of vacation attached hereto and incorporated herein by reference, be, and the same hereby is, approved.

Section 2. That the vacation made and provided by the preceding section of this ordinance be, and the same hereby is, subject to the conditions set forth below:

1. The Owner shall prepare a plat of consolidation, showing the property vacated and all easements therein, and consolidating such property with their abutting property, and the plat of consolidation shall be filed with the Director of Planning and Zoning, the Director of Transportation and Environmental Services, and among the land records of the City.



2. Easements shall be reserved for all existing public and private utilities within the area vacated. The Owner shall show all easements on the plat of consolidation.

3. Owner shall pay \$0 to the City for the vacated land because the street network is being changed and an equivalent amount of land is being dedicated elsewhere in the development.

Section 3. The term "Owner" shall be deemed to include Alexandria Development Associates, LLC, and its respective successors in interest.

Section 4. 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 this vacation, including the execution of documents.

Section 5. 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 vacation, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 6. That this ordinance shall be effective upon the date and at the time of its final passage; provided, however, that no recordation of this ordinance shall have any force or effect unless and to the extent annexed to a deed, executed by the city manager and attested by the city clerk, conveying the property vacated to Owner. The execution of such deed shall constitute conclusive evidence of compliance with the provisions of this ordinance. Such deed shall be recorded and indexed in the name of the City of Alexandria, as grantor, and Owner as grantee, and such recordation shall be done by the grantee at his or her own expense. In the event no such deed is recorded within 18 months of the effective date, this ordinance shall be void and of no effect.

9. City Council adopted an ordinance to made supplement appropriations for the support of the City Government for Fiscal Year 2023.

The ordinance reads as follows:

**ORDINANCE NO. 5499**

**AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for Fiscal Year 2023.**

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

Section 1. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year

2023, the source of such amount being external funds for which the proceeds were authorized and adjusted after July 1, 2022, but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2023, as follows:

AFFORDABLE HOUSING FUND

ESTIMATED REVENUE:

Housing Trust Fund	\$ 66,698
Total Estimated Revenue	<u>\$ 66,698</u>

APPROPRIATION:

Housing	\$ 66,698
Total Appropriation	<u>\$ 66,698</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 2023, the source of such amount being external grant funds for which the proceeds were authorized and adjusted after July 1, 2022 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2023, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Housing	\$ 728,458
Total Estimated Revenue	<u>\$ 728,458</u>

APPROPRIATION:

Housing	\$ 728,458
Total Appropriation	<u>\$ 728,458</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 2023, the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2022 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for Fiscal Year 2023, as follows:

SPECIAL REVENUE FUND

**ESTIMATED REVENUE:**

Fire	\$	202,801
Court Service Unit		64,300
Economic Development Activities		495,000
Alexandria Health Department		116,763
Recreation, Parks, and Cultural Activities		4,077
Community and Human Services		<u>505,000</u>
Total Estimated Revenue	\$	<u>1,387,941</u>

**SPECIAL REVENUE FUND**

**APPROPRIATION:**

Fire	\$	202,801
Court Service Unit		64,300
Economic Development Activities		495,000
Alexandria Health Department		116,763
Recreation, Parks, and Cultural Activities		4,077
Community and Human Services		<u>505,000</u>
Total Appropriation	\$	<u>1,387,941</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in Fiscal Year 2023, the source of such amount being new revenues and the residual balances accumulated as of June 30, 2022, 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 2023, as follows:

**DONATIONS AND OTHER SPECIAL REVENUE FUNDS**

**ESTIMATED REVENUE:**

Recreation, Parks and Cultural Activities	\$	<u>4,010</u>
Total Estimated Revenue	\$	<u>4,010</u>

**DONATIONS AND OTHER SPECIAL REVENUE FUND**

**APPROPRIATION:**

Recreation, Parks and Cultural Activities	\$	<u>4,010</u>
Total Estimated Revenue	\$	<u>4,010</u>

Section 5. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for Fiscal Year 2023, the source of such amount being Committed General Fund Balance, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2023, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Committed General Fund Balance	\$ 10,000,000
Total Estimated Revenue	<u>\$ 10,000,000</u>

APPROPRIATION:

Non-Departmental	\$ 10,000,000
Total Appropriation	<u>\$ 10,000,000</u>

Section 6. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the General Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

Non-Departmental	\$ ( 400,000)
City Attorney	300,000
Clerk of the Circuit Court	<u>100,000</u>
Total Appropriation	<u>\$ 0</u>

Section 7. That the Council of the City of Alexandria, Virginia, does hereby make provision for and transfer appropriations in the American Rescue Plan Act Fund in the amounts hereafter stated that are required to defray certain expenditures and liabilities, as follows:

GENERAL FUND

General Services	\$ ( 52,000)
City Manager's Office	<u>52,000</u>
Total Appropriation	<u>\$ 0</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

2022, the source of such amount being General Fund Revenue, and further, that the council does hereby allot the amount so appropriated, as follows:

**GENERAL FUND**

**ESTIMATED REVENUE:**

Bond Proceeds – Capitalized Interest	\$ 731,949
Total Estimated Revenue	<u>\$ 731,949</u>

**APPROPRIATION:**

Non-Departmental	\$ 731,949
Total Appropriation	<u>\$ 731,949</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 2023, the source of such amount being Potomac Yard Fund Balance, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2023, as follows:

**POTOMAC YARD FUND**

**ESTIMATED REVENUE:**

Unassigned Fund Balance	\$ 13,140,816
Total Estimated Revenue	<u>\$ 13,140,816</u>

**APPROPRIATION:**

Non-Departmental	\$ 13,140,816
Total Appropriation	<u>\$ 13,140,816</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 2023, the source of such amount being Capital Project Fund revenue, and further that the Council does hereby allot the amount so appropriated for Fiscal Year 2023, as follows:

**CAPITAL PROJECTS FUND**

**ESTIMATED REVENUE:**

Capital Projects – Fees and Sale of Land	\$ 878,063
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Capital Projects – Private Contributions	484,541
Total Estimated Revenue	<u>\$ 1,362,604</u>

**APPROPRIATION:**

Capital Projects – Refuse Cans	\$ 121,779
Capital Projects – Public Art Acquisition	362,762
Capital Projects – Open Space Acquisition	<u>878,063</u>
Total Appropriation	<u>\$ 1,362,604</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 Alexandria Transit Company for Fiscal Year 2023 the source of such amount being City General Funds for which the proceeds were authorized and adjusted after July 1, 2022 and will be transferred, and further that the council does hereby allot the amount so appropriated to the Alexandria Transit Company for Fiscal Year 2023, as follows:

**SPECIAL REVENUE FUND – ALEXANDRIA TRANSIT COMPANY (DASH)**

**ESTIMATED REVENUE:**

Alexandria Transit Company	\$ 1,500,000
Total Estimated Revenue	<u>\$ 1,500,000</u>

**APPROPRIATION:**

Alexandria Transit Company	\$ 1,500,000
Total Appropriation	<u>\$ 1,500,000</u>

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

10. City Council adopted an ordinance to make appropriations for the support of the City Government for Fiscal Year 2024.

The ordinance reads as follows:

**ORDINANCE NO. 5500**

**AN ORDINANCE** making appropriations for the support of the government of the City of Alexandria, Virginia, for Fiscal Year 2024.

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

**Section 1.** That, pursuant to Section 6.07 of the City Charter, the sum of \$1,426,314,248 be, and the same hereby is, appropriated for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024.

**Section 2.** That, pursuant to Section 6.07 of the City Charter, the sum of \$1,426,314,248 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024 be, and the same hereby is, further appropriated to the following City departments, major operating units, component units, and major categories of expenditures in the amounts set forth below:

<u>Department/Unit/Component Unit/ Category of Expenditure</u>	<u>Appropriation</u>
Circuit Court Judges	\$ 1,776,710
18 <sup>th</sup> General District Court	166,234
18 <sup>th</sup> Juvenile Court	95,502
City Attorney	4,149,790
City Clerk and Clerk of Council	489,618
City Council	774,777
City Manager	6,174,268
Clerk of the Court	2,046,830
Code Administration	8,910,876
Commonwealth's Attorney	4,749,262
Community Policing Review Board	578,440
Contingent Reserves	1,972,204
Court Service Unit	2,345,394
Economic Development Activities	8,125,002
Emergency and Customer Communications	10,278,565
Finance	15,341,567
Fire	65,534,951
General Debt Service - Alexandria City Public Schools	32,220,940
General Debt Service - City	46,812,525
General Debt Service – Potomac Yard	10,447,267
General Debt Service – Transportation	648,144
General Debt Service – Stormwater Utility	0
General Debt Service – Sanitary Sewer	0
General Debt Service – Fire Apparatus	744,332
General Services	15,044,342
Health	9,214,418
Human Resources	6,356,334
Human Rights	1,135,564
Human and Community Services	107,372,649
Information Technology Services	15,865,316
Internal Audit	435,792
Non-Departmental	10,188,092
Office of Communications & Public Information	2,428,570
Office of Historic Alexandria	5,287,009

Office of Housing	9,572,011
Office of Management and Budget	1,655,058
Office of Organizational Excellence	0
Office of Project Implementation	0
Other Correctional Activities	5,472,786
Other Educational Activities	15,570
Other Health Activities	1,303,161
Performance Analytics	938,466
Planning and Zoning	8,118,596
Police	71,390,892
Recreation, Parks and Cultural Activities	31,062,881
Registrar of Voters	1,747,128
Sheriff	34,922,209
Transit Subsidies	60,766,287
Transportation and Environmental Services	66,278,782
Capital Projects	360,788,867
Component Unit – Library	9,033,458
Component Unit – Schools	359,898,061
Internal Services	5,638,751
Interfund Transfers	<u>473,123,692</u>
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 1,899,437,940</b>

**Section 3.** That, pursuant to Section 6.07 of the City Charter, the sum of \$ 1,899,437,940 appropriated in Section 1 of this ordinance for the support of the City of Alexandria in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024 be, and the same hereby is, further appropriated to the following principal objects of city expenditures:



<u>Object of Expenditures</u>	<u>Appropriation</u>
Personnel Service	\$ 368,143,636
Non-Personnel Services	199,141,787
Capital Outlay	252,522
Debt Service	93,573,751
Component Unit – Library	8,957,502
Component Unit – Schools	359,898,061
Alexandria Transit Company	29,919,371
Equipment Replacement	5,638,751
Interfund Transfers	473,123,692
Capital Projects	<u>360,788,867</u>
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 1,899,437,940</b>

**Section 4.** That the sum of \$ 1,899,437,940 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
General Property Taxes	\$ 603,496,475
Other Local Taxes	158,072,300
Permits, Privilege Fees and Licenses	14,296,440
Fines and Forfeitures	4,425,000
Intergovernmental Revenue	255,858,471
Charges for Services	79,010,102
Revenue from Use of Money and Property	20,582,513
Miscellaneous Revenue	11,215,242
Bond Proceeds – Future Sale	219,000,396
Bond Proceeds – Capitalized Interest	5,704,925
Spendable Fund Balance – General Fund	27,464,943
Spendable Fund Balance – Alexandria City Public Schools Operating Fund	13,388,832
Spendable Fund Balance – Capital Projects Fund	11,100,000
Spendable Fund Balance – Sanitary Sewer, Stormwater	1,560,841
Spendable Fund Balance – Internal Services Fund	837,768
Spendable Fund Balance – Other Fund Balance	300,000
Interfund Transfers	<u>\$ 473,123,692</u>
<b>TOTAL ESTIMATED REVENUE</b>	<b>\$ 1,899,437,940</b>

**Section 5.** That, pursuant to Section 6.14 of the City Charter, the sum of \$360,788,867 be, and the same hereby is, appropriated for Capital Improvement Project expenditures of the City of Alexandria and the Alexandria City Public Schools in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024. This sum, which consists of the \$ 360,788,867 appropriated as Capital Projects in Section 3 of this ordinance, is appropriated as follows: (i) \$ 309,532,967 capital projects that are included in the City government Fiscal Year 2024 - 2033 Capital Improvement Program adopted by City Council on May 4; and (ii) \$51,255,900 to the capital projects identified in the Alexandria City Public Schools' capital budget.

**Section 6.** That the sum of \$ 360,788,867 appropriated in Section 5 of this ordinance for capital improvement project expenditures of the City of Alexandria and the Alexandria City Public Schools in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024 is expected to be derived from the following sources of revenue:

<u>Source of Revenue</u>	<u>Amount</u>
Intergovernmental Revenue	\$ 47,539,567
Transfer In from Special Revenue – Sewer	7,492,000
Transfer In from Special Revenue – Stormwater	9,250,200
Transfer in from General Fund (Cash Capital)	38,297,581
Transfer in from NVT A	5,422,000
Transfer in from Affordable Housing Fund	6,240,000
Potomac Yard Special Tax District Revenue	240,000
Appropriation of General Fund Balance	10,000,000
Prior Year Cash Capital and Bond Proceeds	11,100,000
Miscellaneous Revenue	463,000
Bond Proceeds – Landmark Redevelopment	65,600,000
Use of Fund Balance – ACPS	5,744,123
Bond Proceeds – Future Sale – Including Sewer Funds	<u>153,400,396</u>
<b>TOTAL ESTIMATED REVENUE</b>	<b>\$ 360,788,867</b>

**Section 7.** That the sum of \$ 473,123,692, be, and the same hereby is, authorized to be transferred between the following funds maintained by the City, as set forth below:

<u>From</u>	<u>Amount</u>	<u>To</u>	<u>Amount</u>
General Fund	\$ 46,132,075	Special Revenue Fund	\$ 46,132,075
General Fund	14,873,266	Potomac Yard Fund	14,873,266
Special Revenue Fund – Sewer	1,590,081	General Fund	1,590,081
Special Revenue Fund – Stormwater	2,395,000	General Fund	2,395,000
Special Revenue Fund – Code	955,435	General Fund	955,435
Special Revenue Fund – Refuse	866,410	General Fund	866,410
General Fund	9,351,130	Special Revenue Fund – Affordable Housing	9,351,130
Affordable Housing Fund	6,240,000	Capital Projects Fund	6,240,000

Special Revenue Fund – Sewer	7,492,000	Capital Projects Fund	7,492,000
Special Revenue Fund –Stormwater	9,250,200	Capital Projects Fund	9,250,200
General Fund	38,297,581	Capital Projects Fund	38,297,581
Potomac Yard Fund	4,654,597	General Fund	4,654,597
Potomac Yard Fund	240,000	Capital Projects Fund	240,000
NVTA Fund	5,422,000	Capital Projects Fund	5,422,000
General Fund	28,480,971	NVTA Fund	28,480,971
General Fund	258,686,800	Component Unit – Schools	258,686,800
NVTA Fund	28,480,971	Alexandria Transit Company	28,480,971
General Fund	1,128,400	Alexandria Transit Company	1,128,400
General Fund	<u>\$ 8,586,775</u>	Component Unit – Library	<u>\$ 8,586,775</u>
TOTALS	<u>\$ 473,123,692</u>	TOTALS	<u>\$ 473,123,692</u>

**Section 8.** That the sum of \$1,899,437,940 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024 is, for accounting purposes and in accordance with generally accepted accounting principles, attributed, for each City department, major operating unit, component unit, and major category of expenditure, to the funds maintained by the City as shown in Table I on the pages following this ordinance.

**Section 9.** That the sum of \$1,899,437,940 appropriated in Section 1 of this ordinance for the support of the government of the City of Alexandria in the fiscal year beginning on the first day of July 2023 and ending on the thirtieth day of June 2024 is, for accounting purposes and in accordance with generally accepted accounting principles, attributed, for each major source of revenue, to the funds maintained by the City as shown in Table II on the pages following this ordinance.

**Section 10.** That the City Council of the City of Alexandria, Virginia does hereby make provision for and appropriation to the funds hereafter named in the amounts required to defray the expenditures and liabilities of the City for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2022 but which are payable in fiscal year 2024 and for which amounts were appropriated but not expended in fiscal year 2023 and further, that the City Council does hereby allot the amounts so appropriated to the several City departments for fiscal year 2024 as follows:

**GENERAL FUND**

Circuit Court Judges	\$ 30,000
City Attorney	8,000
City Manager's Office	38,000
Commonwealth's Attorney	17,000
Community and Human Services	780,000
Court Service Unit	31,000
Economic Development	140,000
Emergency Communications	332,000
Finance	617,000
Fire	742,000
General Services	1,478,000
Health	81,000
Historic Alexandria	302,000
Housing	11,000
Human Resources	102,000
Information Technology Services	1,316,000
Internal Audit	18,000
Management and Budget	39,000
Non-Departmental	702,000
Planning and Zoning	170,000
Police	2,054,000
Registrar	12,000
Recreation, Parks and Cultural Activities	2,172,000
Sheriff	642,000
Transit Subsidies	655,000
Transportation and Environmental Services	<u>2,948,000</u>
<b>Total General Fund</b>	<b>\$15,437,000</b>

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

11. City Council adopted an ordinance authorizing and empowering the issuance, sale and delivery of General Obligations Bonds to finance City and Schools Capital Projects and to refund certain outstanding bonds of the City.

The ordinance reads as follows:

**ORDINANCE NO. 5501**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS IN THE ESTIMATED MAXIMUM AMOUNT OF \$196,005,000 AND PROVIDING FOR REIMBURSEMENT TO THE CITY OF ALEXANDRIA FROM BOND PROCEEDS; AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS**

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

WHEREAS, the City Council (the "City Council") of the City of Alexandria, Virginia ("City") has determined that it is advisable to issue (a) up to \$196,005,000 general obligation bonds of the City to finance the cost, in whole or in part, of the various capital improvements as described below (collectively, the "Projects") and (b) general obligation refunding bonds of the City to refund in advance of their maturities certain bonds previously issued by the City in order to achieve debt service savings.

1. Authorization of New Money Bonds and Use of Proceeds. The City Council hereby determines that it is advisable to contract a debt and to issue and sell general obligation bonds in the aggregate maximum principal amount of \$196,005,000 (the "New Money Bonds"). The issuance and sale of the New Money Bonds are hereby authorized. The proceeds from the issuance and sale of the New Money Bonds shall be used to pay all or a portion of the costs of the Projects as described below, and the costs of issuing the New Money Bonds, and the City Manager and the Director of Finance of the City, or either one of them acting alone (the "Authorized Officer"), is authorized and directed to determine the portion of the cost of each Project to be financed with New Money Bond proceeds and to reallocate New Money Bond proceeds among the Projects if necessary or desirable.

<u>General Project Description</u>	<u>Estimated Maximum Cost</u>
<u>City and Schools Buildings and Parks</u> Construction, remodeling, renovation and repairing of existing and new City and school buildings and park facilities and acquisition of necessary land and equipment (includes projects contained in the capital improvement program under "Alexandria City Public Schools," "Public Buildings," and "Information Technology Plan").	\$72,791,000
<u>Transportation Improvements</u> Maintenance and upgrade of the City's transportation infrastructure, transit infrastructure and traffic control infrastructure (includes projects contained in the capital improvement program under "Transportation & Transit Infrastructure," and including, without limitation, payment of the City's share of certain Washington Metropolitan Area Transit Authority (i.e., "METRO") capital improvements).	\$20,539,000
<u>Infrastructure</u> Construction, renovation and improvement of City storm sewers and waterways and acquisition of necessary equipment (includes projects contained in the capital improvement program under "Community Development" and "Stormwater Management")	\$60,070,000
<u>Landmark</u> Improvements and capitalized interest in connection with the	\$ 42,605,000

development and redevelopment of a regional commercial and retail center formerly known as Landmark Mall.

Total:

\$ 196,005,000

2. Authorization of Refunding Bonds; Refunding of Prior Bonds. The City Council hereby determines that it is advisable to contract a debt and to issue and sell, in addition to the New Money Bonds authorized in paragraph 1 of this Ordinance, general obligation refunding bonds (the "Refunding Bonds" and, together with the New Money Bonds, the "Bonds") on the terms determined in the manner set forth in this Ordinance. The proceeds from the issuance and sale of the Refunding Bonds shall be used to refund, redeem and/or defease certain outstanding bonds issued by the City (the "Refunded Bonds") and to pay the costs of issuing the Refunding Bonds. The specific bonds to be refunded shall be determined by the Authorized Officer, pursuant to the criteria set forth in this paragraph. The Authorized Officer is authorized to determine the series, maturities and amounts of the Refunded Bonds as such officer determines to be in the best interest of the City as long as the minimum savings achieved by issuance of the Refunding Bonds is not less than 3% savings on a present value basis compared to the existing debt service on the Refunded Bonds. The Authorized Officer is authorized to enter into an escrow agreement providing for the deposit of proceeds of the Refunding Bonds and the refunding and redemption of the Refunded Bonds with such escrow agent as the Authorized Officer may select.

3. Pledge of Full Faith and Credit. The full faith and credit of the City are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Bonds as the same become due and payable. The City Council shall levy an annual ad valorem tax upon all property in the City, subject to local taxation, sufficient to pay the principal of, premium, if any, and interest on the Bonds as the same shall become due for payment unless other funds are lawfully available and appropriated for the timely payment thereof.

4. Details and Sale of Bonds. The Bonds shall be issued upon the terms established pursuant to this Ordinance and upon such other terms as may be determined in the manner set forth in this Ordinance. The Bonds shall be issued in one or more taxable or tax-exempt series, in fully registered form, shall be dated such date or dates as the Authorized Officer may approve, shall be in the denominations of \$5,000 each or whole multiples thereof and shall be numbered from R-1 upwards consecutively. The Bonds shall mature on such dates and in such amounts and shall be issued in such principal amount as the Authorized Officer may approve, provided that: (a) the final maturity of any New Money Bond is not more than approximately 30 years from its date and the aggregate principal amount of the New Money Bonds is not more than \$196,005,000; and (b) the final maturity of the Refunding Bonds is not later than one year after the final maturity of the Refunded Bonds and the aggregate principal amount of the Refunding Bonds is not more than the amount needed to pay the principal of and premium, if any, and interest on the Refunded Bonds to their redemption date and to pay the costs of issuing the Refunding Bonds. The Bonds may be sold pursuant to a public or private placement and may be sold on a negotiated or competitive bid basis, all as may be determined by the Authorized Officer. The Authorized Officer is authorized and directed, at his or her option, to accept a bid or bids for the purchase of the Bonds which results in the lowest true interest cost to the City and the Bonds shall bear interest, payable semi-annually, at such rate or rates and shall be sold to the successful bidder or bidders at such price as may be set forth in the bid or bids so accepted, or, if he or she deems it to be in the City's financial interest,

to forego such competitive bidding and negotiate the sale of the Bonds to one or more initial purchasers; provided that (a) the true interest cost of the New Money Bonds shall not exceed 6.5% per annum and (b) the debt savings criteria set forth in paragraph 2 of this Ordinance is satisfied with respect to the Refunding Bonds. The Authorized Officer is authorized and directed to approve such optional redemption provisions for the Bonds as such officer or officers determine to be in the best interest of the City. The City Council may provide for additional or other terms of the Bonds by subsequent resolution.

5. Form of Bonds. The Bonds shall be in substantially the form attached to this Ordinance as Exhibit A, with such appropriate variations, omissions and insertions as are permitted or required by this Ordinance. There may be endorsed on the Bonds such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

6. Book-Entry-Only-Form. The Bonds may be issued in book-entry-only form. The Bonds shall be issued in fully-registered form and may be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC") as registered owner of the Bonds, or in the name of another DTC nominee, and immobilized in the custody of DTC. One fully registered Bond in typewritten or printed form for the principal amount of each maturity of the Bonds may be registered to DTC or its nominee. In such event, beneficial owners of the Bonds shall not receive physical delivery of the Bonds and principal, premium, if any, and interest payments on the Bonds shall be made to DTC or its nominee as registered owner of the Bonds on the applicable payment date.

Transfer of ownership interest in the Bonds may be made by DTC and its participants (the "Participants"), acting as nominees of the beneficial owners of the Bonds in accordance with rules specified by DTC and its Participants. In such event, the City shall notify DTC of any notice required to be given pursuant to this Ordinance or the Bonds not less than fifteen (15) calendar days prior to the date upon which such notice is required to be given and the City shall also comply with the agreements set forth in the City's Letter of Representations to DTC.

In the event the Bonds are issued in book-entry-only form and registered in the name of DTC's nominee as permitted above, replacement Bonds (the "Replacement Bonds") may be issued directly to beneficial owners of the Bonds rather than to DTC or its nominee but only in the event that:

- (i) DTC determines not to continue to act as securities depository for the Bonds; or
- (ii) The City has advised DTC of its determination not to use DTC as a securities depository; or
- (iii) The City has determined that it is in the best interest of the beneficial owners of the Bonds or the City not to continue the book-entry system of transfer.

Upon the occurrence of an event described in (i) or (ii) above, the City shall attempt to locate another qualified securities depository. If the City fails to locate another qualified securities depository to replace DTC, the City Council shall execute and deliver Replacement Bonds substantially in the form set forth in Exhibit A to this Ordinance to the Participants. In the event the City Council, in its discretion, makes the determination noted in (iii) above and

has made provisions to notify the beneficial owners of the Bonds by mailing an appropriate notice to DTC, the appropriate officers and agents of the City shall execute and deliver Replacement Bonds substantially in the form set forth in Exhibit A to this Ordinance to any Participants requesting such Replacement Bonds. Principal of and interest on the Replacement Bonds shall be payable as provided in this Ordinance and in the Bonds, and Replacement Bonds will be transferable in accordance with the provisions of paragraphs 10 and 11 of this Ordinance and the Bonds.

7. Appointment of Bond Registrar and Paying Agent. The Authorized Officer is authorized and directed to appoint a Bond Registrar and Paying Agent for the Bonds, and as long as the Bonds are in book-entry form, any Authorized Officer may serve as Paying Agent.

The Authorized Officer may appoint a subsequent registrar and/or one or more paying agents for the Bonds upon giving written notice to the owners of the Bonds specifying the name and location of the principal office of any such registrar or paying agent.

8. Execution of Bonds. The Mayor and the Clerk of the City are authorized and directed to execute appropriate negotiable Bonds and to affix the seal of the City thereto and to deliver the Bonds to the purchaser thereof upon payment of the purchase price. The manner of execution and affixation of the seal may be by facsimile, provided, however, that if the signatures of the Mayor and the Clerk are both by facsimile, the Bonds shall not be valid until signed at the foot thereof by the manual signature of the Bond Registrar.

9. CUSIP Numbers. The Bonds may have CUSIP identification numbers printed thereon. No such number shall constitute a part of the contract evidenced by the Bond on which it is imprinted and no liability shall attach to the City, or any of its officers or agents by reason of such numbers or any use made of such numbers, including any use by the City and any officer or agent of the City, by reason of any inaccuracy, error or omission with respect to such numbers.

10. Registration, Transfer and Exchange. Upon surrender for transfer or exchange of any Bond at the principal office of the Bond Registrar, the City shall execute and deliver and the Bond Registrar shall authenticate in the name of the transferee or transferees a new Bond or Bonds of any authorized denomination in an aggregate principal amount equal to the Bond surrendered and of the same form and maturity and bearing interest at the same rate as the Bond surrendered, subject in each case to such reasonable regulations as the City and the Bond Registrar may prescribe. All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and substance reasonably satisfactory to the City and the Bond Registrar, duly executed by the registered owner or by his or her duly authorized attorney-in-fact or legal representative. No Bond may be registered to bearer.

New Bonds delivered upon any transfer or exchange shall be valid obligations of the City, evidencing the same debt as the Bonds surrendered, and shall be secured by this Ordinance and entitled to all of the security and benefits hereof to the same extent as the Bonds surrendered.

11. Charges for Exchange or Transfer. No charge shall be made for any exchange or transfer of Bonds, but the City may require payment by the registered owner of any Bond of a



sum sufficient to cover any tax or other governmental charge which may be imposed with respect to the transfer or exchange of such Bond.

12. Non-Arbitrage Certificate and Tax Covenants. The Authorized Officer and such officers and agents of the City as the Authorized Officer may designate are authorized and directed to execute with respect to the Bonds one or more Non-Arbitrage Certificates and Tax Covenants setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "Tax Code"), including the provisions of Section 148 of the Tax Code and applicable regulations relating to "arbitrage bonds." The City Council covenants on behalf of the City that the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in the City's Non-Arbitrage Certificate and Tax Covenants relating to such Bonds, to be delivered simultaneously with the issuance and delivery of such Bonds and that the City shall comply with the other covenants and representations contained therein.

13. Defeasance. Bonds may be defeased pursuant to Section 15.2-2623 of the Code of Virginia of 1950, as amended, or any successor statute and shall be deemed no longer outstanding upon the establishment of an escrow or sinking fund for such Bonds meeting the requirements of, and the satisfaction of other conditions, if any, to defeasance set forth in such Section 15.2-2623 or successor statute.

14. Disclosure Documents. The Authorized Officer and such officers and agents of the City as the Authorized Officer may designate are hereby authorized and directed to prepare, execute, if required, and deliver appropriate notices of sale, preliminary official statements, official statements, continuing disclosure agreements or such other offering or disclosure documents as may be necessary to expedite the sale of the Bonds. The notices of sale, preliminary official statements, official statements, continuing disclosure agreements or other documents shall be published in such publications and distributed in such manner, including electronically, and at such times as the Authorized Officer shall determine. The Authorized Officer is authorized and directed to deem the preliminary official statements "final" for purposes of Securities and Exchange Commission Rule 15c2-12.

15. Further Actions. The Authorized Officer and such officers and agents of the City as the Authorized Officer may designate are authorized and directed to take such further action as they deem necessary regarding the issuance and sale of the Bonds including the execution and delivery of such bond purchase agreement or agreements as may be required in connection with any negotiated sale of the Bonds and the execution and delivery of any such other documents, agreements and certificates as they may deem necessary or desirable and all actions taken by such officers and agents in connection with the issuance and sale of the Bonds are ratified and confirmed.

16. Reimbursement. The City Council adopts this declaration of official intent under U.S. Treasury Regulations Section 1.150-2. The City Council reasonably expects to reimburse advances made or to be made by the City to pay the costs of the Projects from the proceeds of its debt. The maximum amount of debt expected to be issued for the Projects is set forth in paragraph 1 above. The City hereby authorizes the Authorized Officer, on behalf of the City, to specifically declare the City's official intent to reimburse portions of the cost of the Projects with New Money Bond proceeds.

17. Effective Date; Applicable Law. In accordance with Section 15.2-2601 of the Code of Virginia of 1950, as amended, the City Council elects to issue the Bonds pursuant to the provisions of the Public Finance Act of 1991 without regard to the requirements, restrictions or other provisions contained in the Charter of the City.

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

12. City Council adopted an ordinance for a reduced Real Estate rate as tax relief by establishing a new class of property for the surviving spouse of a member of the Armed Forces of the United States who died in the line of duty, based on a determination from the U.S. Department of Defense.

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.

7. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Section 11-704 (APPLICATION OF TMP PROGRAM TO DEVELOPMENT; REQUIRED PARTICIPATION) and add and ordain Section 11-715 (ADMINISTRATIVE AMENDMENT OF TMP SUP) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00012 (Implementation Ordinance for Text Amendment No. 2022-00012 associated with Transportation Management Plans approved by City Council on May 23, 2023). [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. 7; 06/17/23, 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; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman McPike, seconded by Councilmember Bagley and carried 6-1 by roll-call vote, City Council closed the public hearing and adopted an ordinance to amend and reordain Section 11-704 (APPLICATION OF TMP PROGRAM TO DEVELOPMENT; REQUIRED PARTICIPATION) and add and ordain Section 11-715 (ADMINISTRATIVE AMENDMENT OF TMP SUP) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00012. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike; Opposed, Councilman Chapman.

The ordinance reads as follows:

ORDINANCE NO. 5497

AN ORDINANCE to amend and reordain Section 11-704 (APPLICATION OF TMP PROGRAM TO DEVELOPMENT; REQUIRED PARTICIPATION) and add and ordain Section 11-715 (ADMINISTRATIVE AMENDMENT OF TMP SUP) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00012.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2022-00012, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on March 30, 2023 of a text amendment to the Zoning Ordinance to adopt amendments to the Transportation Management Plan special use permit provisions, which recommendation was approved by the City Council at public hearing on April 15, 2023;
2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-704 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Section 11-704 - Application of TMP program to development; required participation.

Until July 1, 2023, e~~Each~~ development for which a site plan is required pursuant to section 11-400 of this ordinance may be required to obtain approval of a TMP SUP, depending on its development tier and the requirements for participation outlined in this section 11-704.

Section 2. That Section 11-715 of the Zoning Ordinance be, and the same hereby is, added and ordained, as shown:

Section 11-715 - Administrative amendment of TMP SUP.

(A) For all special use permits approved prior to July 1, 2023, the Director of Transportation and Environmental Services is authorized to establish policies and procedures for applications to amend TMP SUPs, to allow TMP SUPs to be governed by the TMP policy adopted by council.

(B) Approval of an administrative amendment is subject to the following:

(1) Balance of funds prior to application for amendment.

(a) For TMPs making payments to the city, any unpaid balance must be paid to the

ORDINANCE NO. 5497

AN ORDINANCE to amend and reordain Section 11-704 (APPLICATION OF TMP PROGRAM TO DEVELOPMENT; REQUIRED PARTICIPATION) and add and ordain Section 11-715 (ADMINISTRATIVE AMENDMENT OF TMP SUP) of Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2022-00012.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2022-00012, the Planning Commission, having found that the public necessity, convenience, general welfare and good zoning practice so require, recommended approval to the City Council on March 30, 2023 of a text amendment to the Zoning Ordinance to adopt amendments to the Transportation Management Plan special use permit provisions, which recommendation was approved by the City Council at public hearing on April 15, 2023;
2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;
3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 11-704 of the Zoning Ordinance be, and the same hereby is, amended by deleting the language shown in strikethrough and inserting new language shown in underline, as follows:

Section 11-704 - Application of TMP program to development; required participation.

Until July 1, 2023, e~~Each~~ development for which a site plan is required pursuant to section 11-400 of this ordinance may be required to obtain approval of a TMP SUP, depending on its development tier and the requirements for participation outlined in this section 11-704.

Section 2. That Section 11-715 of the Zoning Ordinance be, and the same hereby is, added and ordained, as shown:

Section 11-715 - Administrative amendment of TMP SUP.

(A) For all special use permits approved prior to July 1, 2023, the Director of Transportation and Environmental Services is authorized to establish policies and procedures for applications to amend TMP SUPs, to allow TMP SUPs to be governed by the TMP policy adopted by council.

(B) Approval of an administrative amendment is subject to the following:

(1) Balance of funds prior to application for amendment.

(a) For TMPs making payments to the city, any unpaid balance must be paid to the

city.

(b) For TMPs that are managed by the payor, all funds under pay or management must be paid to the city.

(2) Determination of payment period.

(a) Single Phase Development – For developments that are approved under a single final site plan, the 30-year period commences on the date of the issuance of the first certificate of occupancy or the approval of the TMP SUP, whichever is later.

(b) Multi-Phase Development – For phased developments that are approved through multiple final site plans, the 30-year period is assessed for each phase and commences on the date of the issuance of the first certificate of occupancy for that phase.

(3) Credits.

(a) Credits will be assessed as of the date of the application for the amendment.

(b) TMP SUPs approved prior to July 1, 2023 are not eligible for credits for capital improvements that were constructed prior to July 1, 2023.

(4) Shuttles.

(a) Shuttle service required under TMP SUPs may cease after review and approval of information required in the application, pursuant to the TMP policy.

Section 3. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 4. That Sections 11-704 and 11-715, as amended or added pursuant to Sections 1 and 2 of this ordinance, be, and the same hereby is, reordained and ordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on July 1, 2023, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

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

13. Public Hearing on the Recommendation from the City Council Naming Committee to Change the Name of Braddock Interim Park to Judy Guse-Noritake Park.

(A copy of the City Manager's memorandum dated June 13, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 13; 06/17/23, and is incorporated as part of this record by reference.)

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

1. Dino Drudi, Alexandria, spoke about delaying the naming of the park until the community had more time to comment on the name change.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilmember Bagley and carried unanimously, City Council closed the public hearing and adopted the recommendation from the City Council Naming Committee to change the name of Braddock Interim Park to Judy Guse-Noritake Park. 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.

City Council approved items 14 -17 as a block.

14. Public Hearing of a Lease Agreement Renewal with Alexandria Soccer Association for Office Space Located at the Lee Center.

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 14; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the lease agreement between the Alexandria Soccer Association and City of Alexandria. 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.

15. Public Hearing of a Three (3) year License Agreement Renewal with The Alexandria Boxing Club for the Boxing facility at Charles Houston Recreation Center.

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 15; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the license agreement renewal between the Alexandria Boxing Club and the City of Alexandria. 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.

16. Public Hearing of a Three (3) Year Lease Agreement Renewal with Child and Family Network Centers at Leonard "Chick" Armstrong Recreation Center Located At 25 West Reed Avenue.

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 16; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the lease agreement renewal between Child and Family Network Centers and the City of Alexandria. 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.

17. Public Hearing of a Lease Agreement Between the City and Sheikh Mohammad Arshad

to Continue the Use of City-owned Property at 206 Strand Street.

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 17; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council closed the public hearing and authorized the City Manager to execute the proposed Lease Agreement with Sheikh Mohammad Arshad. The vote was follows: In favor, Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none.

18. Public Hearing of a Request to Exercise the First Renewal Option to the Lease Agreement with Amtrak to operate a Transit System at the City-owned Alexandria Union Station located at 110 Callahan Drive.

(A copy of the City Manager's memorandum dated June 6, 2023, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 18; 06/17/23, and is incorporated as part of this record by reference.)

Please note, Mayor Wilson recused himself from consideration of this item due to a conflict with his employment.

**WHEREUPON**, upon motion by Councilmember Bagley, seconded by Councilman McPike and carried 6-0, City Council closed the public hearing and authorized the City Manager to execute the first renewal option to the Lease Agreement with Amtrak. The vote was as follows: In favor, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Recusal, Mayor Wilson.

**V. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**Planning Commission (continued)**

19. Special Use Permit #2023-00025  
3410 Mount Vernon Avenue (Parcel Address: 3408 Mount Vernon Avenue) -  
Hops 'N Shine  
Public Hearing and consideration of a request for a Special Use Permit for an increase in outdoor dining seats and in outdoor dining hours of operation; and to allow outdoor cooking and outdoor live entertainment (amending SUP #2020-00045); zoned: CG/ Commercial General. Applicant: Abe Hadjiesmaailoo  
Planning Commission Action: Recommended 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. 19; 06/17/23, and is incorporated as part of this record by reference.)

Please note that Mayor Wilson recused himself from consideration of this item due a conflict due to ownership of a property that is adjacent to the property under consideration.

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

1. Abe Hadjiesmailoo, applicant, Alexandria, spoke in support of the proposed changes to the property and responded to questions from Council.
2. Dominique Schemmel, Alexandria, spoke in support of the Hops and Shine and their proposed changes to the business.
3. Chaima Tigheght, Alexandria, spoke in support of the proposed changes to the business.
4. Jennifer Modrich, Alexandria, spoke in support of the proposed changes to the business.
5. Fahim Ghiacy, Alexandria, spoke in support of the proposed changes to the business.
6. C. J. Cross, Alexandria, manager for the restaurant, spoke in support of the changes to the business and responded to questions from Council.
7. Steven Harris, Alexandria, representing Mount Vernon Court Community Association, requested that Council support the Planning Commission recommendation regarding the business and responded to questions from Council.
8. Megan Fissell, Alexandria, spoke in support of the proposed changes to the business.
9. Everett Bowen, Alexandria, spoke in support of the proposed changes to the business.
10. Matt Rofougaran, Alexandria, spoke in support of the proposed changes to the business.
11. Paymon Hadjiesmailoo, Alexandria, applicant, spoke in support of the proposed changes to the business and responded to questions from Council.
12. Ryan O'Connor, applicant, spoke in support of the proposed changes to the business.

**WHEREUPON**, upon motion by Councilmember Bagley, seconded by Councilman McPike and carried 6-0, City Council closed the public hearing. The vote was as follows: In favor, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Recusal, Mayor Wilson.

**A motion was made** by Councilwoman Gaskins and seconded by Councilman Chapman to approve the Planning Commission recommendation with amendments to conditions 10, 11, 14, and 30 and the deletion of condition #12, not including the use of



background speakers at the restaurant.

**A substitute motion** was made by Councilman Aguirre and seconded by Councilman McPike, to approve the Planning Commission recommendation with amendments to conditions 10, 11, 14, and 30 and deletion of condition #12, including the changes to use of background music/speakers at the restaurant. The vote was as follows: In favor, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike; Opposed, Councilman Chapman; Recusal, Mayor Wilson. The motion passed 5-1 and becomes the main motion.

**WHEREUPON**, upon motion by Councilwoman Gaskins, seconded by Councilman Chapman and carried unanimously, City Council approved the Planning Commission recommendation with amendments to conditions 10, 11, 14, and 30, and deletion of condition #12, including changes to use of background music at the restaurant. The vote was as follows: In favor, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilman Chapman, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Recusal, Mayor Wilson.

20. **Development Special Use Permit #2023-10003**  
426 East Monroe Avenue - Simpson Stadium Park renovation  
Public Hearing and consideration of a request for a Development Special Use Permit with Site Plan for the construction and enlargement of accessory buildings associated with the existing athletic fields and providing more than five new parking spaces, including Special Use Permits for community recreation buildings, congregate recreational facilities, facilities for the lighting of any area in the Public Open Space and Community Recreation (POS) Zone for nighttime use, lighting taller than 15 feet, and accessory buildings and netting taller than 15 feet; and modifications for a reduction of the 35 foot light pole setback; zoned: POS/Public Open Space and Community Recreation Zone and CDD #10/Coordinated Development District #10. Applicant: City of Alexandria, represented by Mitch Dillon, Department of Project Implementation on behalf of the Department of Recreation, Parks and Cultural Activities  
Planning Commission Action: Recommended 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. 20; 06/17/23, and is incorporated as part of this record by reference.)

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

1. Sherry Reilly, Alexandria, representing Alexandria Little League, spoke in support of the proposed changes to Simpson Park.
2. Sebastian Norton, Alexandria, spoke in opposition to the changes to the northeast area of the park.
3. Paul Linehan, Alexandria, supports the plan for the park but spoke about the parking affecting the dog park portion.
4. Mikal Rosenmann, Alexandria, spoke about the planning of the proposed

sidewalks in the park.

5. Brian Collins, Alexandria, spoke about the use of plastic grass on the fields in the Simpson Field.

**WHEREUPON**, upon motion by Councilman McPike, 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.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson and carried unanimously, City Council approved the Planning Commission recommendation including deleting of condition #41. 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.

21. Zoning Text Amendment #2023-00001

Public Open Space and Community Recreation (POS) Zone

(A) Initiation of a Text Amendment; and (B) Public Hearing and consideration of a Text Amendment to the Zoning Ordinance to amend section 2-129.1 to change the definition of congregate recreational facilities; amend section 2-181.5 to change the definition of park; and amend Section 6-100 to change the allowed uses, special uses and development requirements in the Public Open Space and Community Recreation (POS) Zone. Staff: City of Alexandria, Department of Recreation, Parks and Cultural Activities  
Planning Commission Action: Recommended 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. 21; 06/17/23, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice Mayor Jackson 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.

22. Development Special Use Permit #2022-10027

Coordinated Sign Special Use Permit #2023-00037

Transportation Management Plan Special Use Permit #2022-00097

The Rutherford- 5000 Seminary Road

Public Hearing and consideration of a request for (A) a Development Special Use Permit to construct a multi-family building with 367 units, including Special Use Permits to decrease the off-street parking requirement, for penthouses to exceed 15 feet in height, (B) a Coordinated Sign Special Use Permit, and (C) a Tier III Transportation Management Plan Special Use Permit; zoned CDD #4. Applicant: Mark Center Residential, LLC, represented by Kenneth Wire, Attorney  
Planning Commission Action: Recommended 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. 22; 06/17/23, and is incorporated as part of this record by reference.)

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

1. Scott Barstow, Alexandria, spoke in support of denying the use of methane heat pump in the project.
2. Kenneth Wire, attorney for the applicant, spoke in support of the project and responded to questions from City Council.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Vice mayor Jackson 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. ORDINANCES AND RESOLUTIONS**

None.

## **VII. REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued) DEFERRAL/WITHDRAWAL CONSENT CALENDAR**

### **Planning Commission (continued)**

None.

23. Executive Session - Consideration of closed executive session for personnel matters. [ROLL-CALL VOTE]

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Vice Mayor Jackson and carried unanimously, City Council convened in closed executive session at 3:21 p.m. to discuss a personnel matter; specifically, the annual review for the City Clerk; pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia. 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 Aguirre, seconded by Councilman Chapman and carried unanimously, City Council reconvened in open session at 3:53 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.

**WHEREUPON**, upon motion by Councilman Aguirre, seconded by Councilman Chapman and carried unanimously, City Council adopted the resolution regarding the closed executive session previously circulated to Council. 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. 3169**

**WHEREAS**, the Alexandria City Council has this 17<sup>th</sup> day of June, 2023 recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

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

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

**VIII. ADJOURN.**

**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilman Chapman, seconded by Councilman McPike and carried unanimously, City Council adjourned the public hearing meeting of June 17, 2023 at 3:54 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.

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**APPROVED BY:**

  
\_\_\_\_\_  
**JUSTIN M. WILSON    MAYOR**

**ATTEST:**

  
\_\_\_\_\_  
Gloria A. Sifton, CMC    City Clerk

Approved:    September 12, 2023