

City of Alexandria

*301 King St., Room 2300
Alexandria, VA 22314*



Docket - Final

Tuesday, April 8, 2014

7:00 PM

Council Chambers

City Council Legislative Meeting

[14-2612](#) 5:30 P.M. - Work Session to Discuss the Waterfront Landscape and Flood Mitigation Design Project.

Attachments: [14-2612 Agenda](#)
[14-2612 Presentation](#)

1 Calling the Roll.

2 Moment of Silence and Pledge of Allegiance.

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

[14-2621](#) The Public Hearing Meeting Minutes of March 15, 2014; and
The Regular Meeting Minutes of March 25, 2014.

Attachments: [14-2621 March 15 minutes](#)
[14-2621 March 25 minutes.rtf](#)

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

4 [14-2583](#) Recognition of the Winners of the George Washington Middle School
Everyone Walks and Bikes to School Day Poster Contest.

PROCLAMATIONS

5 [14-2477](#) Presentation of a Proclamation Declaring April 26, 2014 as Alexandria
Earth Day and Arbor Day in the City of Alexandria.

Attachments: [14-2477 Earth Day Proclamation.doc](#)

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (five min.)

CONSENT CALENDAR (6-18)

(Resignations and Uncontested Appointments)

6 [14-2636](#) Receipt of the Following Resignations from Members of Boards,
Commissions and Committees:

(a) Emergency Medical Services Council
Anthony (Tony) Barone

(b) Environmental Policy Commission
Katie Mike

(c) Historical Restoration and Preservation Commission

Herbert Wayne Warner

Attachments: [14-2636 Board Resignations](#)

- 7 [14-2637](#) Uncontested Appointments to Boards, Commissions and Committees:
- (a) Affordable Housing Advisory Committee
1 Real Estate Professional with Knowledge and Experience in Residential Real Estate
1 Landlord of Residential Property in the City
- (b) Alexandria Redevelopment and Housing Authority
1 Citizen Member
- (c) Citizen Corps Council
1 Citizen Member
- (d) Commission on Aging
1 Citizen Member
- (e) Commission on Employment
1 Business Representative from Among Recognized Area Businesses Including Minority-Owned and Small Businesses
- (f) Emergency Medical Services Council
1 Citizen Member
1 Representative of Nursing Homes Located in the City
- (g) Environmental Policy Commission
1 Member from the Alexandria Business Community

Attachments: [14-2637 Uncontested Appointments](#)

(Reports and Recommendations of the City Manager)

- 8 [14-2238](#) Consideration of the Monthly Financial Report for the Period Ending February 28, 2014.
Attachments: [14-2238 Attachment 1 Revenues](#)
[14-2238 Attachment 2 Expenditures](#)
[14-2238 Attachment 3 Contingent Reserves](#)
- 9 [14-2533](#) Consideration of a Grant Application to the United States Department of Transportation (USDOT) TIGER Discretionary Grants Program.
- 10 [14-2534](#) Consideration of a Partnership with Arlington County to Jointly Procure Fare Collection Equipment for the Crystal City Potomac Yard Transitway.

Attachments: [14-2534 Attachment 1 Fare Collection Joint Procurement Agreement](#)

- 11 [14-2537](#) Consideration of the Draft Fiscal Year 2015 Action Plan for Housing and Community Development.

Attachments: [14-2537 Attachment 1-Draft FY 2015 Action Plan Citizen Summary.pdf](#)
[14-2537 Attachment 2 - Tables B and C \(CDBG and HOME\).pdf](#)

(Ordinances for Introduction)

- 12 [14-2605](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-416 (Modifications) of Section 11-400 (Site Plans) of Division B (Development Approvals) 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. 14-0001. (Implementation Ordinance for the Text Amendment to the modification section of the Zoning Ordinance approved by City Council on March 15, 2014.)

Attachments: [14-2605 information sheet](#)
[14-2605 ordinance](#)

- 13 [14-2438](#) Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2014.

Attachments: [14-2438 Att 1 - april supp app ord cover sheet](#)
[14-2438 Att 2 - April 2014 supp app ordinance](#)
[14-2438 Att 3 - April 2014 grant attachment](#)

- 14 [14-2483](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing and Empowering the Issuance, Sale and Delivery of General Obligation Bonds to Finance Various Capital Projects.

Attachments: [14-2483 Att 1 - General Obligation Bonds COVER - 2014 Issuance](#)
[14-2483 Att 2 - General Obligation Bonds Ordinance - 2014 Issuance](#)
[14-2483 Att 3 - Exhibit A to Ordinance \(2014B Bond Form\)](#)

- 15 [14-2554](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street.

Attachments: [14-2554 Attachment 1 - Information on Proposed Ordinance.docx](#)
[14-2554 Attachment 2 - Sale of 509 N St Asaph Street Ordinance.doc](#)
[14-2554 Attachment 3 - Planning Commission Docket #3](#)

- 16 [14-2564](#) Introduction and First Reading. Consideration. Passage on First Reading

of an Ordinance to Implement the Local Motor Vehicle License Plate Tax as Included in the FY 2015 Proposed Budget.

Attachments: [14-2564 License Tax Ord Cover Finance](#)

[14-2564 LicenseTax Ordinance Finance](#)

- 17 [14-2565](#) Introduction and First Reading. Consideration. Passage on First Reading to Amend and Reordain Division 1 (Parking Meter Zones), Article G (Parking Meters), Chapter 8 (Parking and Traffic Regulations), Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as Amended, as Included in the FY 2015 Proposed Budget.

Attachments: [14-2565 Parking Meters 5-8-93 Ordinance Cover](#)

[14-2565 Parking Meters 5-8-93 ordinance](#)

- 18 [14-2602](#) Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Performance Standards of the Eisenhower Science Redevelopment District.

Attachments: [14-2602 Information Sheet](#)

[14-2602 Ordinance](#)

END OF CONSENT CALENDAR

CONTESTED APPOINTMENTS

None.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION (30 min)

- 19 [14-2644](#) Consideration of the Short and Long Term Decisions Regarding the Status of the Warwick Pool.

Attachments: [14-2644 Warwick Pool Memo 12 3 13](#)

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

ORAL REPORT FROM THE CITY MANAGER

ORDINANCES AND RESOLUTIONS

- 20 [14-2194](#) Update on the Pedestrian and Bicycle Master Plan/Complete Streets Design Guidelines Manual, and Consideration of a Resolution to Establish an Advisory Committee. [ROLL-CALL VOTE]
Attachments: [14-2194 Attachment 1 pedestrian and bicycle master plan](#)
 [14-2194 Attachment 2 Pedestrian and Bicycle Master Plan Update ppt SS](#)

OTHER

- 21 [14-2597](#) Consideration of City Council Schedule.
Attachments: [14-2597 Council Calendar April 2014 to June2014.docx](#)
- 22 [14-2639](#) Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.
Attachments: [14-2639 exec session motion.doc](#)

*The Cablecast schedule of Government meetings on Channel 70 can be found here:
<http://apps.alexandriava.gov/Calendar/AltDisplay/VideoList.aspx>*

This docket is subject to change.

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Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council. Meeting materials are also available on-line at alexandriava.gov/council.

* * * * *

Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 703-746-4550 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.

City Council meetings are closed-captioned for the hearing impaired.

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PUBLIC NOTICE:

Budget Meetings:

*Budget Work Session, April 10, 2014, 6:30 p.m., Sister Cities Conference Room
Preliminary Add/Delete, April 21, 2014, 6:30 p.m., Sister Cities Conference Room
Budget Work Session, April 24, 2014, 6:30 p.m., Sister Cities Conference Room
Final Add/Delete, April 28, 6:30 p.m., Sister Cities Conference Room
Budget Adoption, May 1, 7:00 p.m., Council Chambers*



Legislation Details (With Text)

File #: 14-2612 **Name:**

Type: **Status:** Agenda Ready

File created: 3/26/2014 **In control:** City Council Legislative Meeting

On agenda: 4/8/2014 **Final action:**

Title: 5:30 P.M. - Work Session to Discuss the Waterfront Landscape and Flood Mitigation Design Project.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2612 Agenda](#)
[14-2612 Presentation](#)

Date	Ver.	Action By	Action	Result
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5:30 P.M. - Work Session to Discuss the Waterfront Landscape and Flood Mitigation Design Project.

**CITY COUNCIL WORK SESSION
ON THE WATERFRONT LANDSCAPE AND FLOOD MITIGATION
DESIGN PROJECT**

TUESDAY, APRIL 8, 2014

5:30 PM

COUNCIL WORK ROOM

AGENDA

- | | | |
|------|--|---|
| I. | Welcome and Opening Comments | Mayor William D. Euille |
| II. | Waterfront Landscape and Flood Mitigation
Design Project Presentation | Faroll Hamer, Director
Department of Planning and Zoning
Emily Baker, Director
Department of Project Implementation
Skip Graffam, Partner, The Olin Studio
Stan Aldridge, Team Lead, URS Corp. |
| III. | Council Discussion | |

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An aerial photograph of a city waterfront. In the foreground, a dark body of water contains a marina with several sailboats and larger vessels docked. The shoreline is lined with a mix of low-rise and mid-rise buildings, some with flat roofs and others with more traditional architecture. A prominent, long, narrow strip of land or a canal runs vertically through the center of the image, separating different parts of the city. The background shows a vast, dense urban landscape stretching towards the horizon under a clear sky.

IMPLEMENTATION OF THE WATERFRONT SMALL AREA PLAN

OLIN

**CITY COUNCIL WORK SESSION:
Waterfront Landscape and Flood Mitigation Design**

April 8, 2014





PROJECT SCHEDULE

- WATERFRONT COMMISSION MEETING
- COMMUNITY MEETING
- WORKSESSION
- PUBLIC HEARING


**ODBC
DECISION**





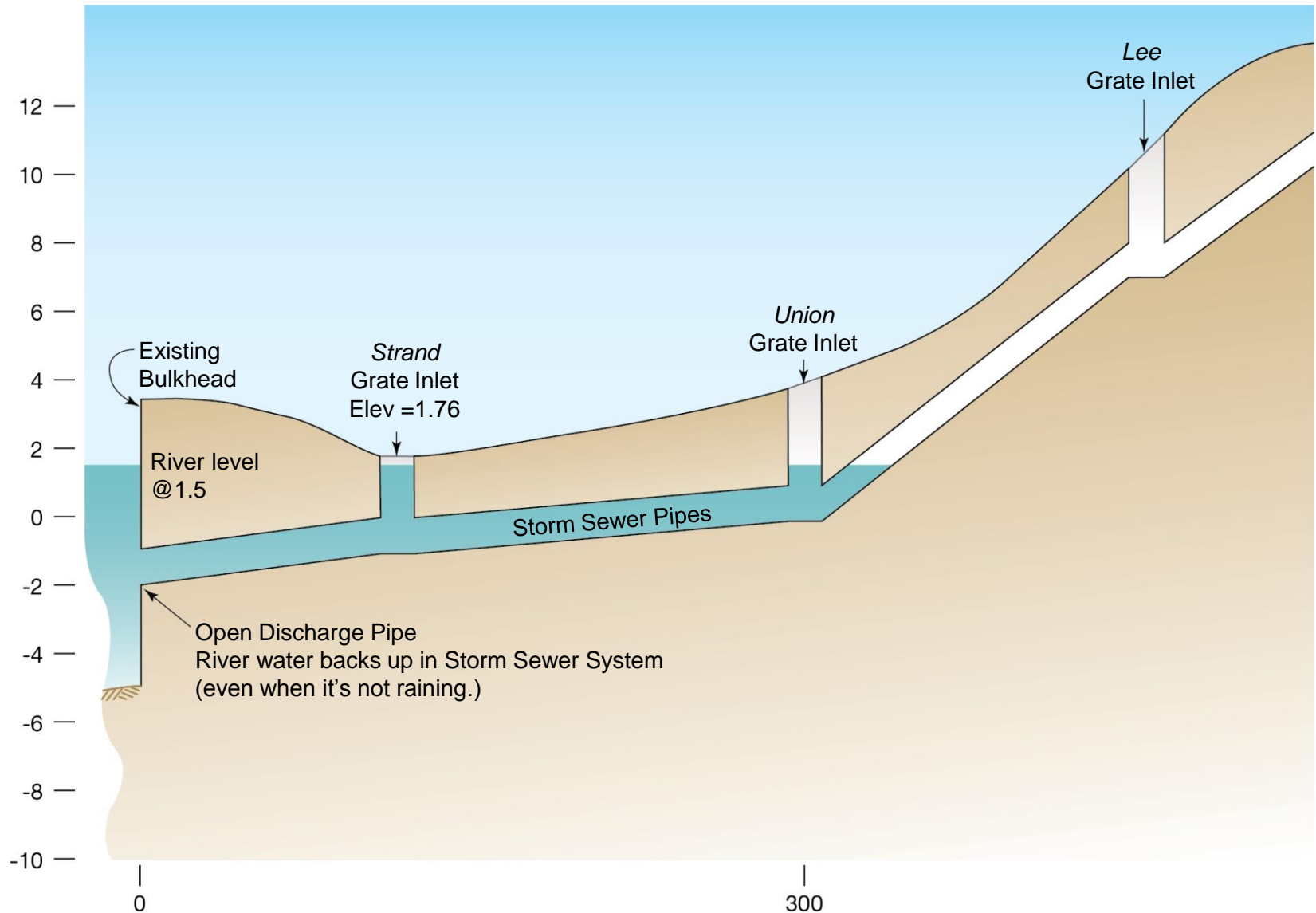
FLOOD MITIGATION

OLIN

PROJECT AREA OVERVIEW



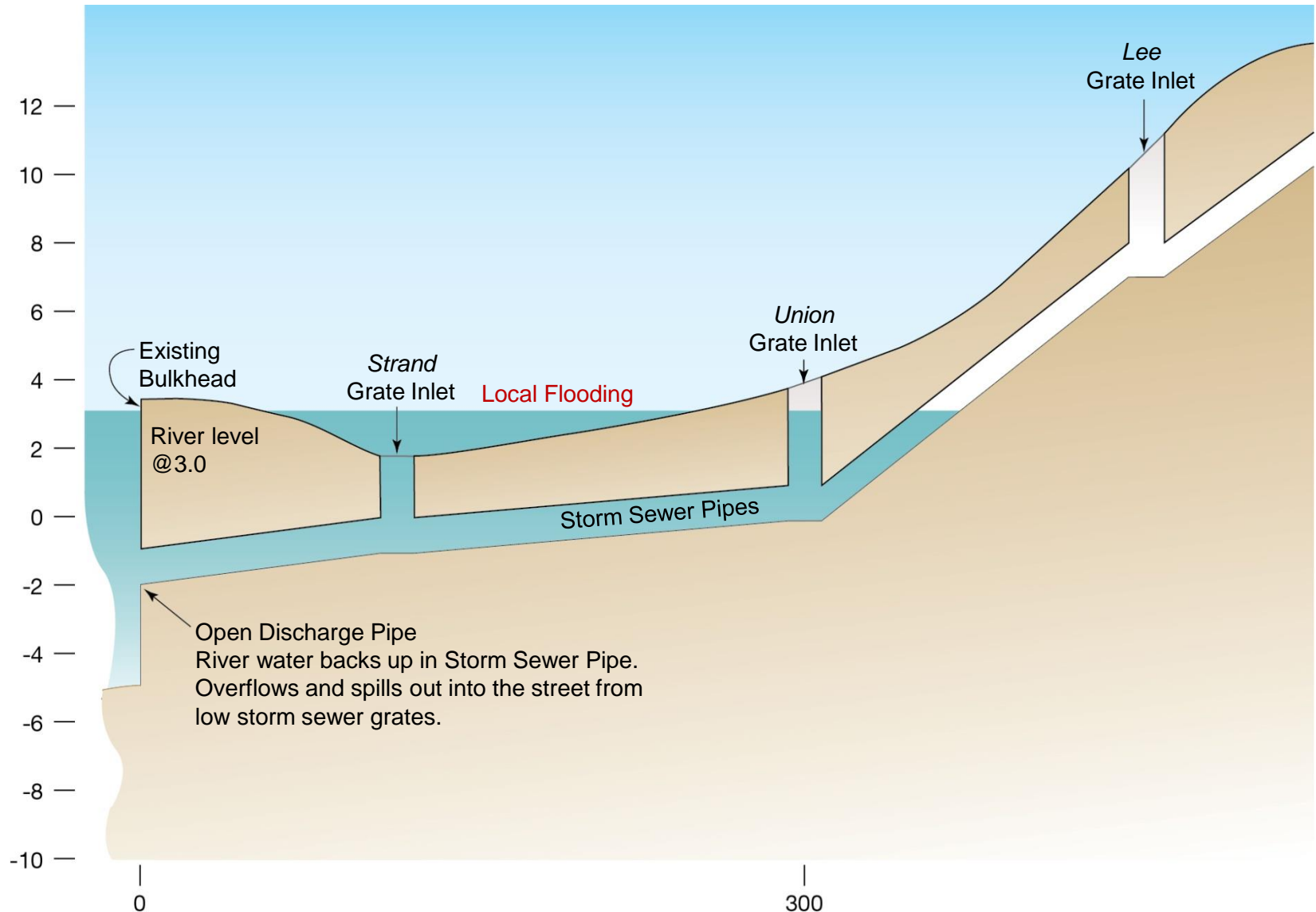
EXISTING STORM SEWER PROFILE AT RIVER ELEVATION = 1.50 FT



EXISTING CONDITIONS-NUISANCE FLOODING AT RIVER ELEVATION = 3.0 FT



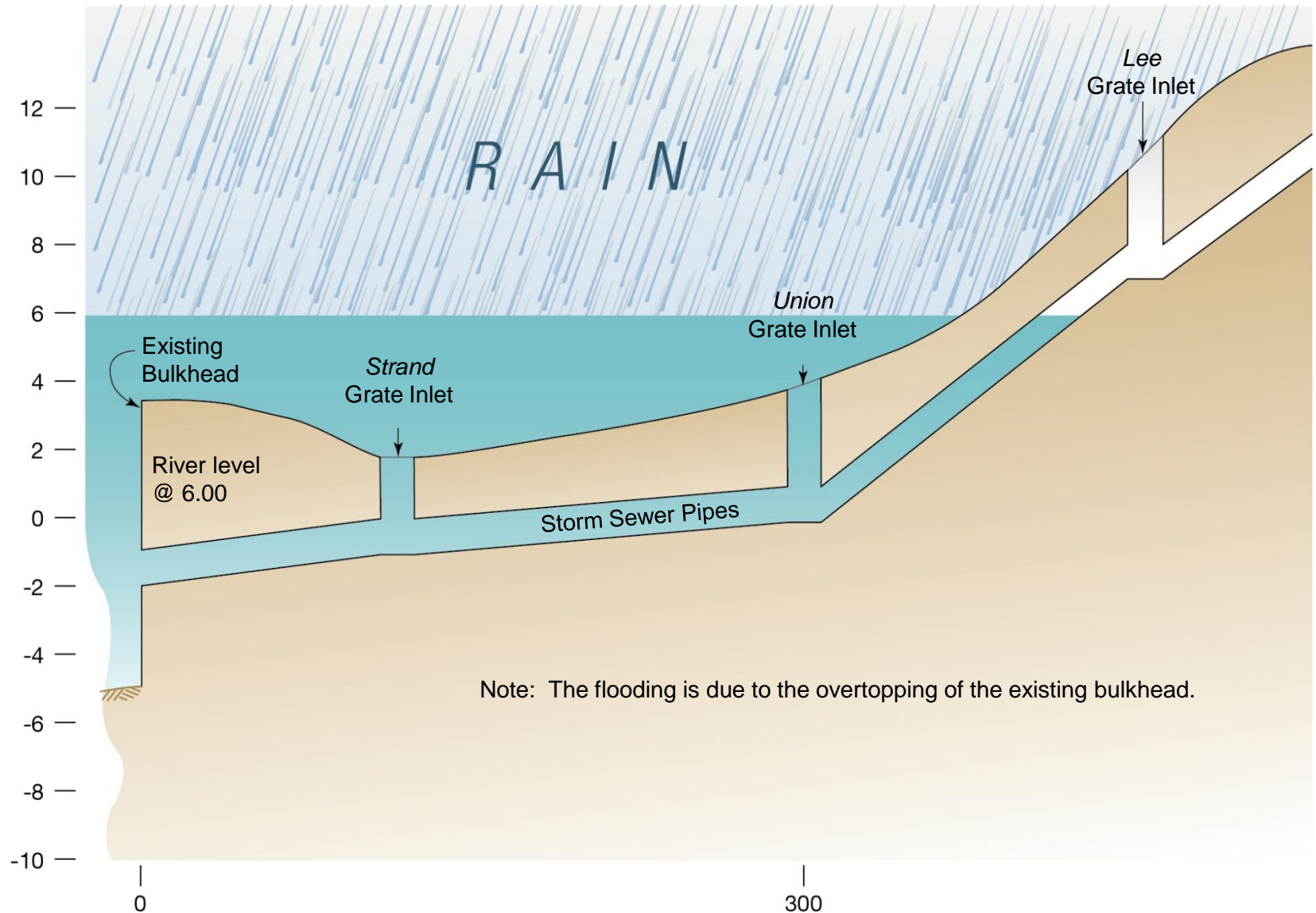
EXISTING STORM SEWER PROFILE- NUISANCE FLOODING AT RIVER ELEVATION = 3.0 FT



EXISTING CONDITIONS- RIVER FLOODING AT ELEVATION = 6.0 FT



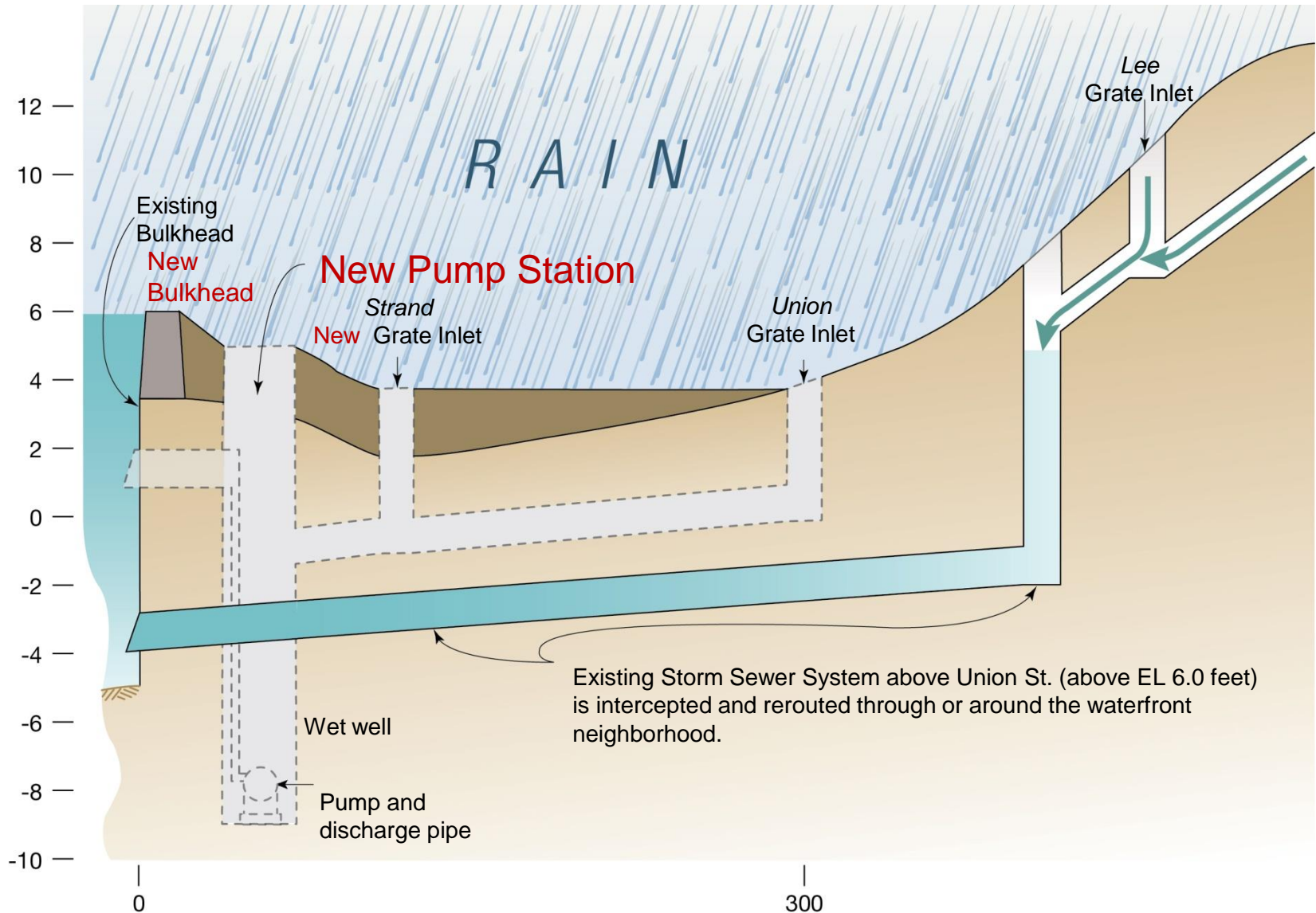
EXISTING STORM SEWER PROFILE- FLOODING AT RIVER ELEVATION = 6.0 FT



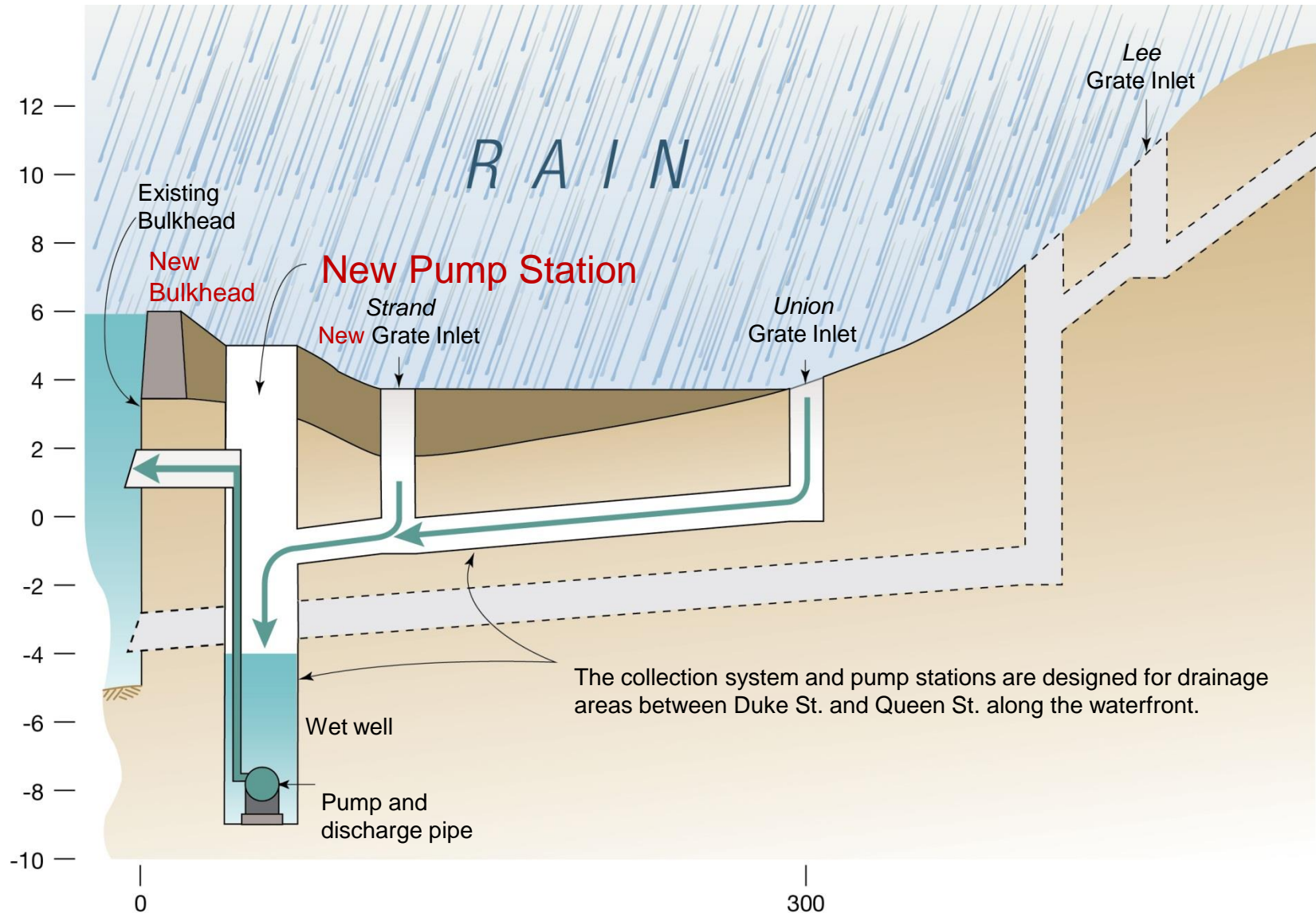
PROPOSED CONDITIONS WITH BULKHEAD AT ELEVATION = 6.0 FT



PROPOSED STORM SEWER PROFILE- SHOWING BY-PASS OF EXISTING STORM SEWER (BETWEEN DUKE & QUEEN STREETS)



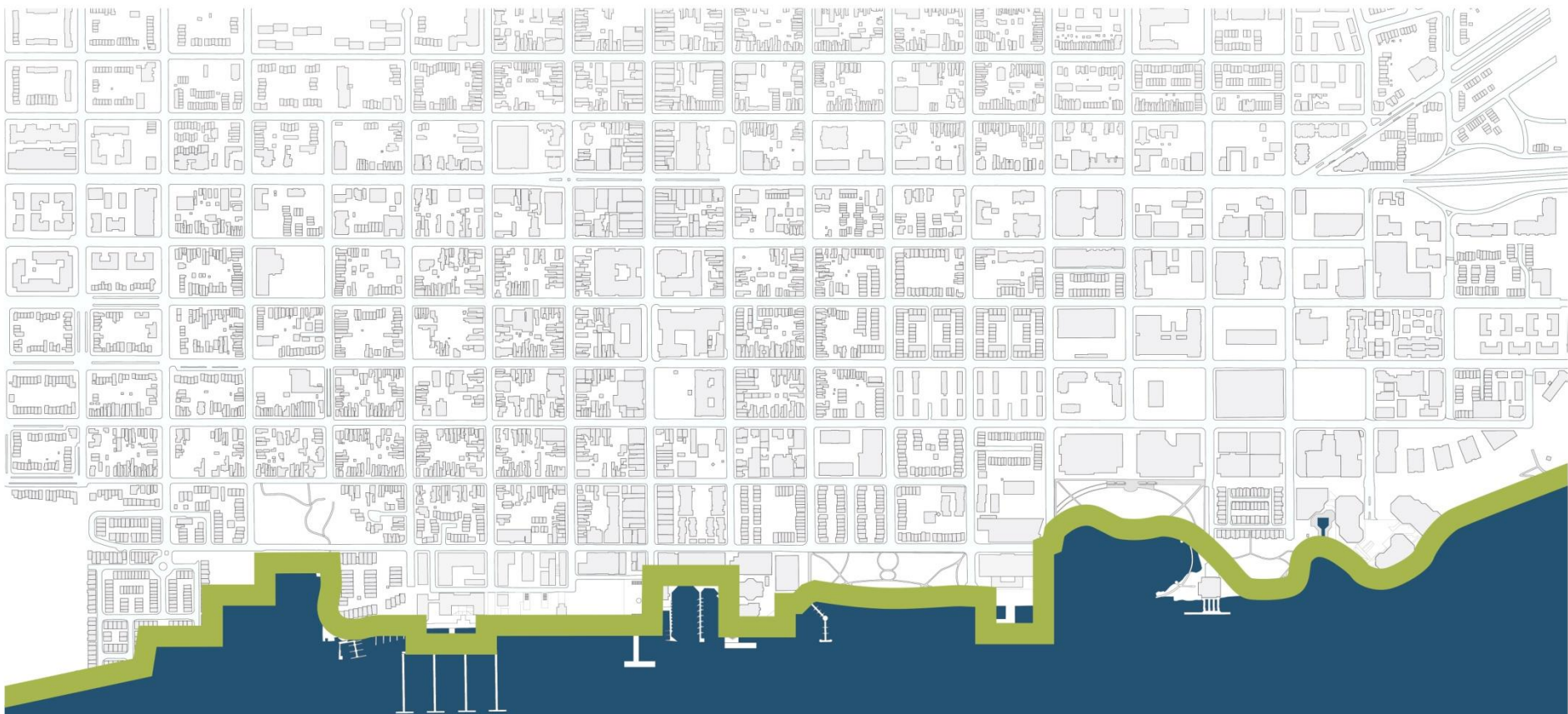
PROPOSED STORM SEWER PROFILE- SHOWING COLLECTION SYSTEM AND PUMP STATION



An aerial photograph of a large, diverse crowd of people gathered on a vast green lawn. The people are scattered across the entire frame, some sitting on blankets, others standing in small groups. The perspective is from directly above, looking down on the scene. The text "SMALL AREA PLAN GOALS" is overlaid in the lower right quadrant of the image.

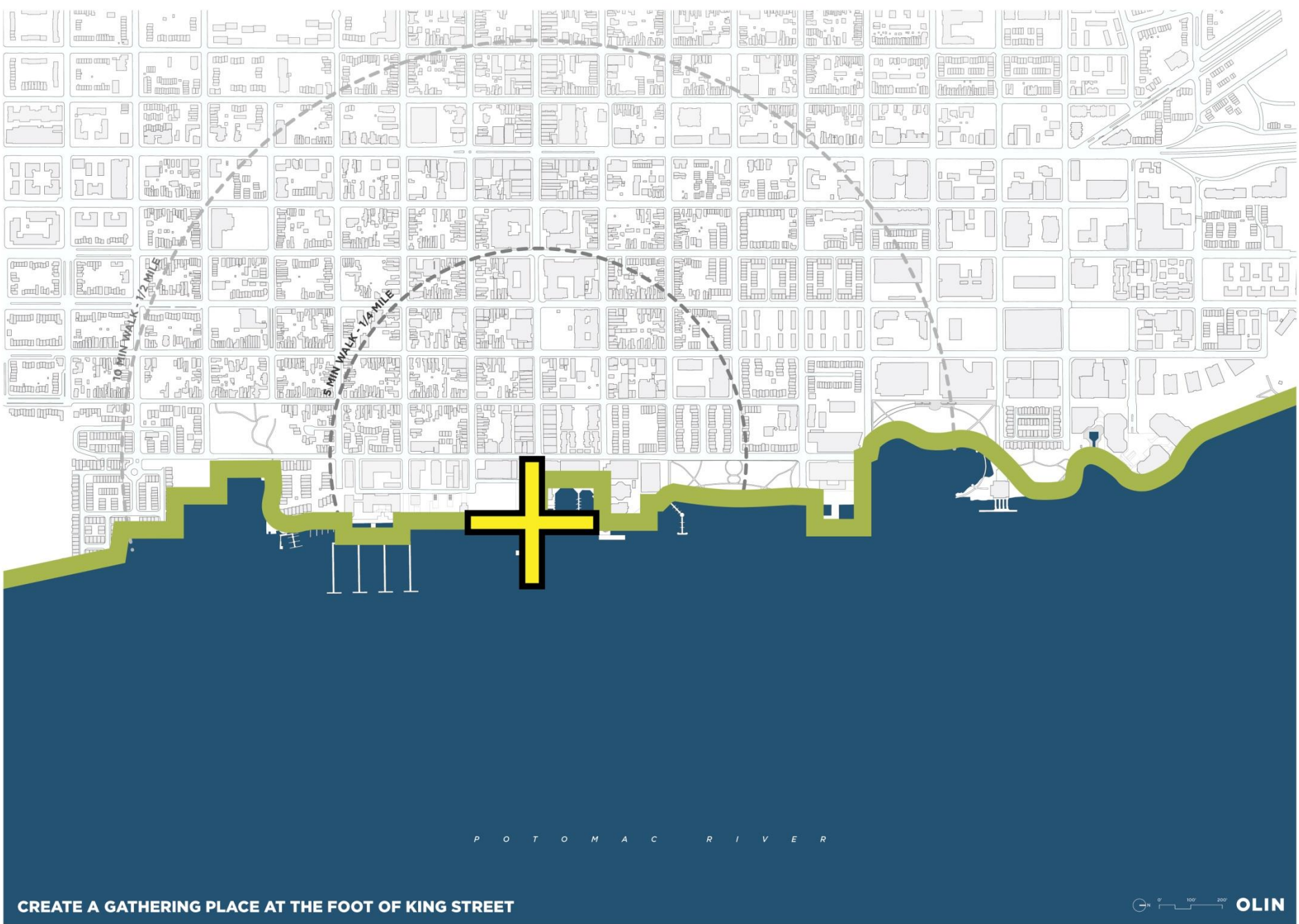
SMALL AREA PLAN GOALS

OLIN



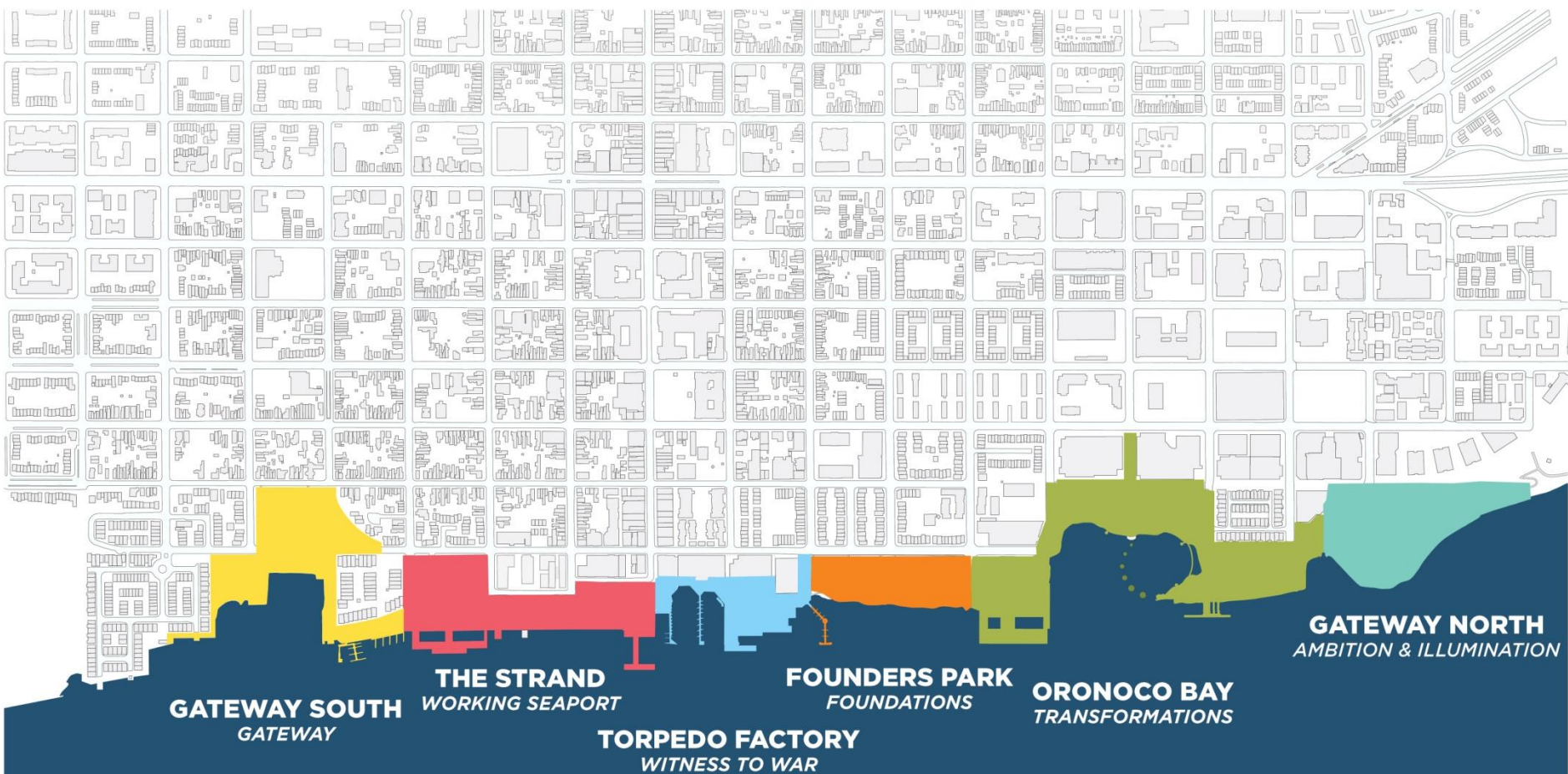
P O T O M A C R I V E R

CREATE A CONTINUOUS WATERFRONT PATH

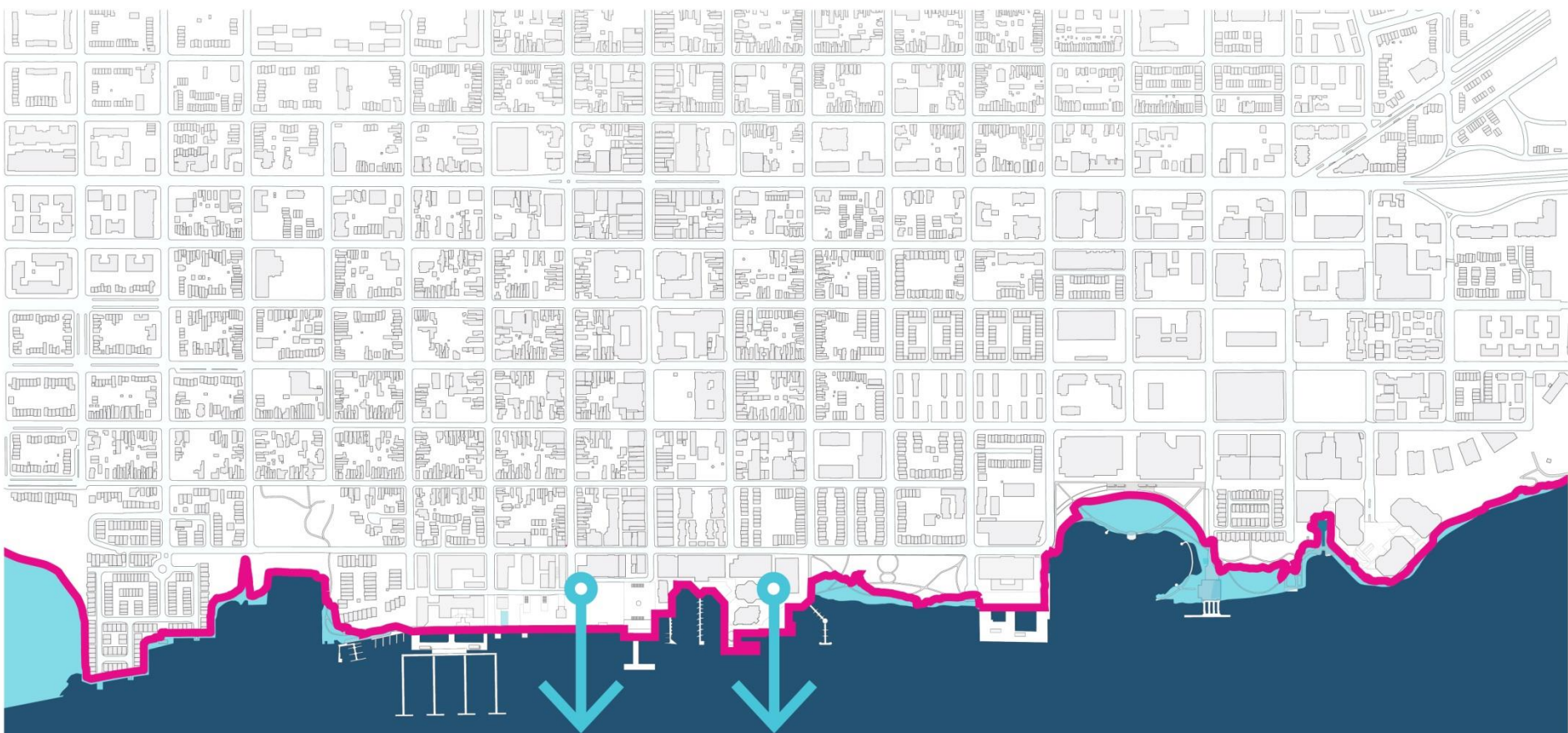


P O T O M A C R I V E R

CREATE A GATHERING PLACE AT THE FOOT OF KING STREET

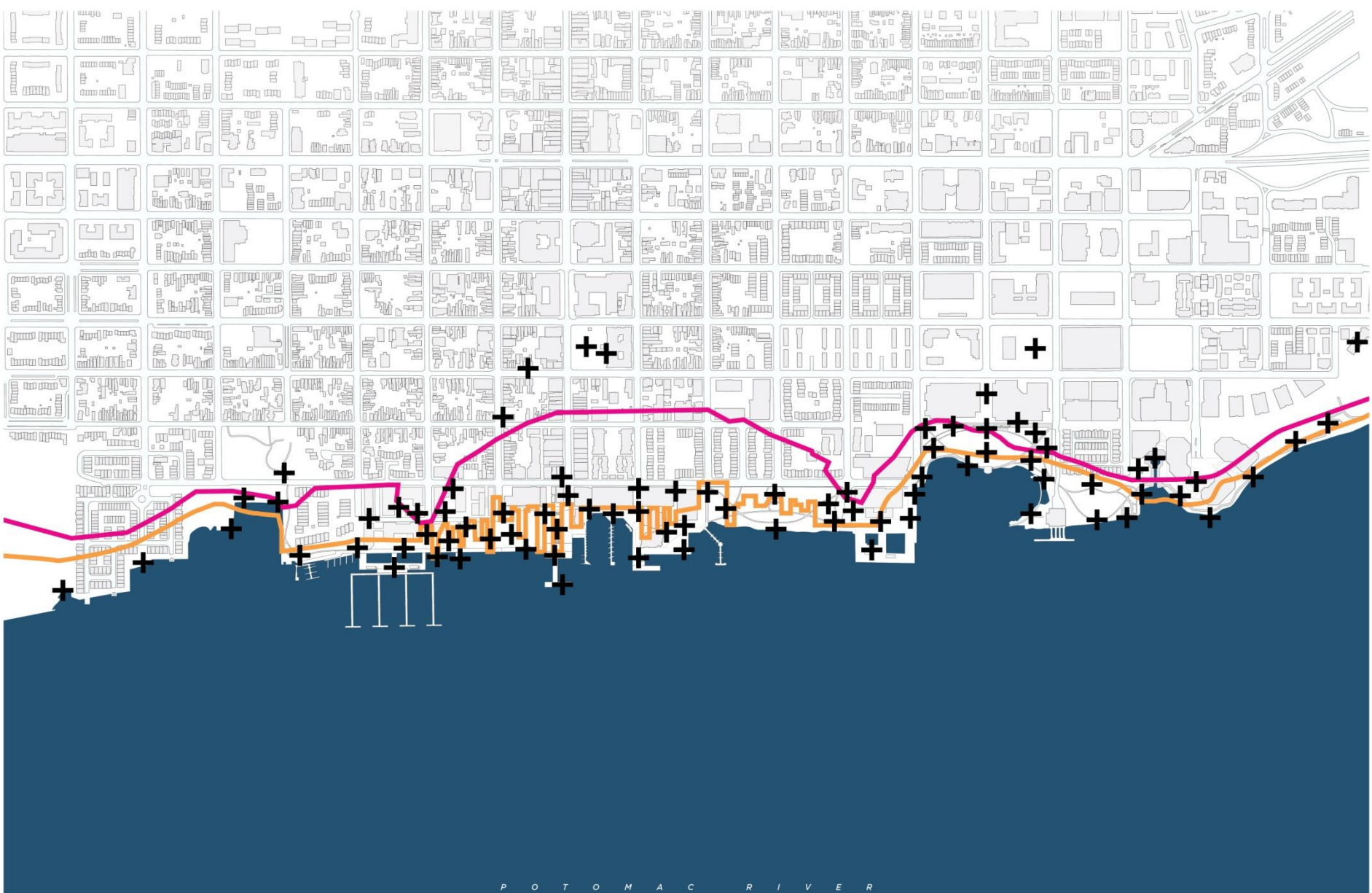


REINFORCE THE CULTURAL AREAS

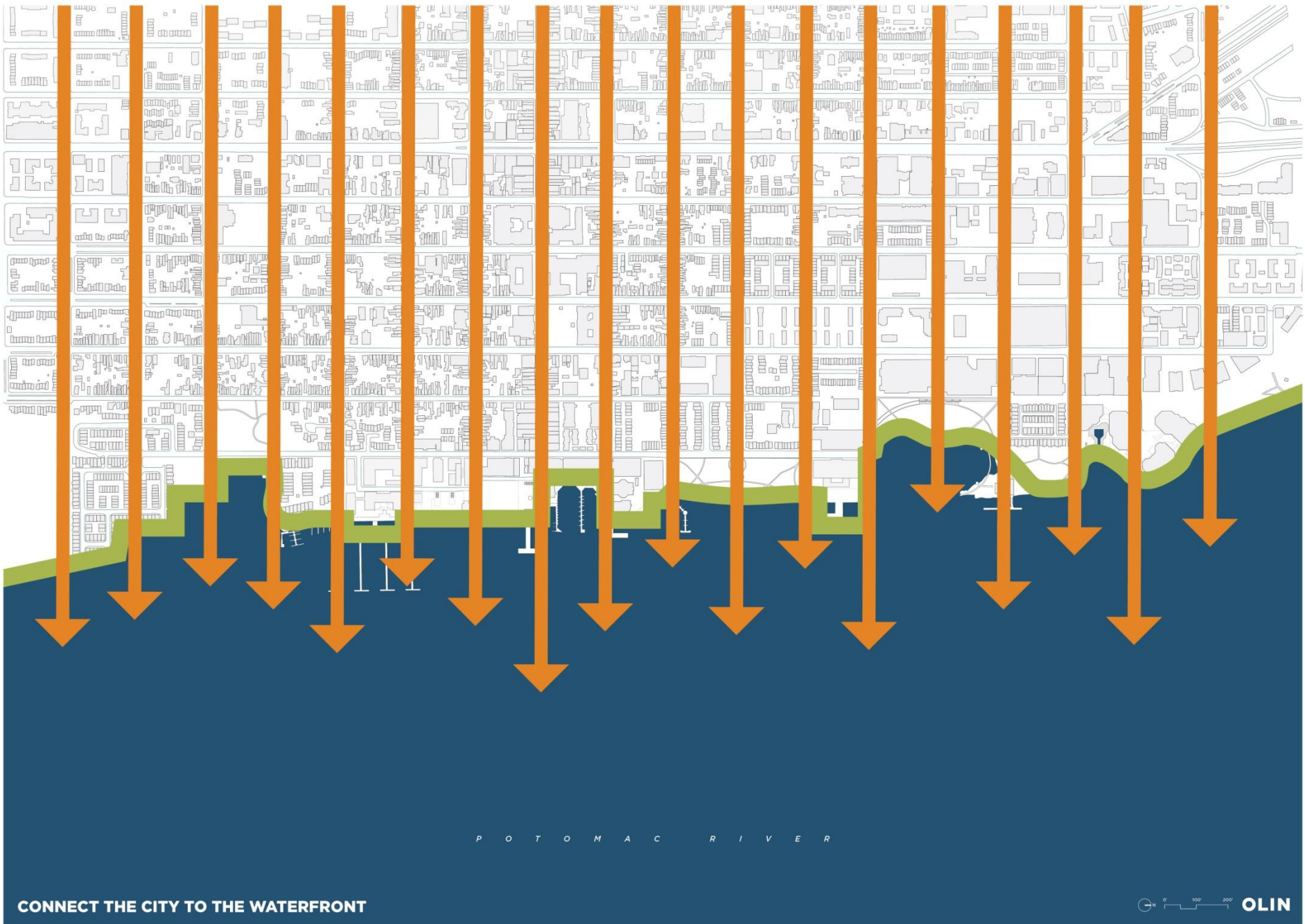


P O T O M A C R I V E R

MITIGATE NUISANCE FLOODING

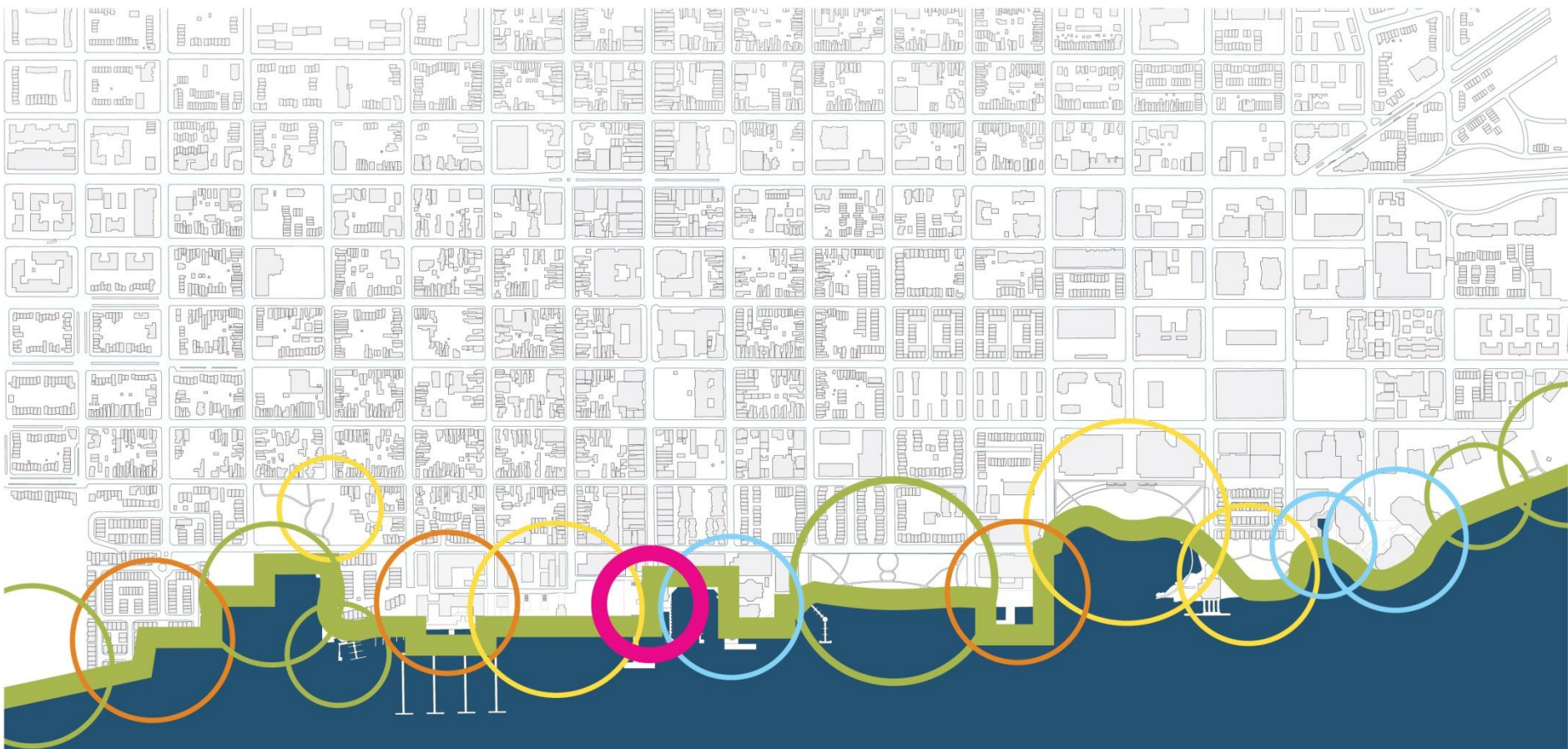


CELEBRATE HISTORY AND THE ARTS ALONG THE RIVERFRONT



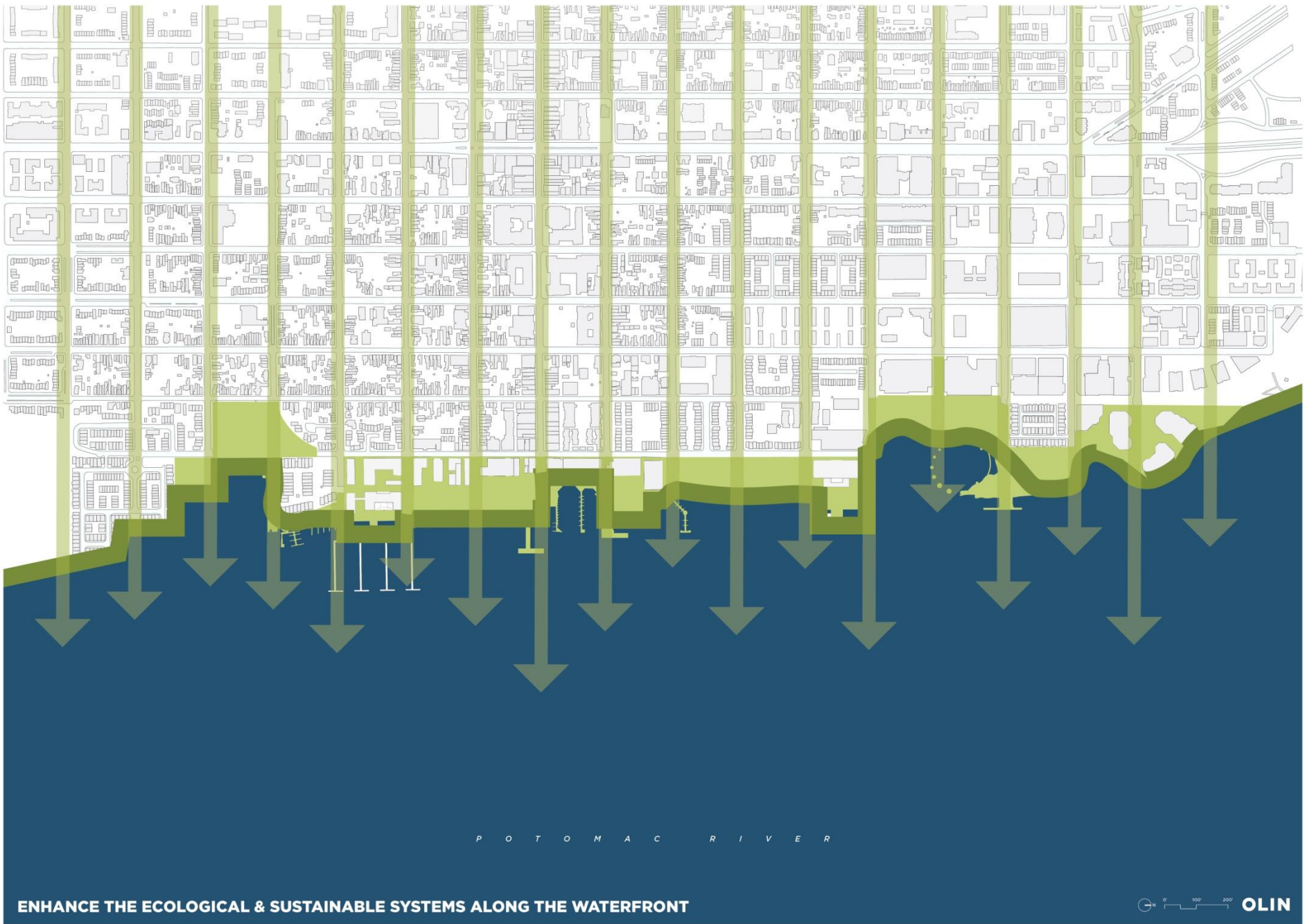
P O T O M A C R I V E R

CONNECT THE CITY TO THE WATERFRONT



P O T O M A C R I V E R

PROVIDE A VARIETY OF WATERFRONT EXPERIENCES



POTOMAC RIVER

ENHANCE THE ECOLOGICAL & SUSTAINABLE SYSTEMS ALONG THE WATERFRONT



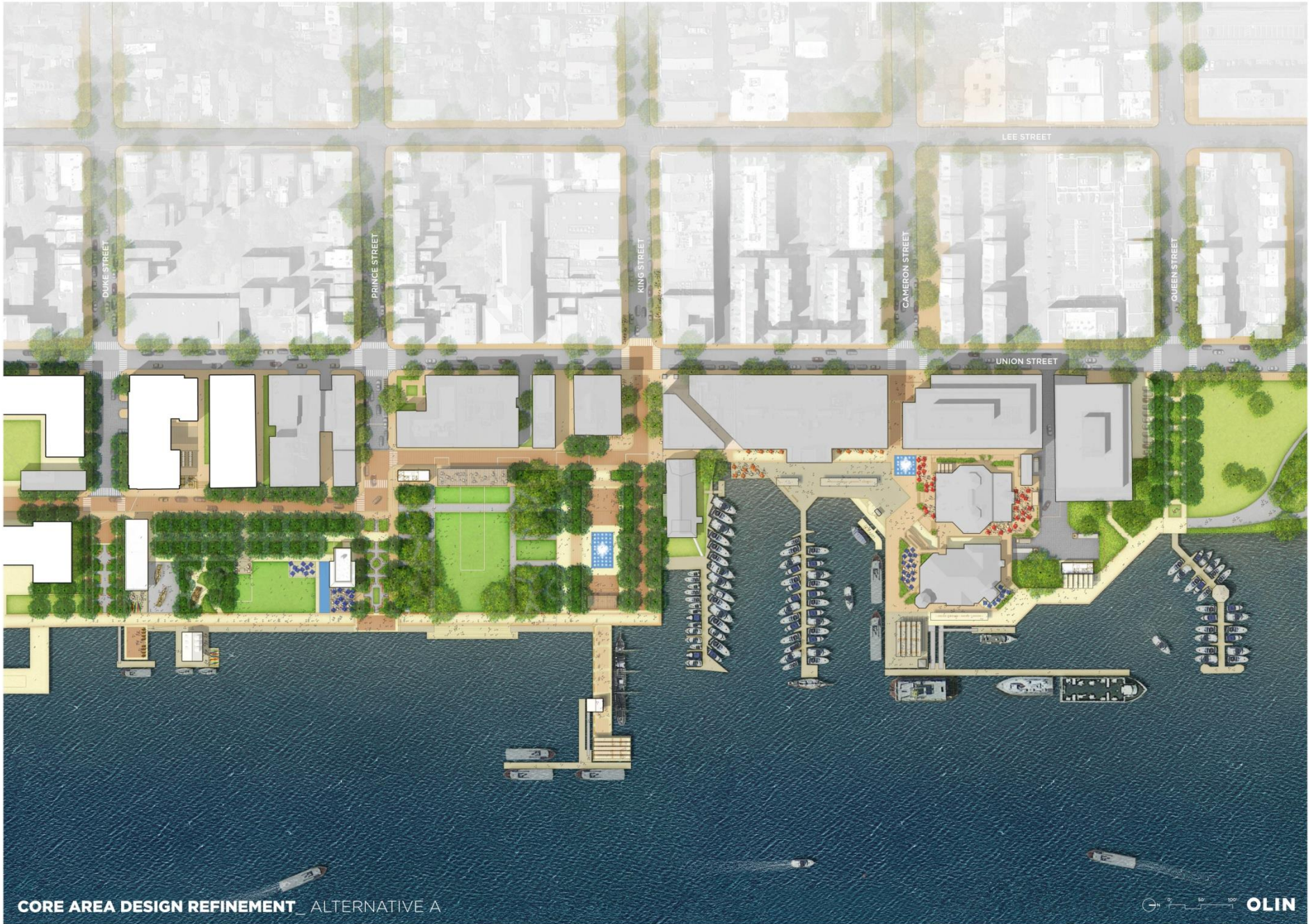
CORE AREA - DESIGN ALTERNATIVE C

OLIN



COMMUNITY MEETING #3

FEBRUARY 6, 2014 OLIN



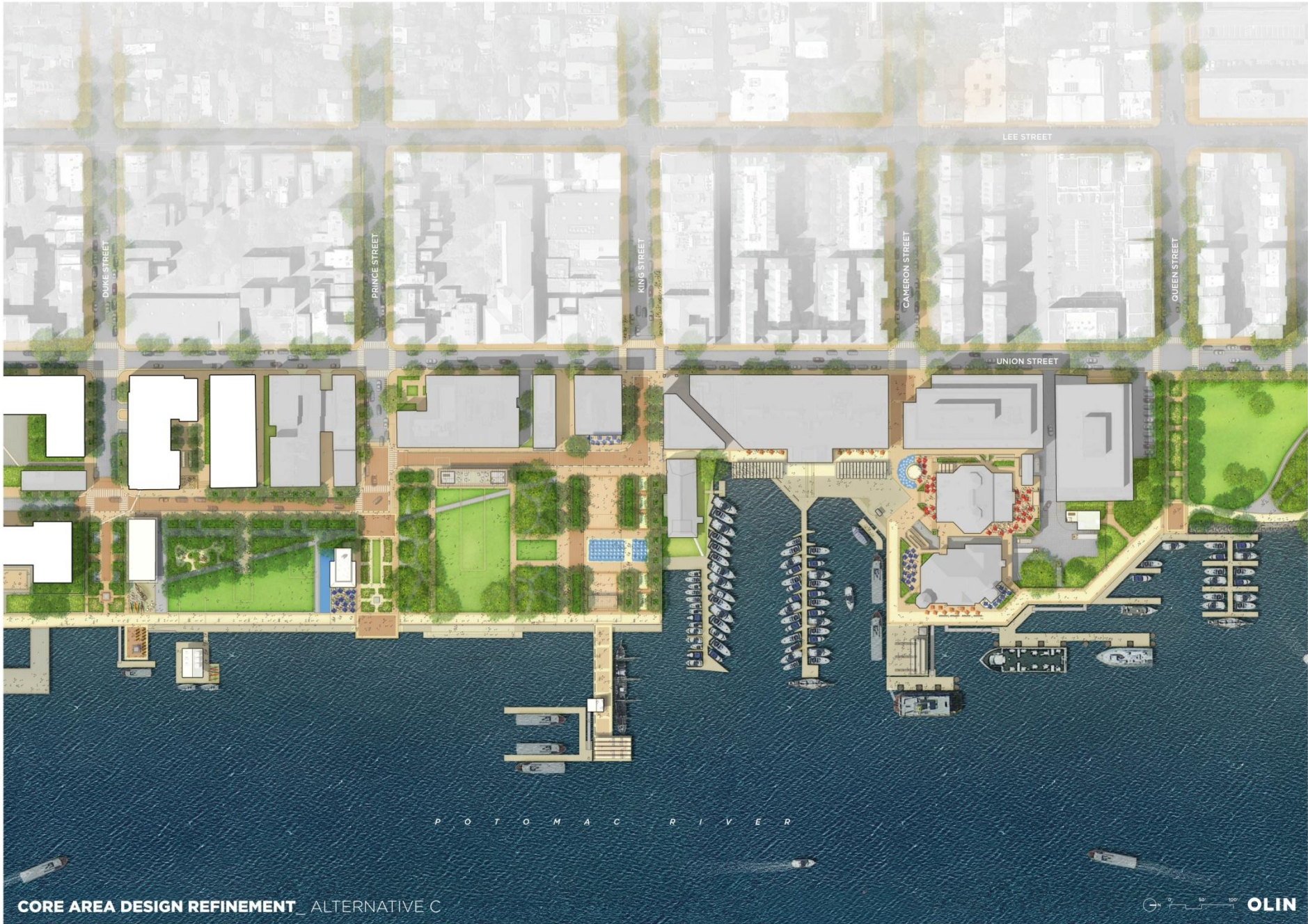


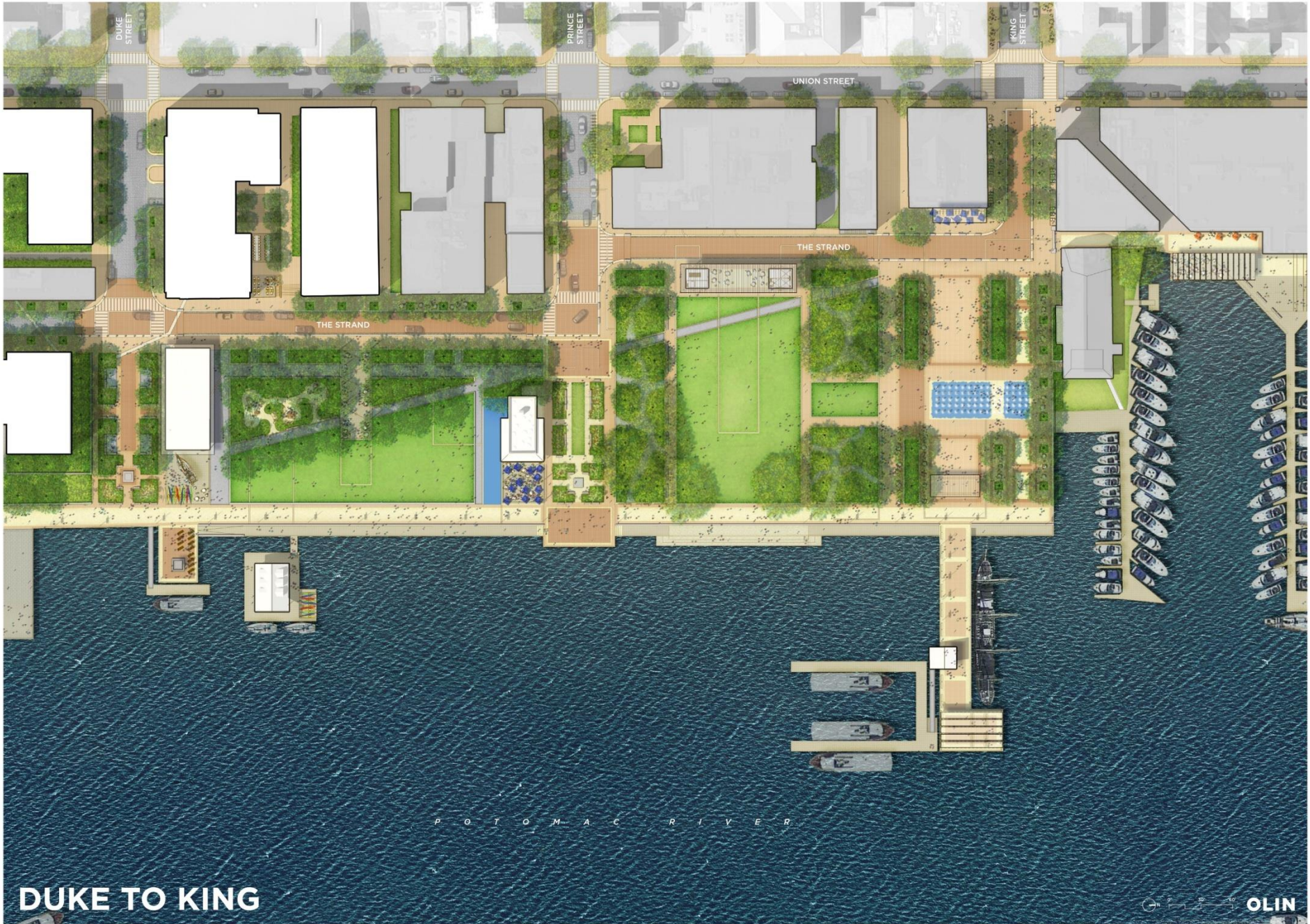


COMMUNITY MEETING #4

March 6, 2014

OLIN

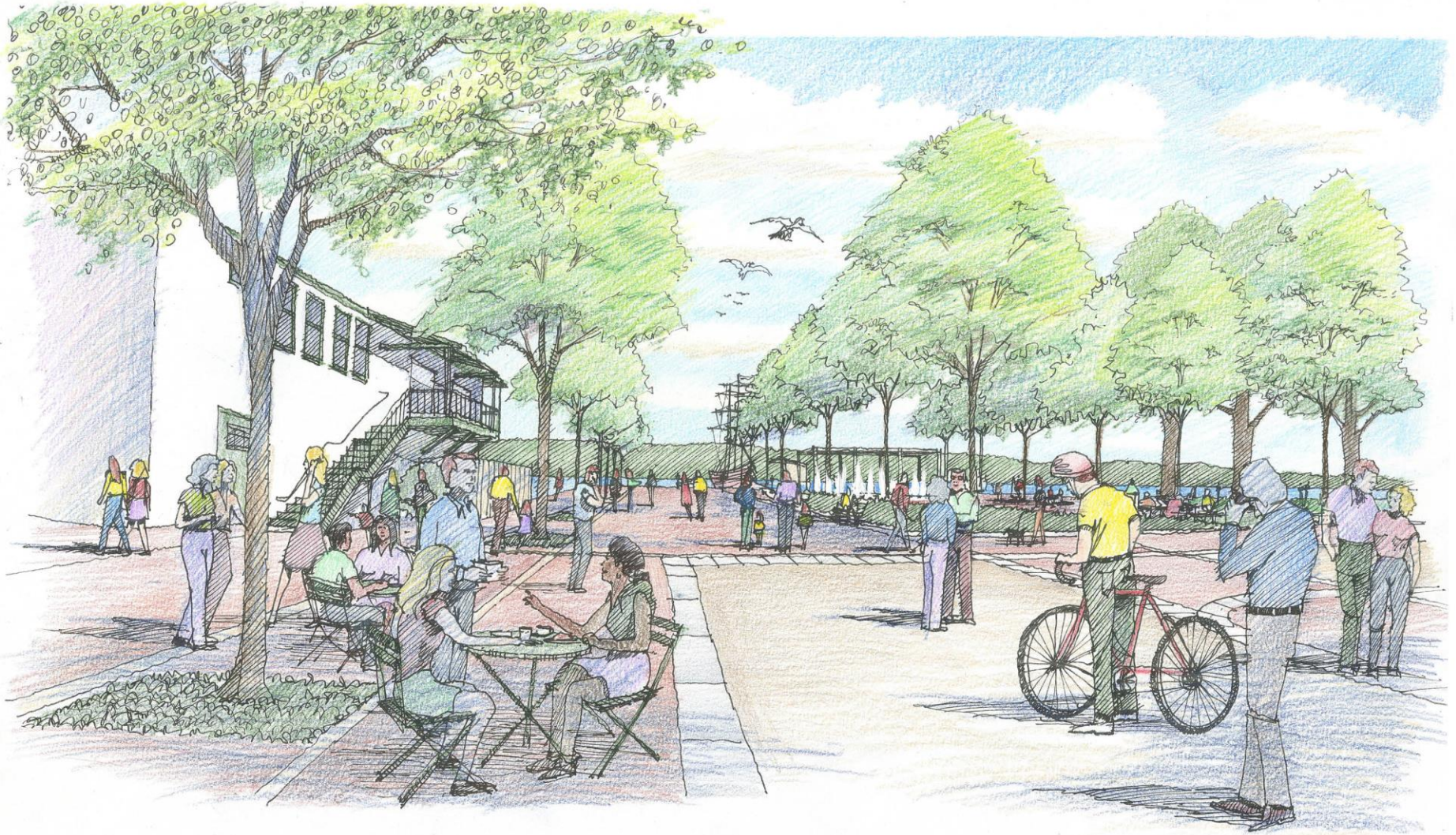




DUKE TO KING

P O T O M A C R I V E R





FOOT OF KING STREET



STRAND FROM UNIT BLOCK OF KING STREET LOOKING SOUTH



FITZGERALD SQUARE - SUMMER



FITZGERALD SQUARE - WINTER



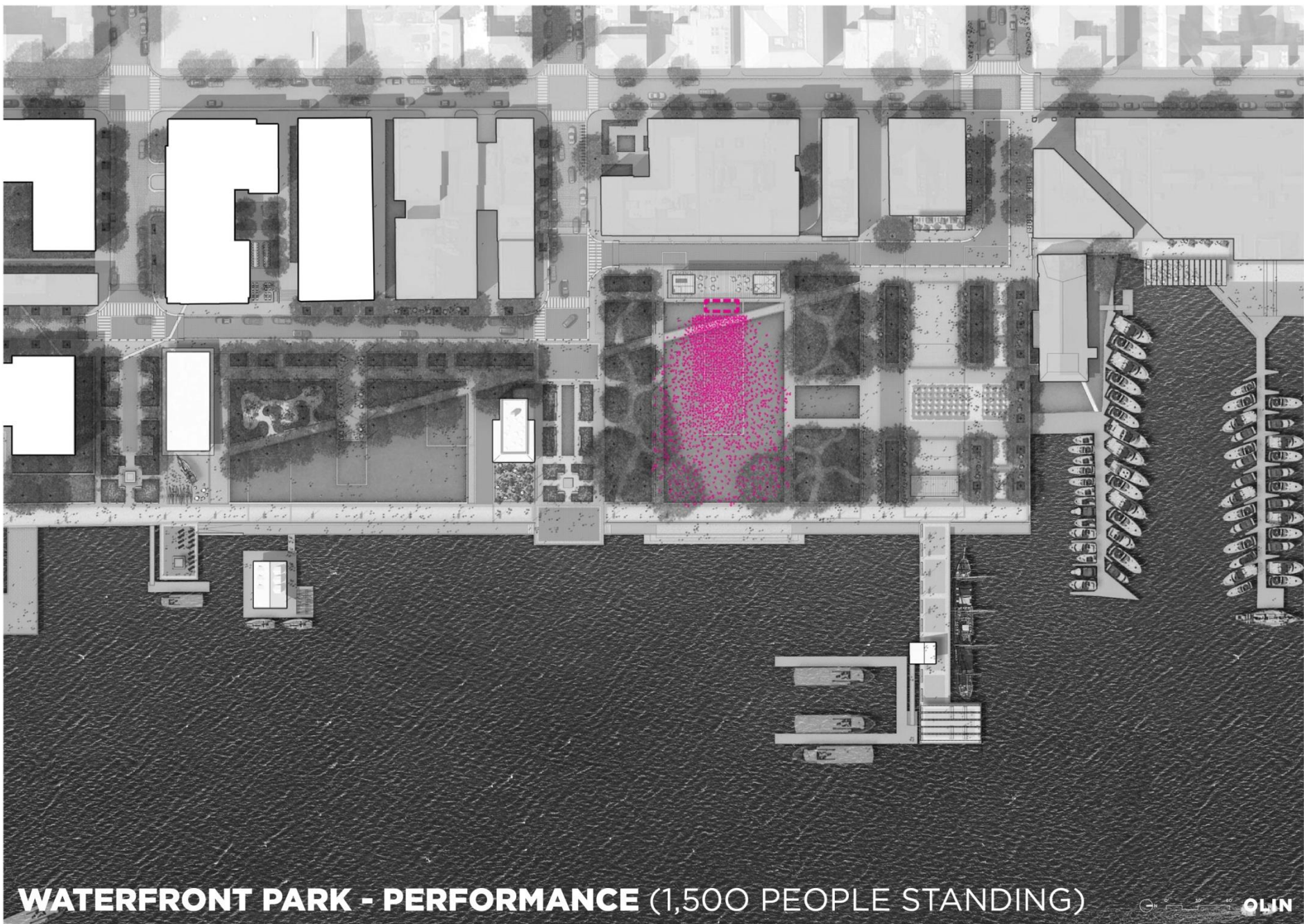
BEACHCOMBER FROM WATERFRONT PROMENADE



POINT LUMLEY PARK FROM THE WATERFRONT PROMENADE



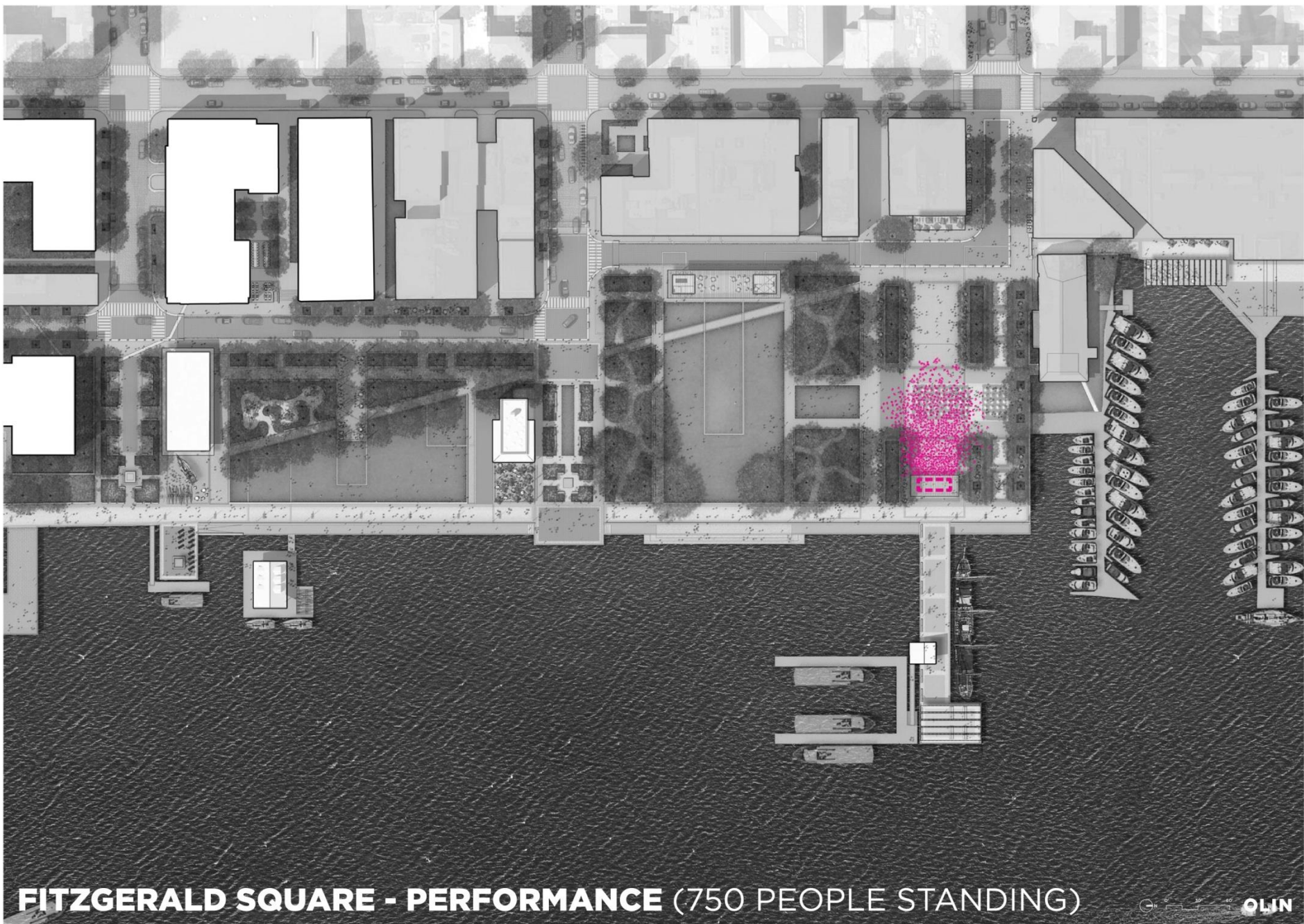
WATERFRONT PARK - OUTDOOR MOVIE (500 PEOPLE SEATED)



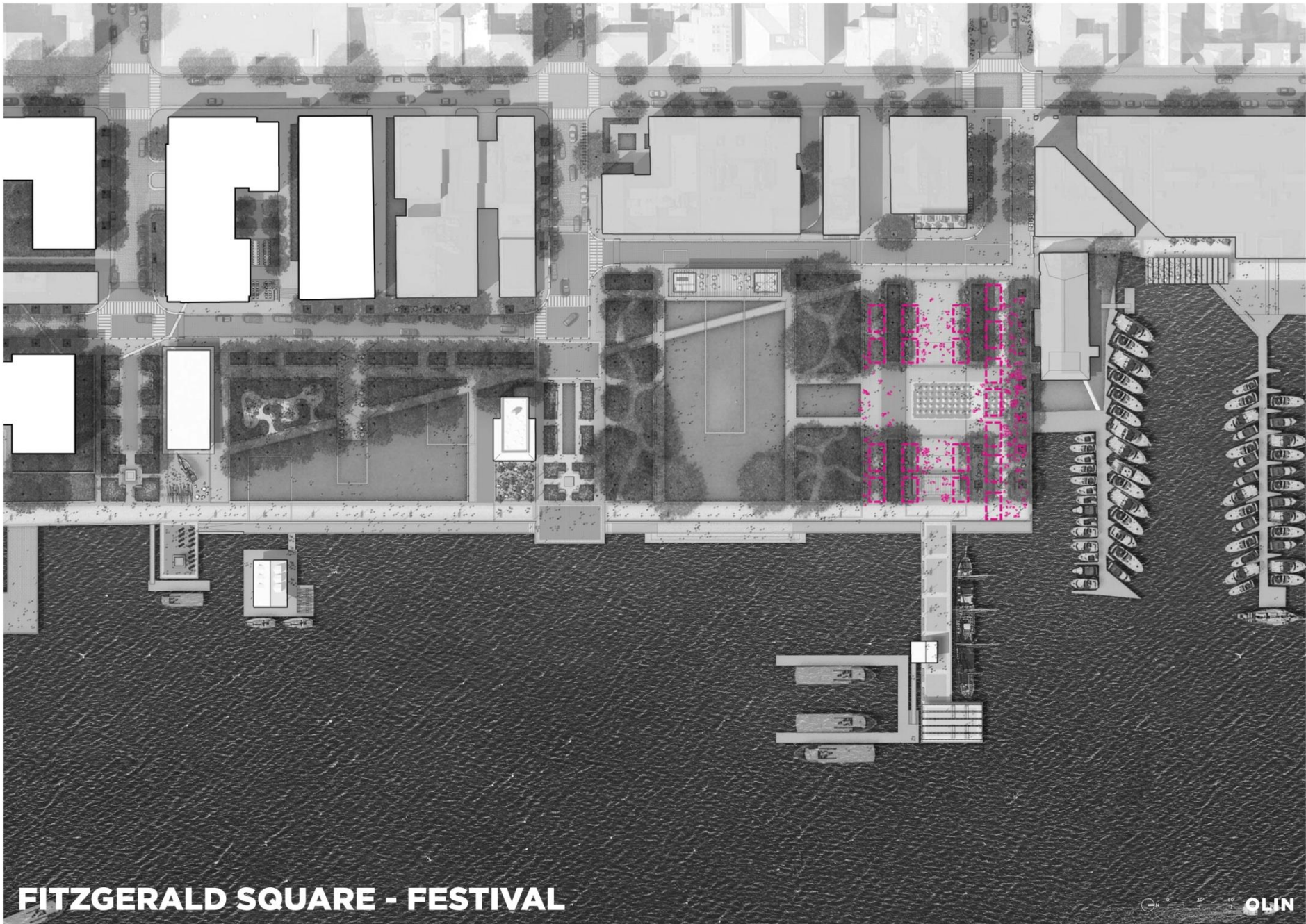
WATERFRONT PARK - PERFORMANCE (1,500 PEOPLE STANDING)



WATERFRONT PARK - FESTIVAL



FITZGERALD SQUARE - PERFORMANCE (750 PEOPLE STANDING)



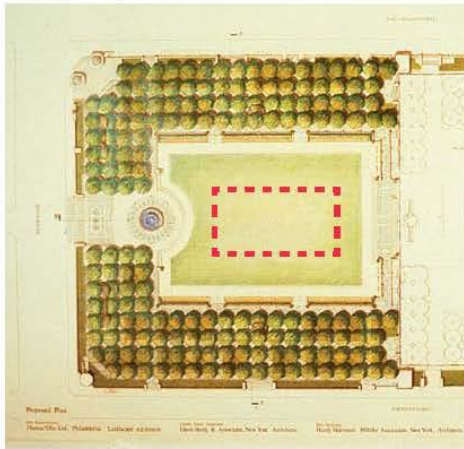
FITZGERALD SQUARE - FESTIVAL



FITZGERALD SQUARE - ICE SKATING (7,000 SF - 140 SKATERS)

Option 1 - Temporary

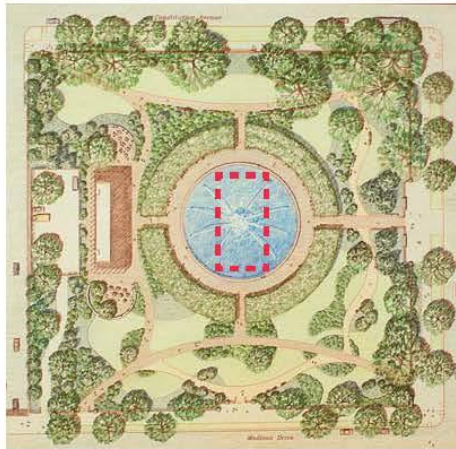
(annual rental of all components)



Bryant Park, NY

Option 2 - Permanent

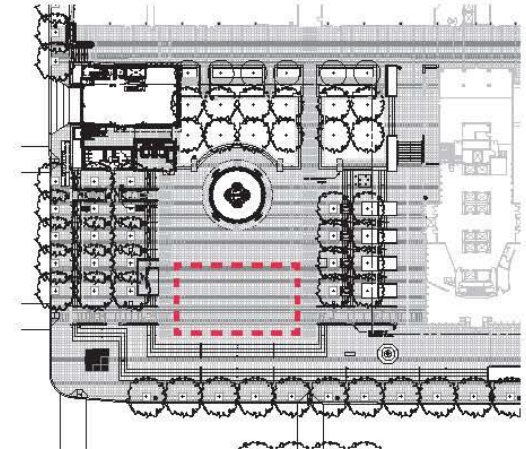
(all components purchased and installed on site)



National Gallery of Art, DC - Standard Rink

Option 3 - Hybrid

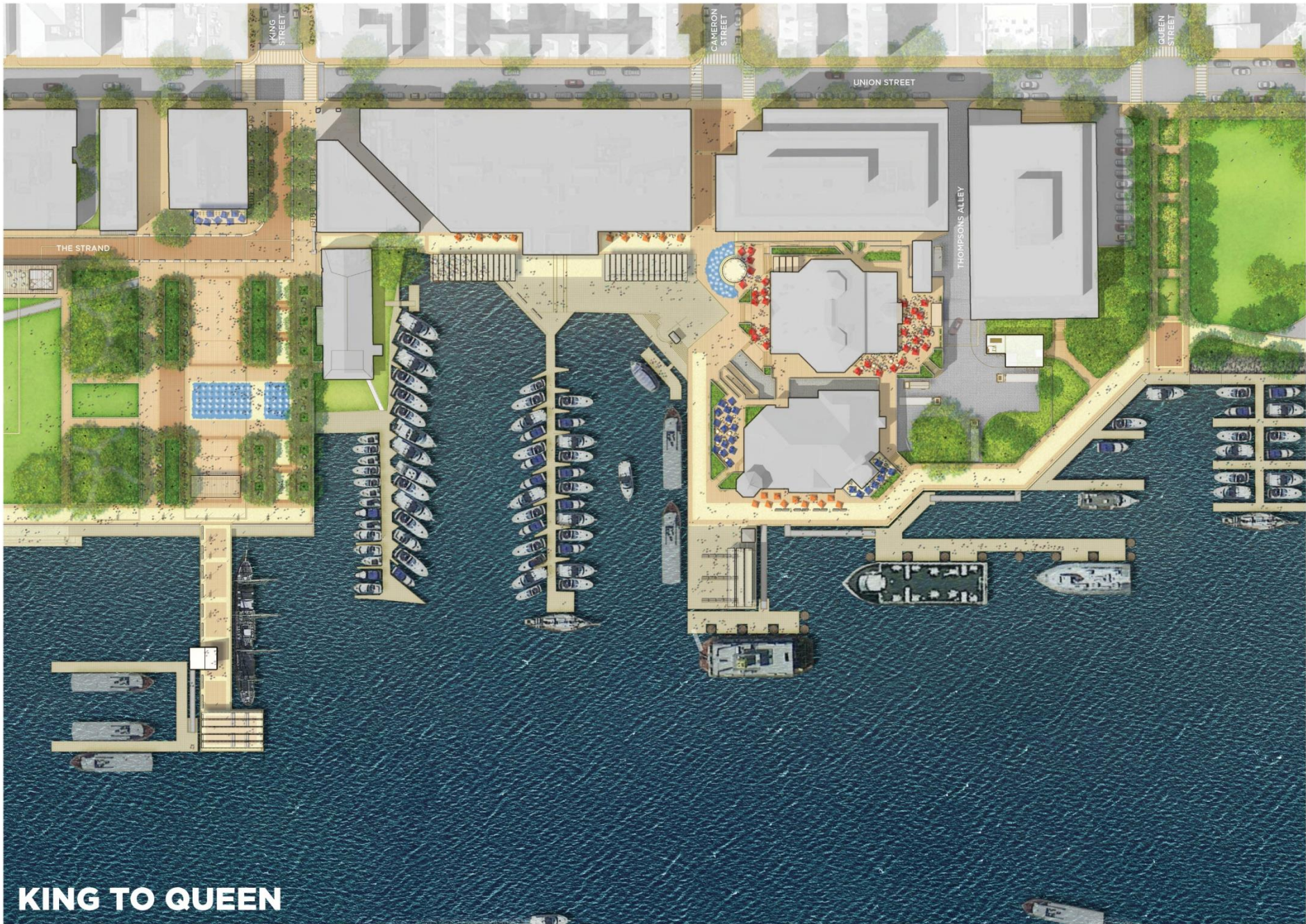
(modified mechanical system installed, other components rented annually)



Fountain Square, OH



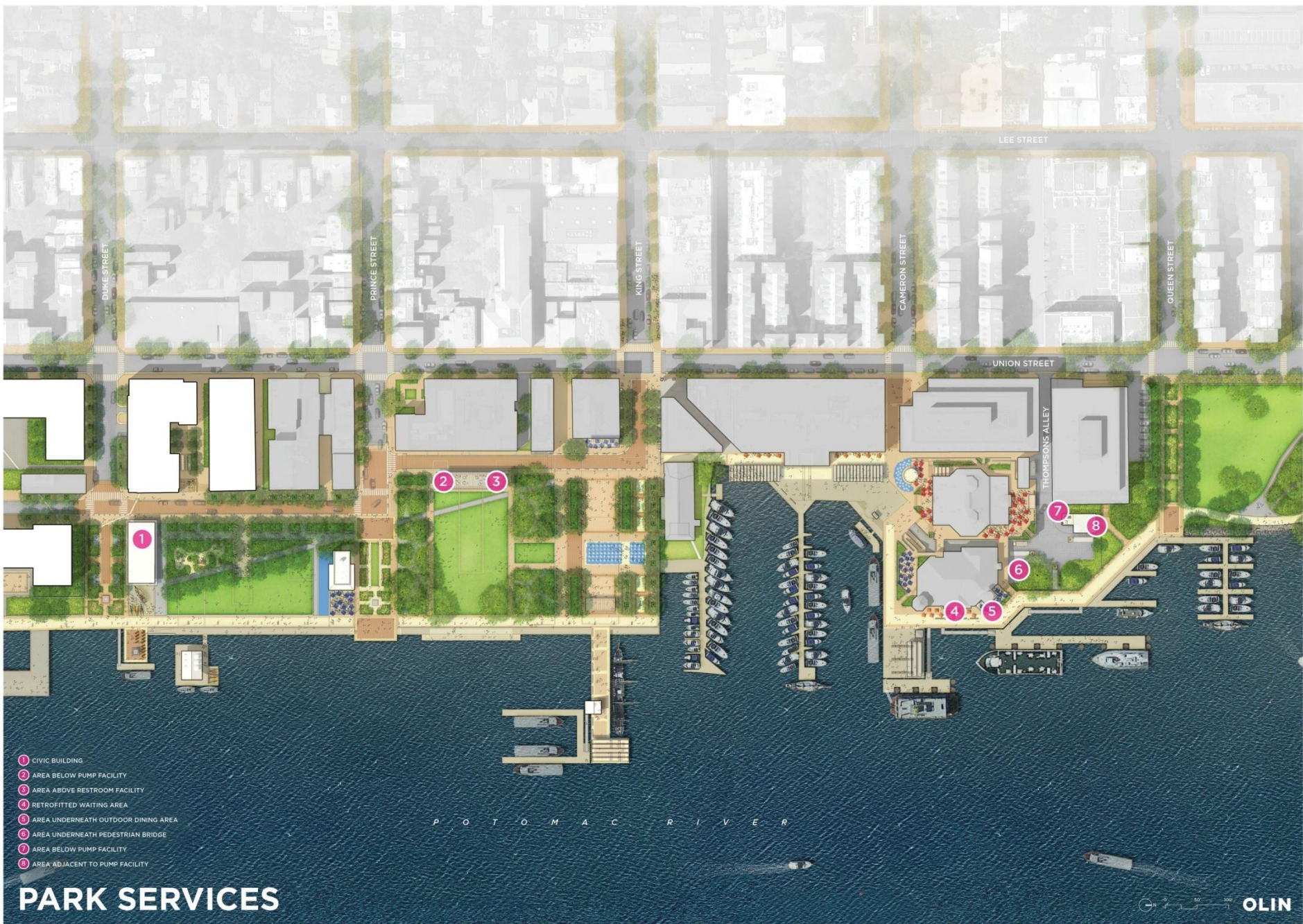
Canal Park, DC - Loop Rink



KING TO QUEEN



TORPEDO FACTORY / MARINA - SMALL PERFORMANCE



- 1 CIVIC BUILDING
- 2 AREA BELOW PUMP FACILITY
- 3 AREA ABOVE RESTROOM FACILITY
- 4 RETROFITTED WAITING AREA
- 5 AREA UNDERNEATH OUTDOOR DINING AREA
- 6 AREA UNDERNEATH PEDESTRIAN BRIDGE
- 7 AREA BELOW PUMP FACILITY
- 8 AREA ADJACENT TO PUMP FACILITY

P O T O M A C R I V E R

PARK SERVICES

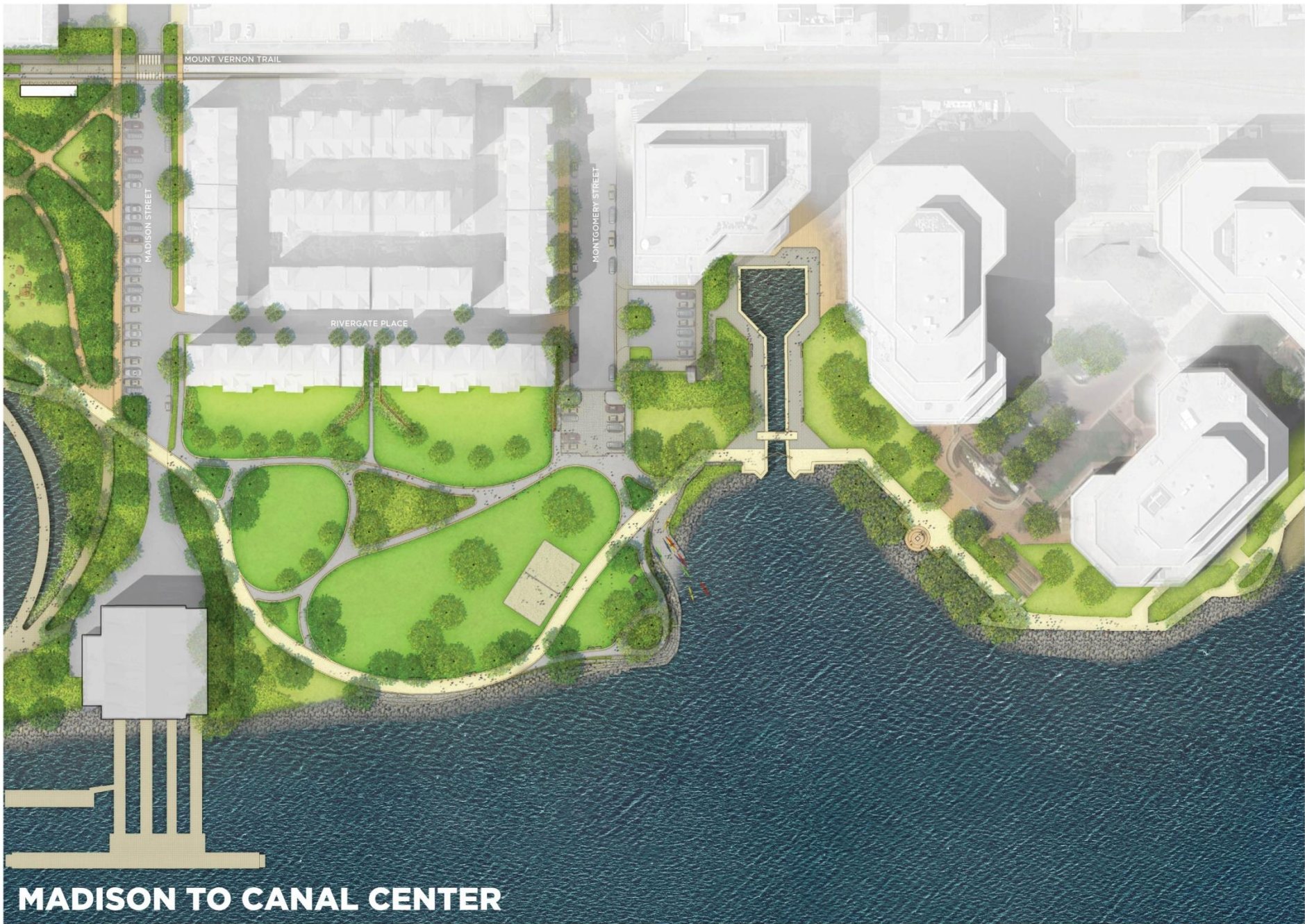
An aerial photograph of a large, diverse crowd of people gathered on a vast, green lawn. The people are scattered across the entire frame, some sitting on blankets, others standing in small groups, and many walking. The perspective is from directly above, looking down on the scene. The text "CONCEPT DESIGNS OUTSIDE CORE AREA" is overlaid in the center of the image, and "OLIN" is overlaid in the bottom right corner.

CONCEPT DESIGNS OUTSIDE CORE AREA

OLIN



MADISON TO CANAL CENTER



MADISON TO CANAL CENTER



MADISON TO CANAL CENTER



RIVERGATE CITY PARK - EXISTING



RIVERGATE CITY PARK - PROPOSED

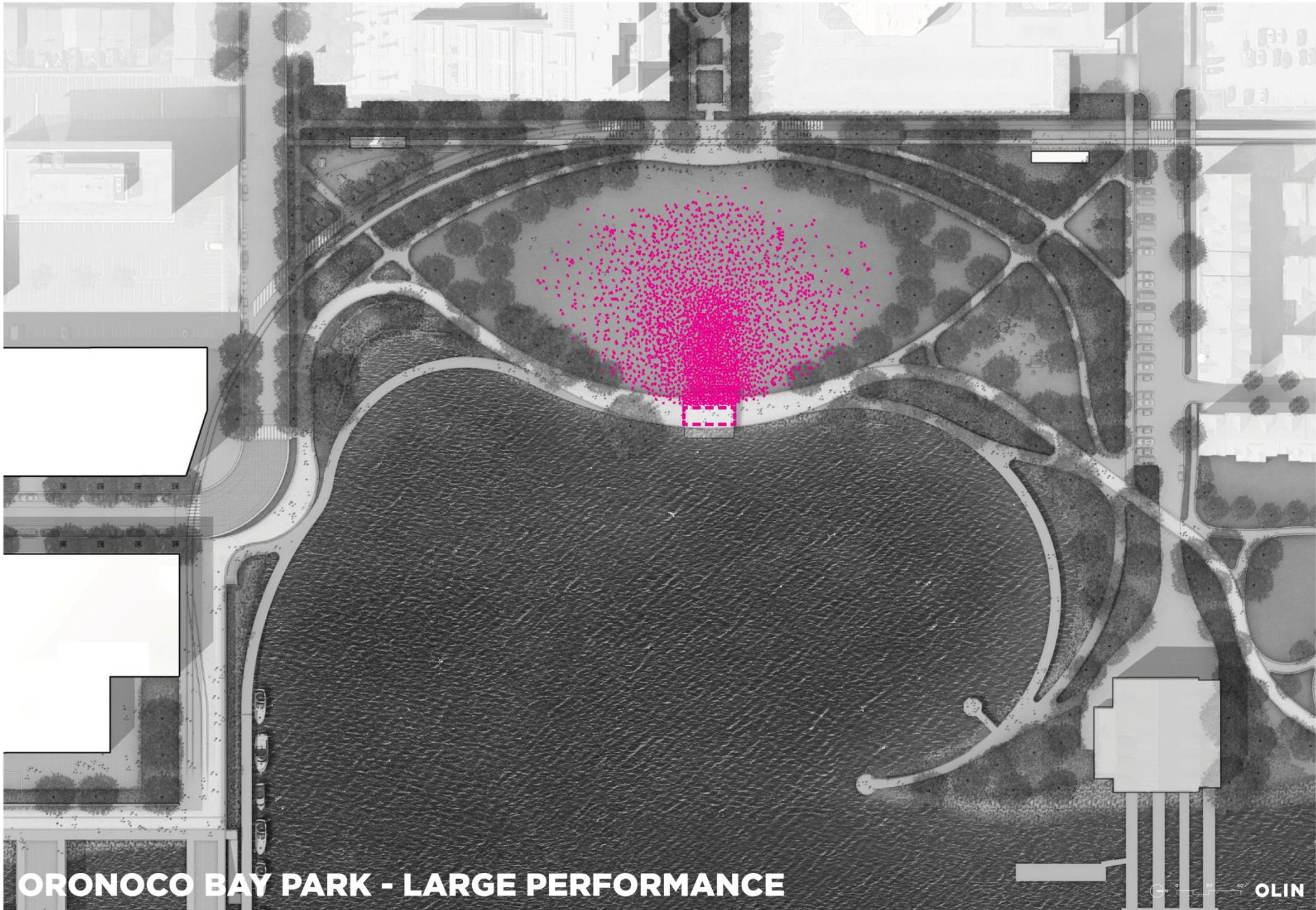


ORONOCO TO MADISON

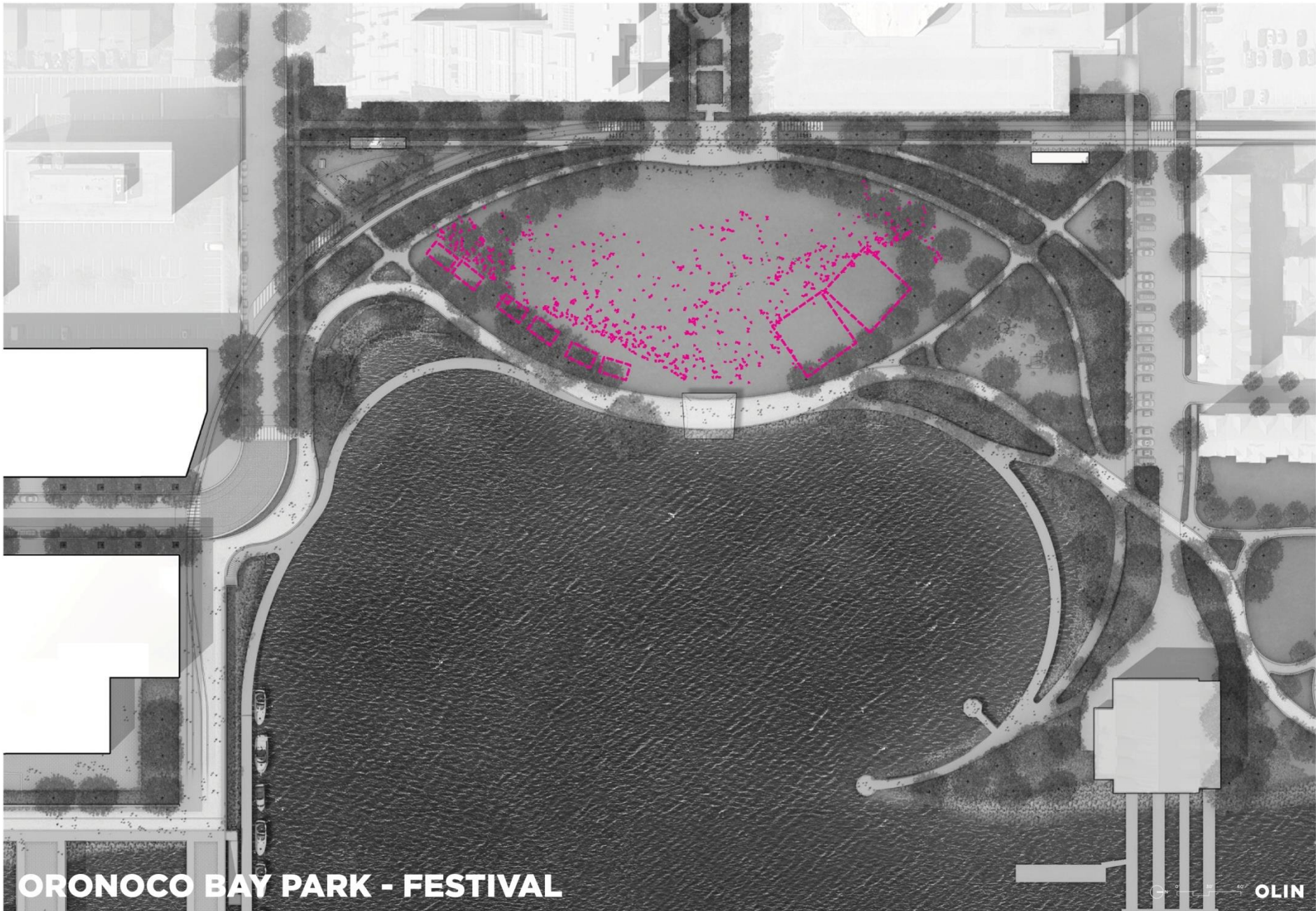
OLIN

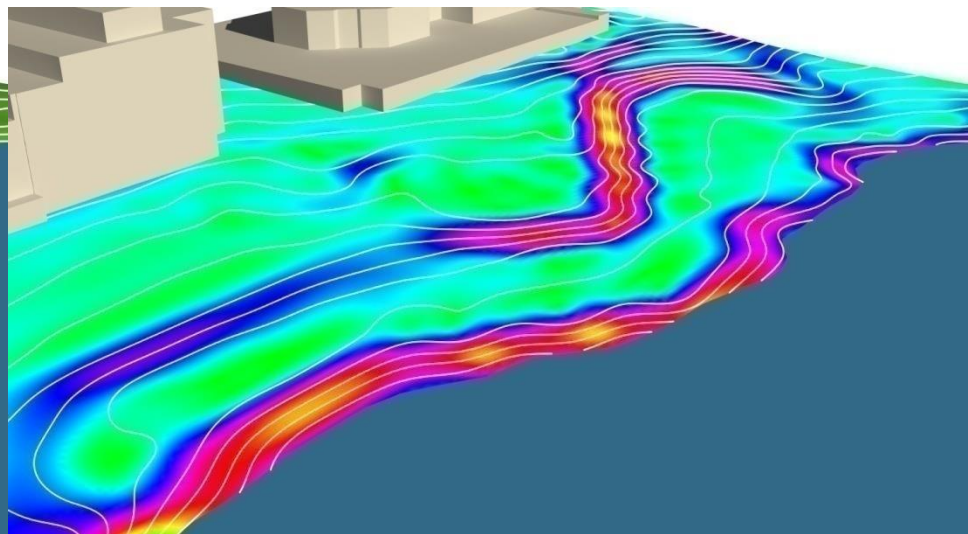
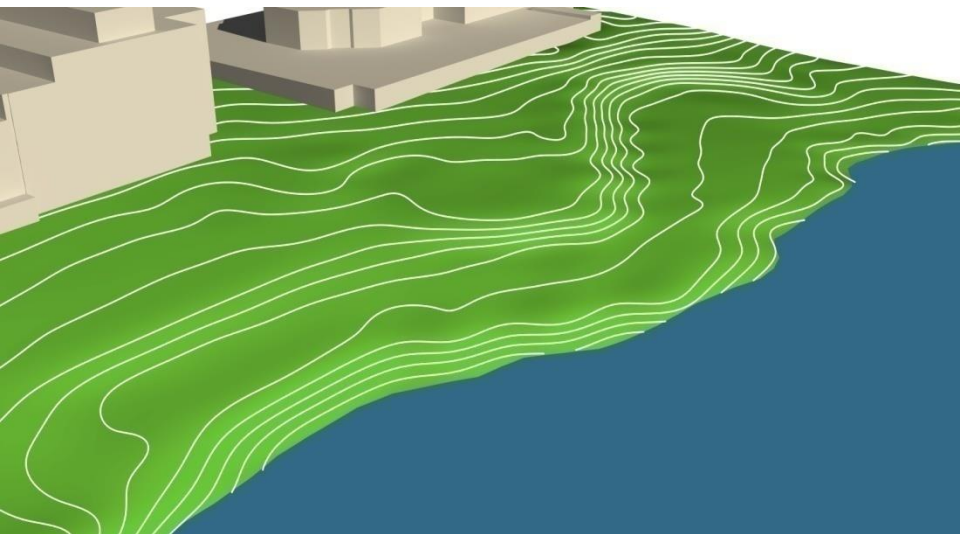


ORONOCO TO MADISON

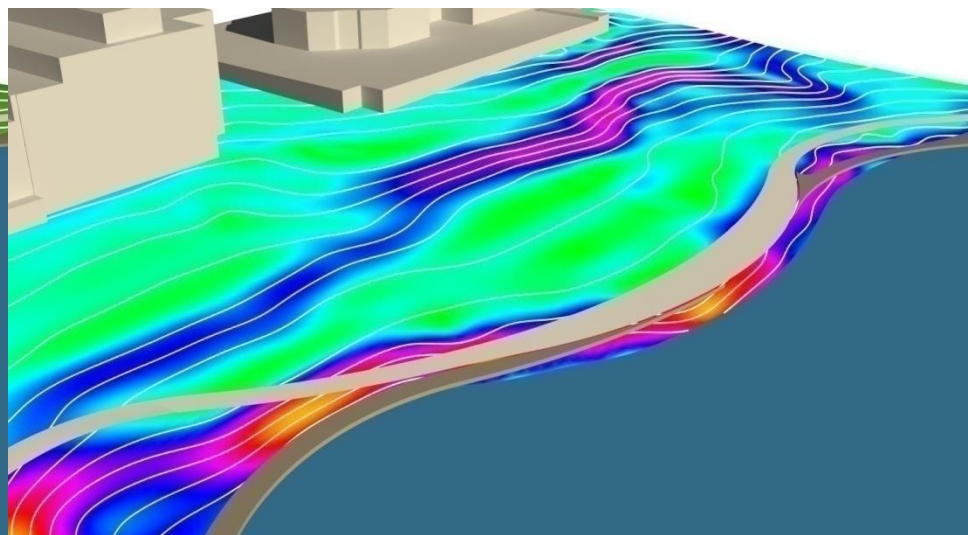


ORONOCO BAY PARK - LARGE PERFORMANCE





EXISTING LAWN FORM



PROPOSED LAWN FORM



ORONOCO TO MADISON – ORONOCO BAY PARK



ORONOCO BAY PARK - EXISTING



ORONOCO BAY PARK - EXISTING



ORONOCO BAY PARK - EXISTING



ORONOCO BAY PARK - PROPOSED



RALPH'S GUTT - EXISTING



RALPH'S GUTT - PROPOSED



QUEEN TO ORONOCO



QUEEN TO ORANOCO



QUEEN TO ORONOCO – FOUNDERS PARK



FOUNDERS PARK - EXISTING



FOUNDERS PARK - EXISTING



FOUNDERS PARK - PROPOSED



An aerial photograph of a large, diverse crowd of people gathered on a vast, green lawn. The people are scattered across the entire frame, some sitting on blankets, others standing in small groups. The perspective is from directly above, looking down on the scene. The text "COMMON ELEMENTS – ART & HISTORY" is overlaid in the center-right area of the image.

COMMON ELEMENTS – ART & HISTORY

OLIN



- ELEMENTS INCORPORATED INTO THE LANDSCAPE DESIGN
- COMMISSIONED ART & HISTORY INSTALLATIONS
- INTERPRETATIVE SIGNAGE AND WAYFINDING
- THEMATIC WALK MEDALLIONS







EMBRACE HISTORY

OLIN



EMBRACE HISTORY

OLIN



EMBRACE HISTORY

OLIN



FOUNDATIONS – INTEGRATED ART ELEMENTS

OLIN

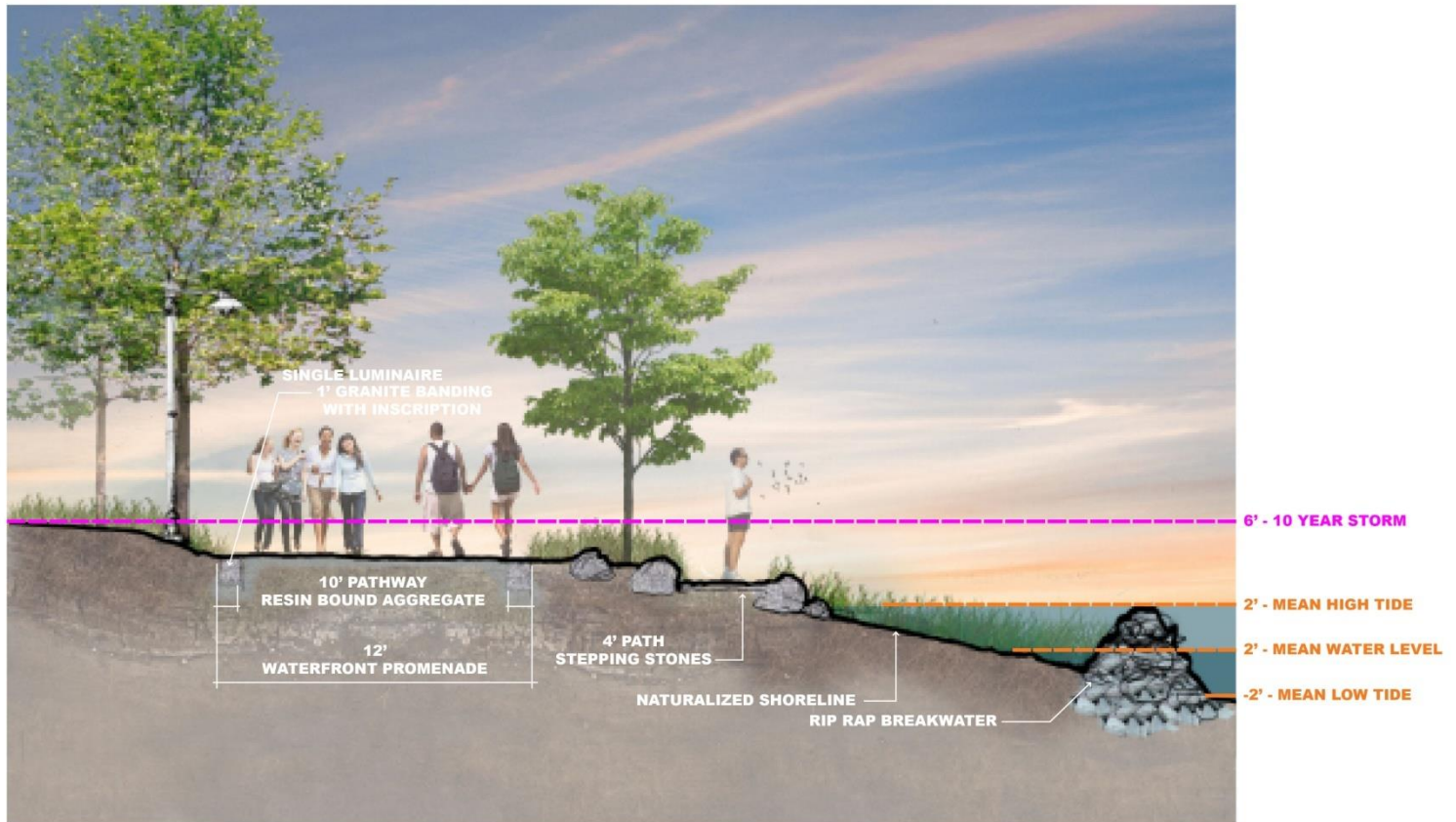
An aerial photograph showing a large, diverse crowd of people scattered across a vast, green lawn. The people are engaged in various activities, some sitting on blankets, others standing and talking. The scene is bright and sunny, with shadows cast by the people. The text "COMMON ELEMENTS – CONTINUOUS WATERFRONT PATH" is overlaid in the center of the image.

COMMON ELEMENTS – CONTINUOUS WATERFRONT PATH

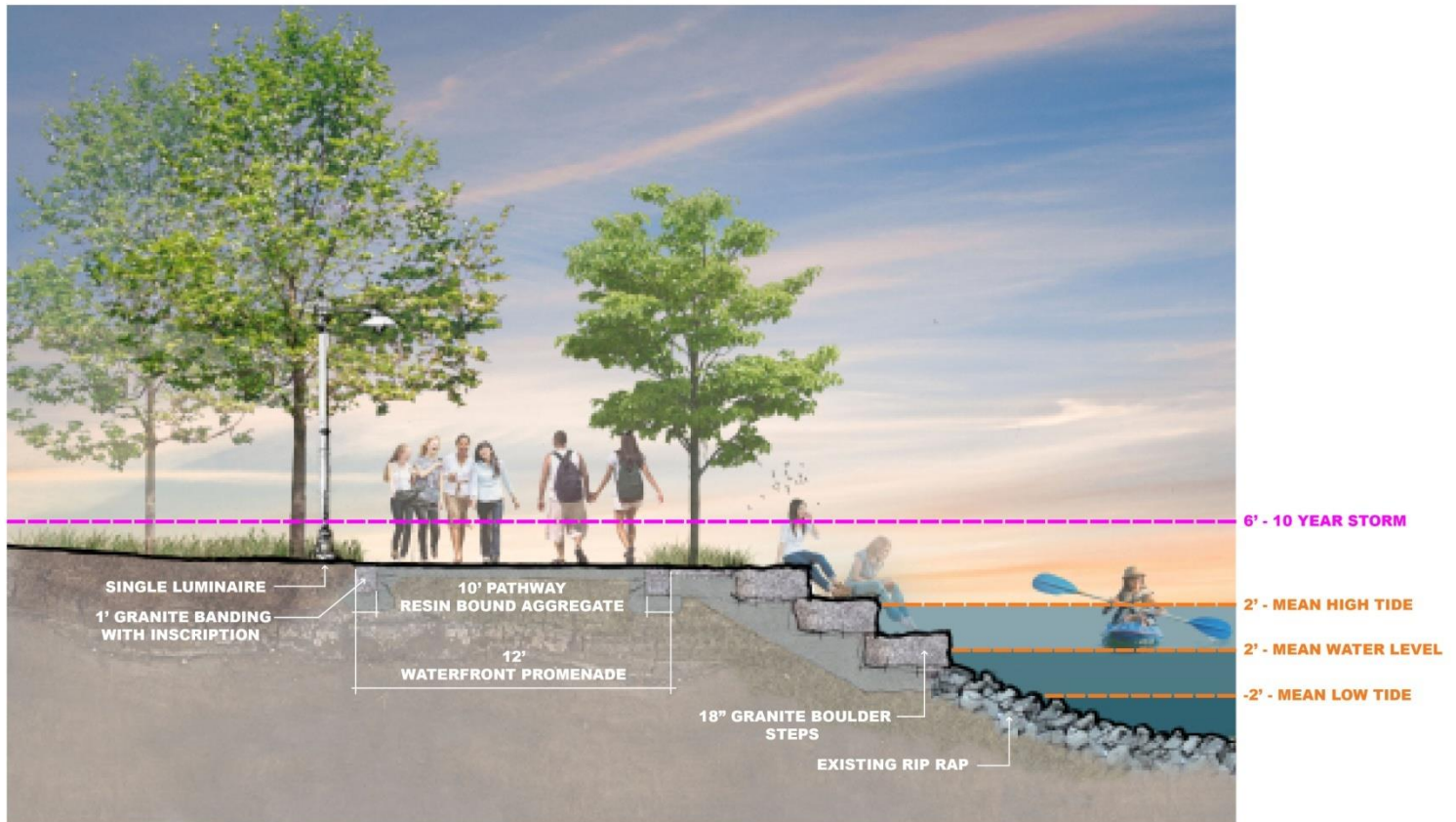
OLIN



CONTINUOUS WATERFRONT PATH

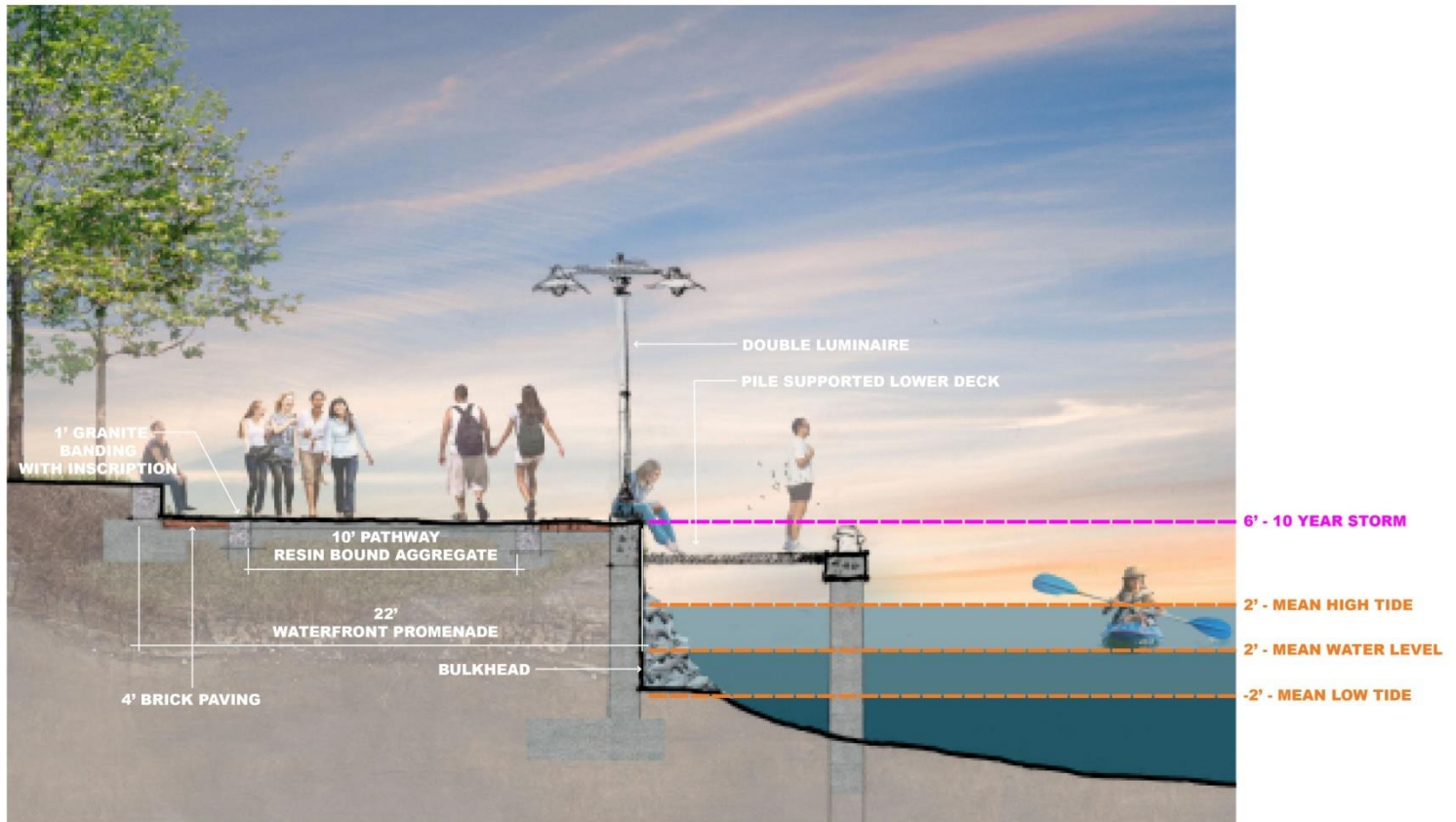
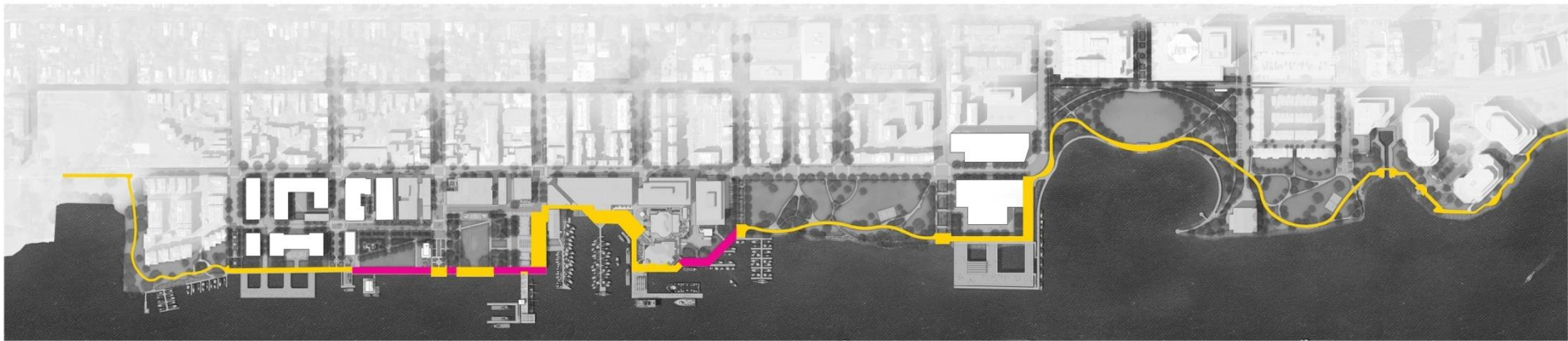


CONTINUOUS PATH WITH LOWER PATH & NATURALIZED SHORE OLIN



CONTINUOUS PATH WITH BOULDER STEPS

OLIN



































An aerial photograph of a large, diverse crowd of people gathered on a vast, green lawn. The people are scattered across the entire frame, some sitting on blankets, others standing or walking. The perspective is from directly above, looking down on the scene. The text "COMMON ELEMENTS - SUSTAINABILITY" is overlaid in the center of the image, with a thin horizontal line extending from the left edge to the end of the text.

COMMON ELEMENTS - SUSTAINABILITY

OLIN



SUSTAINABILITY AND ECOLOGICAL SYSTEMS

	SOCIAL <ul style="list-style-type: none"> •Quality of the space •Opportunities for interaction •Financial 	MATERIALS <ul style="list-style-type: none"> •Durability / Maintenance •Local •Responsible production 	HABITAT ENHANCEMENT THROUGH PLANTING <ul style="list-style-type: none"> •Native / Adaptive •Biodiversity •Low maintenance 	ENERGY <ul style="list-style-type: none"> •Renewable Solar •Urban heat island mitigation •Efficient Lighting 	WATER <ul style="list-style-type: none"> •Quality •Stormwater Management •Potential for Reuse
WILKES – DUKE					
DUKE - KING					
KING - QUEEN					
QUEEN - ORONOCO					
PENDLETON - MADISON					
MADISON - MONTGOMERY					





WATER RECEIVING
TREE PITS

WASHINGTON CANAL PARK WASHINGTON, DC



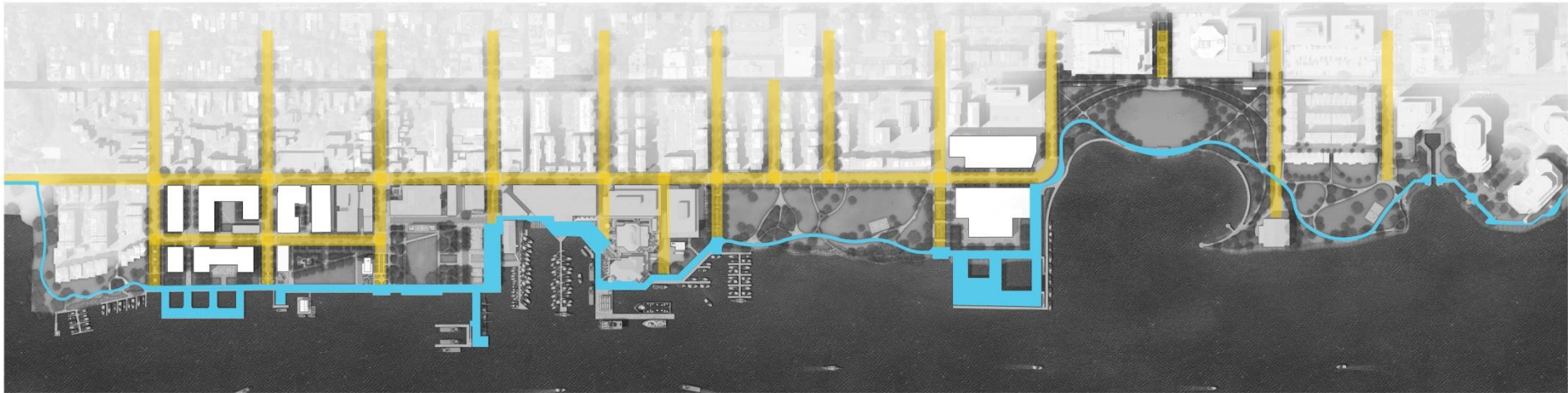
MILL RIVER PARK & GREENWAY STAMFORD, CT

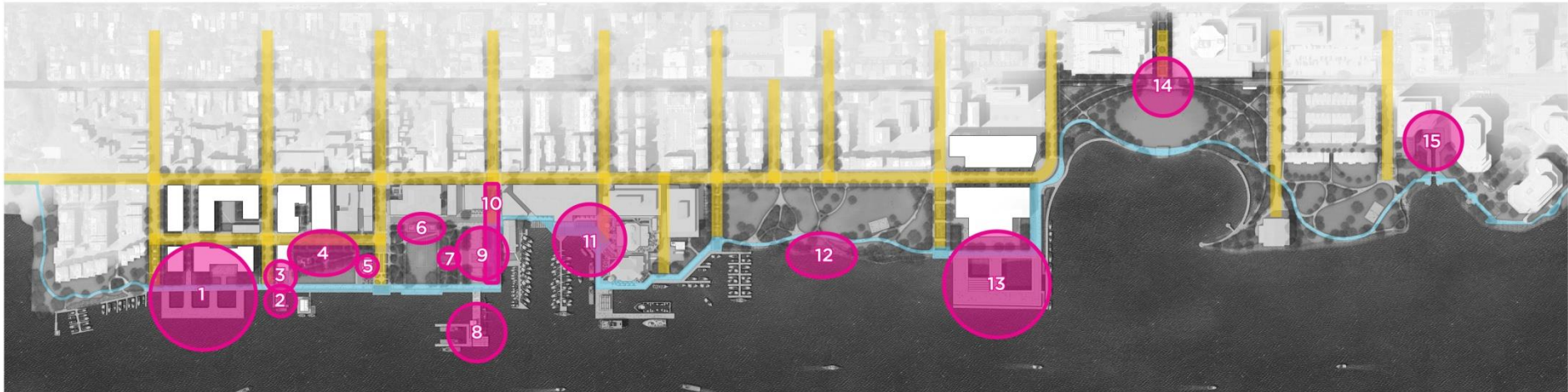
An aerial photograph of a large, diverse crowd of people gathered on a vast, green lawn. The people are scattered across the entire frame, some sitting on blankets, others standing in small groups. The perspective is from directly above, looking down on the scene. The text "COMMON ELEMENTS - MATERIALS" is overlaid in the center-right area of the image.

COMMON ELEMENTS - MATERIALS

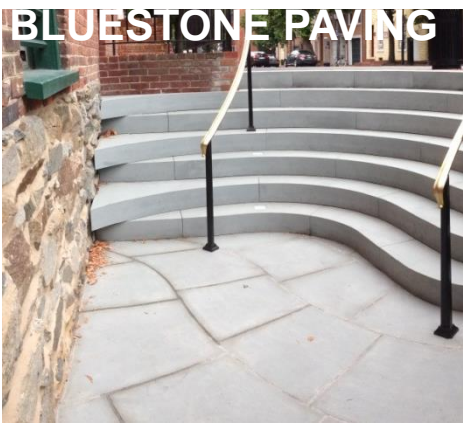
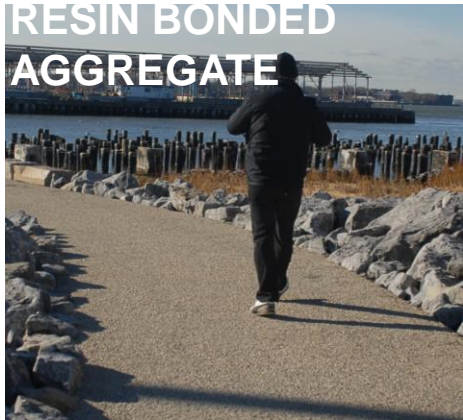
OLIN

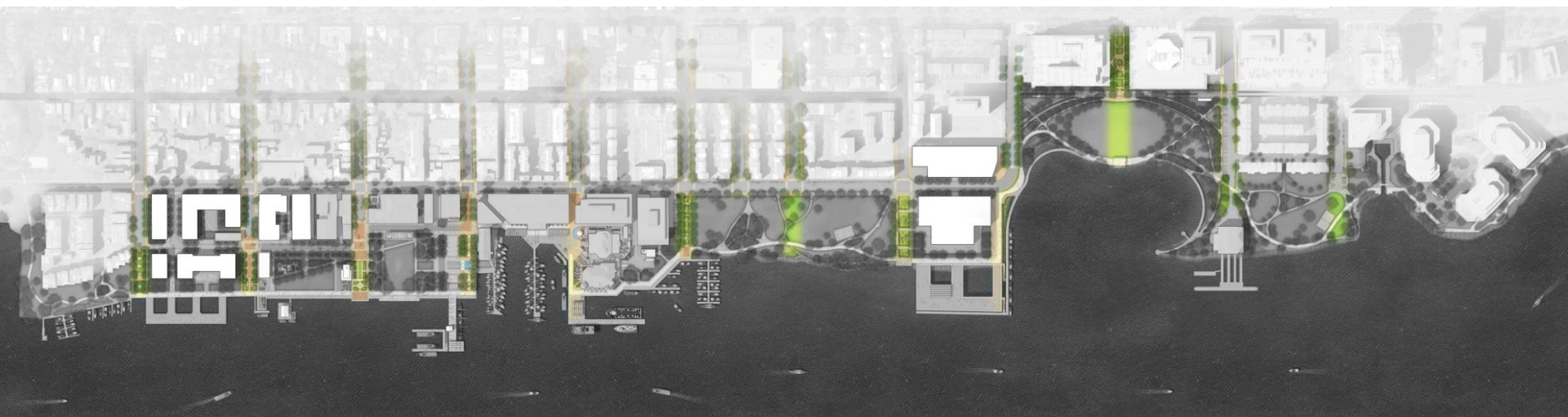






- | | |
|-------------------------------|--------------------------------|
| 1 RTS PIER | 9 FITZGERALD SQUARE |
| 2 CIVIC BUILDING PLAZA | 10 KING STREET UNIT BLOCK |
| 3 POINT LUMELY PIER | 11 CITY MARINA / TORPEDO PLAZA |
| 4 POINT LUMELY WALK | 12 BOULDER STEPPING STONES |
| 5 SUN DECK AT REFLECTING POOL | 13 RTN PIER |
| 6 WATERFRONT PARK PLAZA | 14 WYTHE STREET PLAZA |
| 7 TRANSITIONAL PLAZA | 15 TIDE LOCK |
| 8 KING STREET PIER | |





REINFORCE THE STREET ENDS

OLIN



REINFORCE THE STREET ENDS

OLIN



REINFORCE THE STREET ENDS

OLIN



COMMON ELEMENTS - FURNISHINGS

OLIN



- | | |
|------------------------------------|--------------------------------|
| 1 GRANITE SEAT WALL | 9 ADIRONDACK LOUNGE CHAIRS |
| 2 LOUNGE CHAIRS | 10 STEPPED SEATING AT FOUNTAIN |
| 3 LOUNGE CHAIRS AT REFLECTING POOL | 11 PROMENADE CLASSIQUE |
| 4 ROOFTOP OUTDOOR DINING | |
| 5 WATERFRONT STEPS | |
| 6 FLEXIBLE SEATING | |
| 7 BOULDER STEPS | |
| 8 PICNIC TABLES | |



COMMON ELEMENTS - FURNISHINGS

OLIN

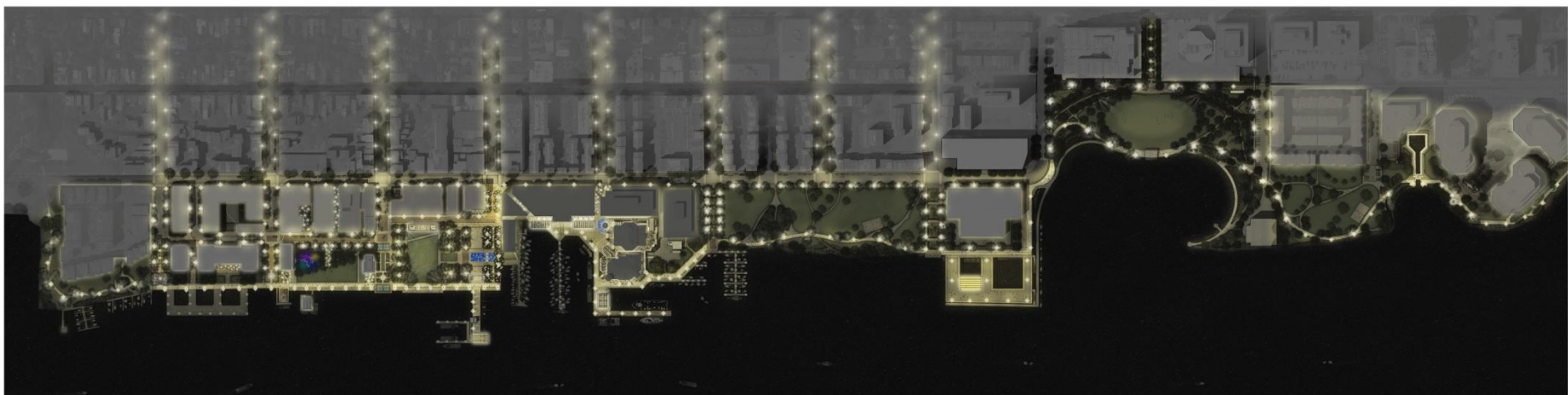


COMMON ELEMENTS - LIGHTING

OLIN



- | | | |
|---------------------------------------|-----------------------------|---|
| 1 WOLFE STREET END CATENARY LIGHTING | 9 SHADE STRUCTURE LIGHTING | 17 SHADE STRUCTURE LIGHTING |
| 2 DUKE STREET END CATENARY LIGHTING | 10 TRELIS UPLIGHTING | 18 ORONOCO STREET END CATENARY LIGHTING |
| 3 CIVIC BUILDING LIGHTING | 11 FOUNTAIN LIGHTING | 19 BOX CAR THEATER |
| 4 PLAY AREA WHIMSICAL BOLLARD LIGHTS | 12 TREE LIGHTING | 20 WYTHE STREET PLAZA LIGHTING |
| 5 WOOD DECK CATENARY LIGHTING | 13 SHADE STRUCTURE LIGHTING | 21 TIDE LOCK LIGHTING |
| 6 TRELIS UPLIGHTING | 14 TORPEDO FACTORY LIGHTING | |
| 7 PRINCE STREET END CATENARY LIGHTING | 15 SHADE STRUCTURE LIGHTING | |
| 8 WATERFRONT PARK MOONLIGHTING | 16 GAZEBO FOUNTAIN LIGHTING | |





COMMON ELEMENTS - LIGHTING

OLIN



NEXT STEPS

OLIN



PROJECT SCHEDULE

- WATERFRONT COMMISSION MEETING
- COMMUNITY MEETING
- WORKSESSION
- PUBLIC HEARING


**ODBC
DECISION**



NEW ODBC PARKING LOT 45 SPACES

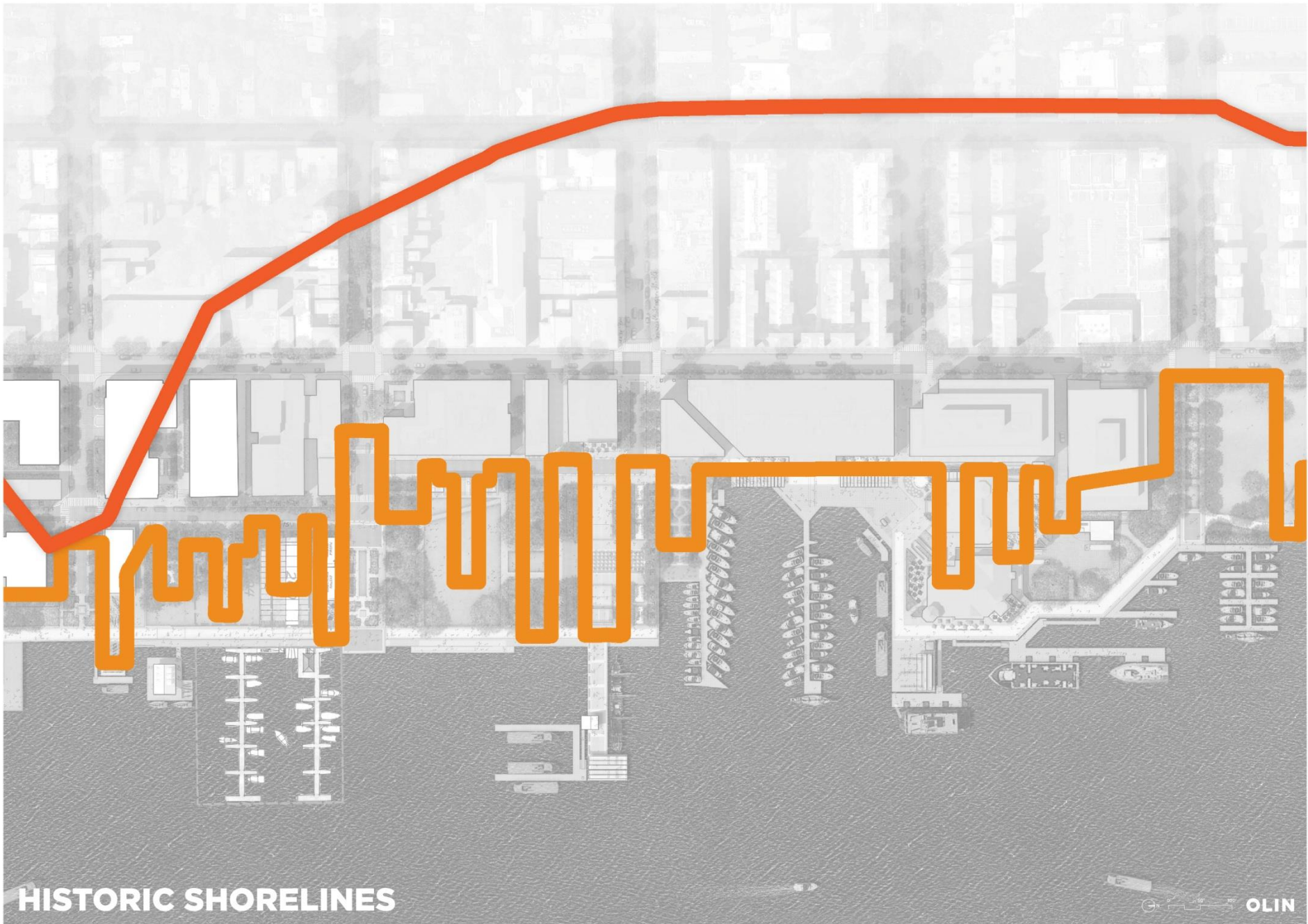
NEW ODBC CLUBHOUSE



NEW ODBC PIERS



EXISTING SHORELINE



HISTORIC SHORELINES



1. Mounting Creek Bridge to Mount Vernon. 2. Fort Lyons.
3. Fort Elsworth. 4. Fairfax Cemetery. 5. P. B. Reservoir.
6. Government House. 7. Orange & Alexandria R.R. Depot.
8. Provost Marshal's Office.

BIRD'S EYE VIEW OF ALEXANDRIA, VA

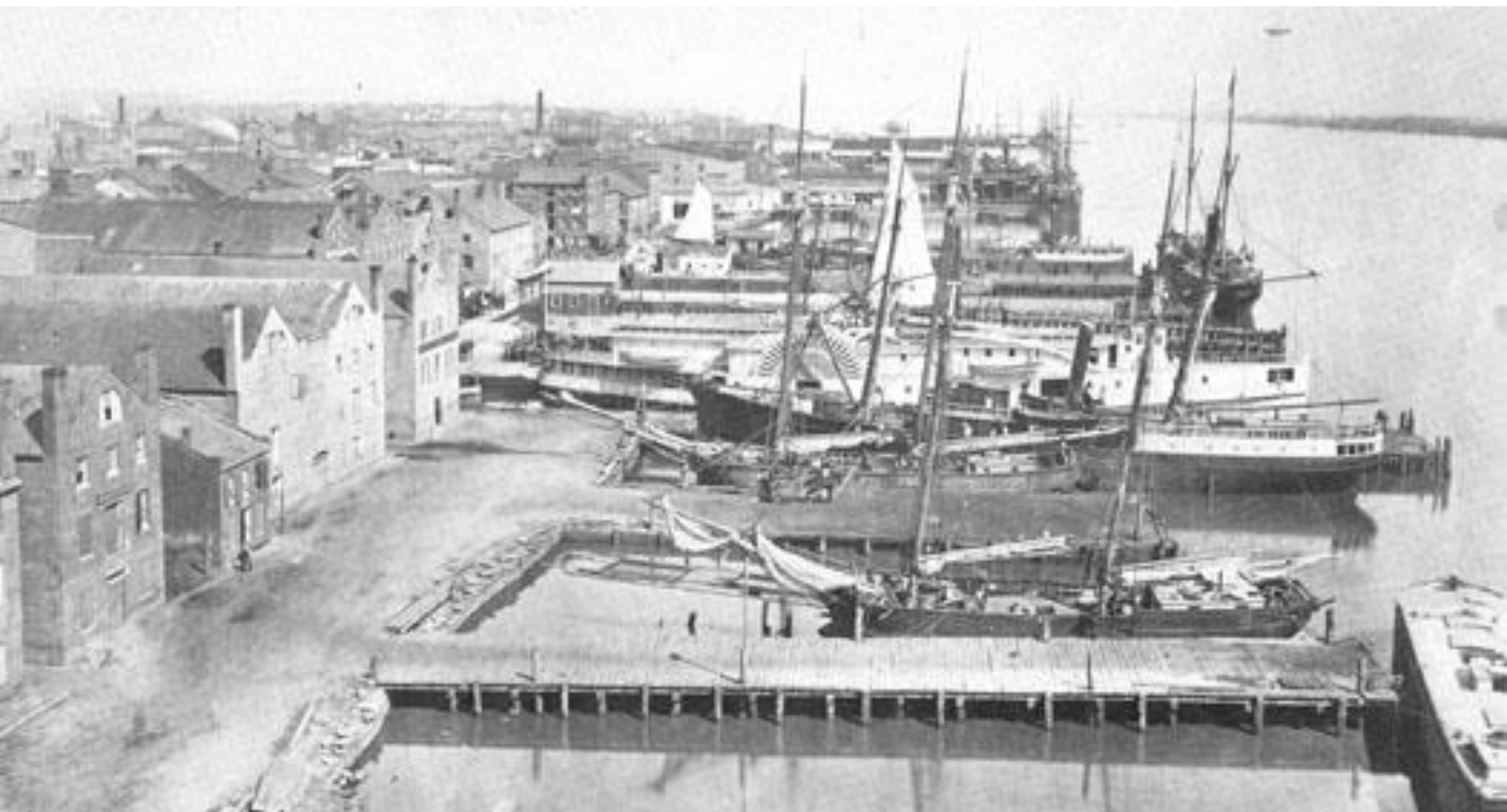
Map Division
JUN 2 1903
Library of Congress

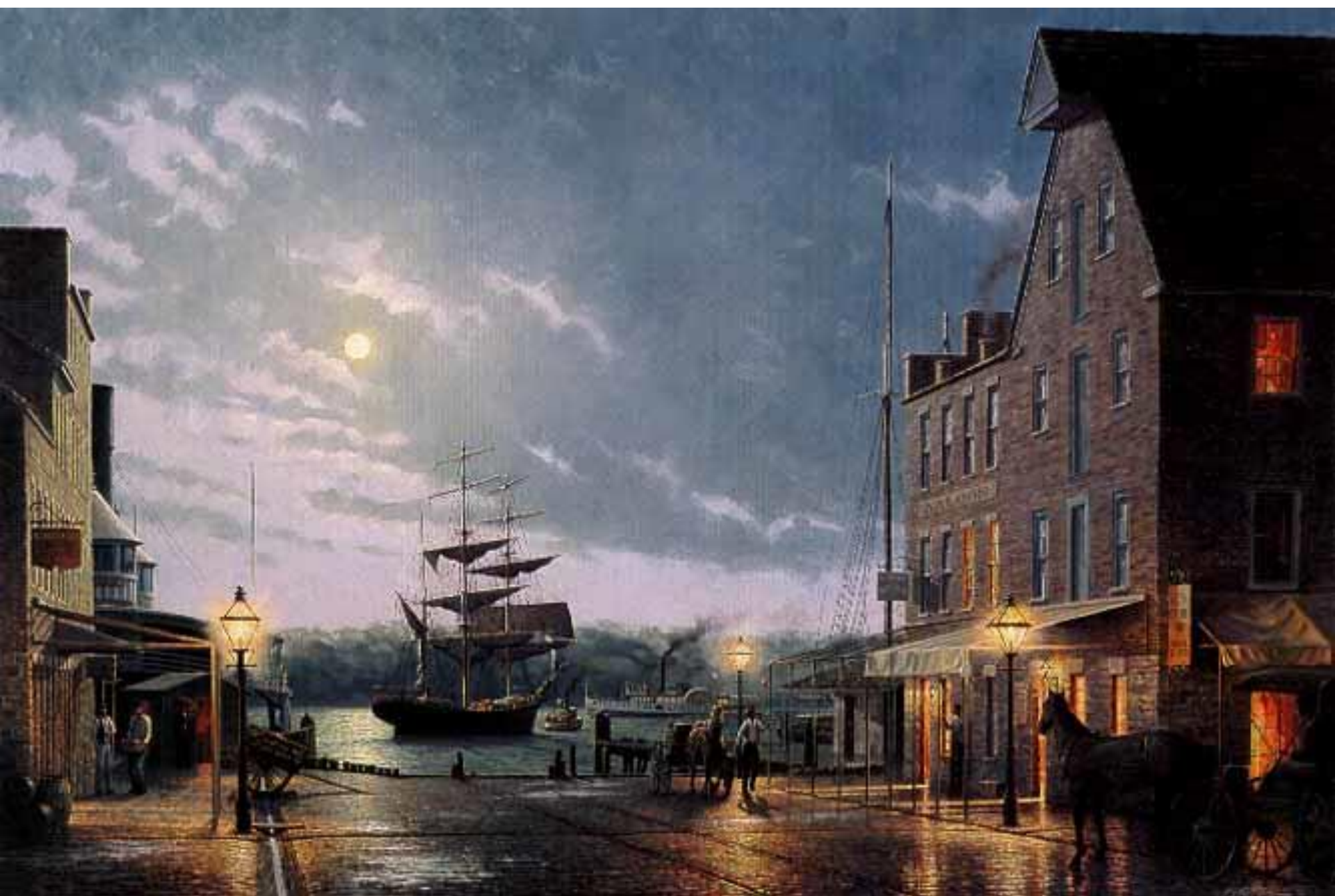
9. Quartermaster's Department. 10. Custom House Post Office
and Military Government Headquarters.
11. Marine Hospital. 12. Church Church.
13. Washington Place of Watering.

Published by the War Department, Office of the Chief of Engineers, Washington, D.C.

— Copy —











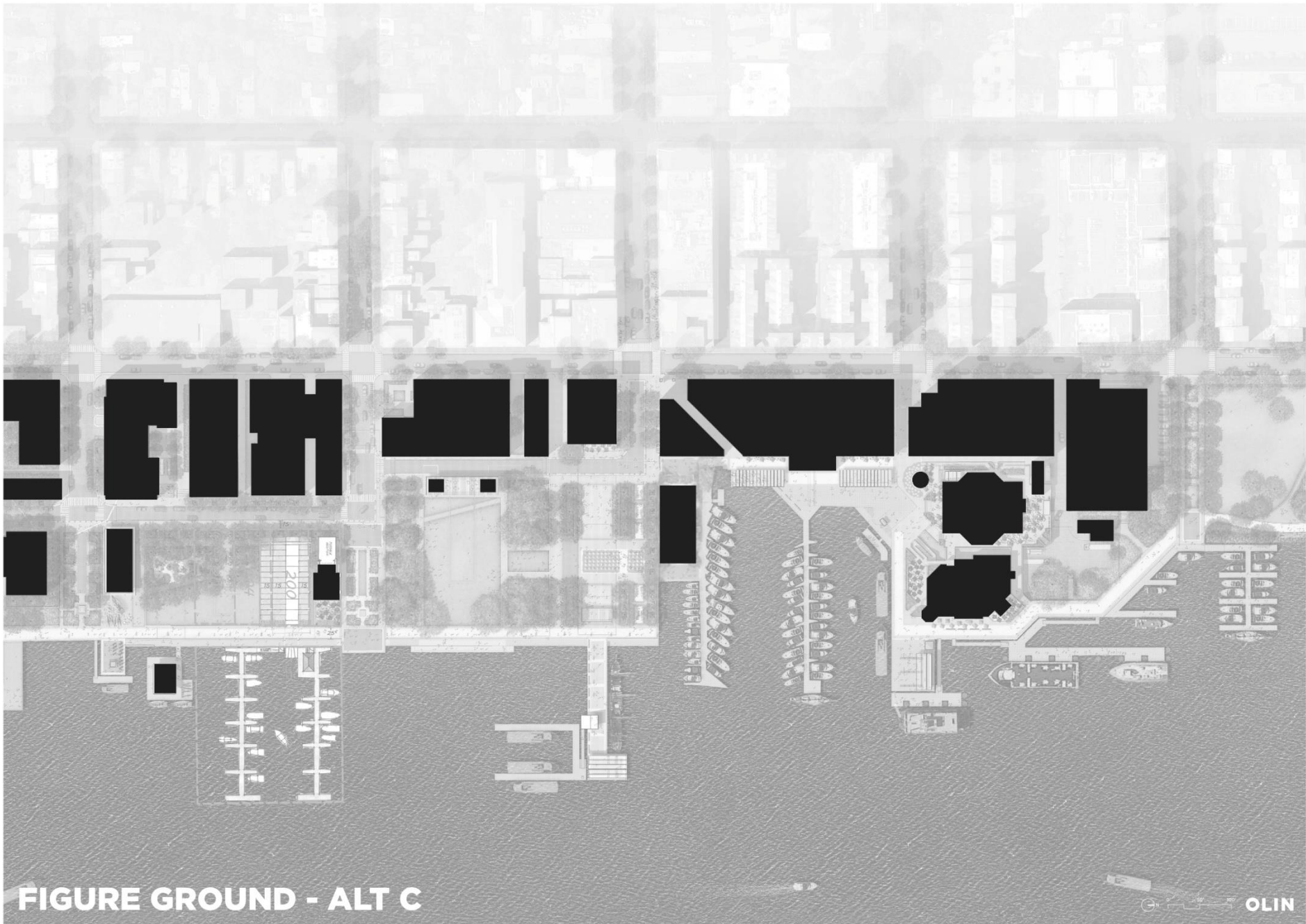


FIGURE GROUND - ALT C

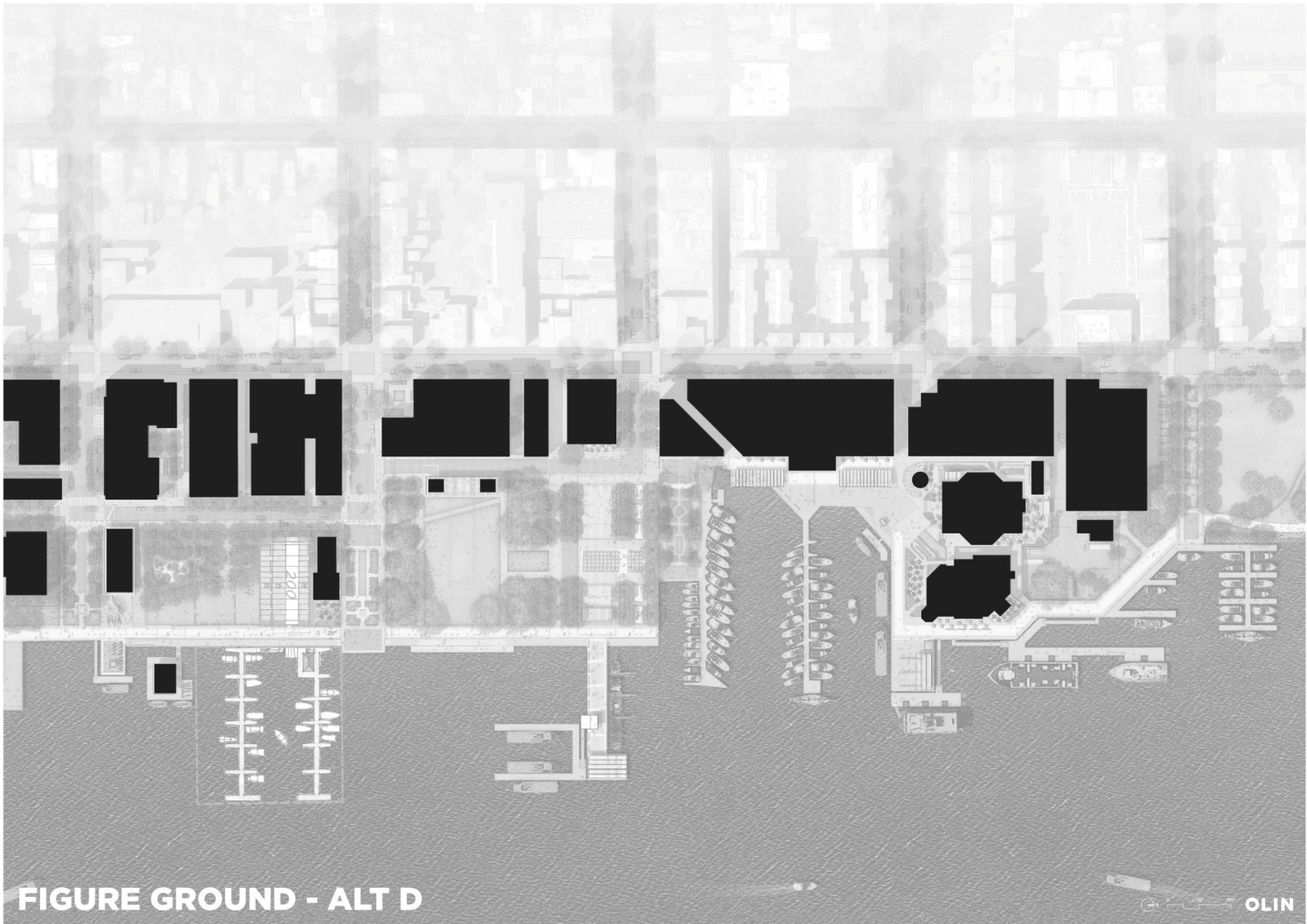


FIGURE GROUND - ALT D

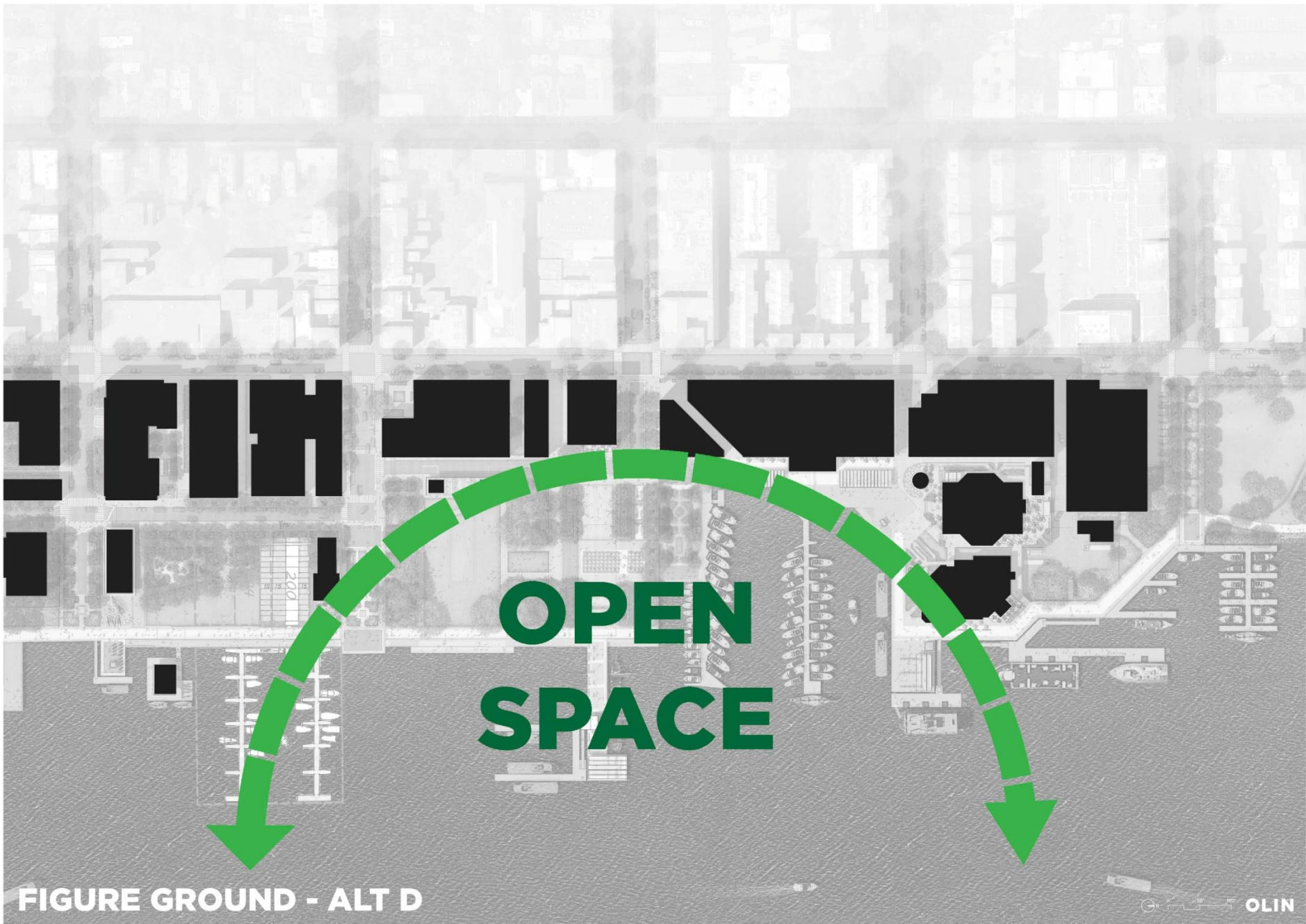
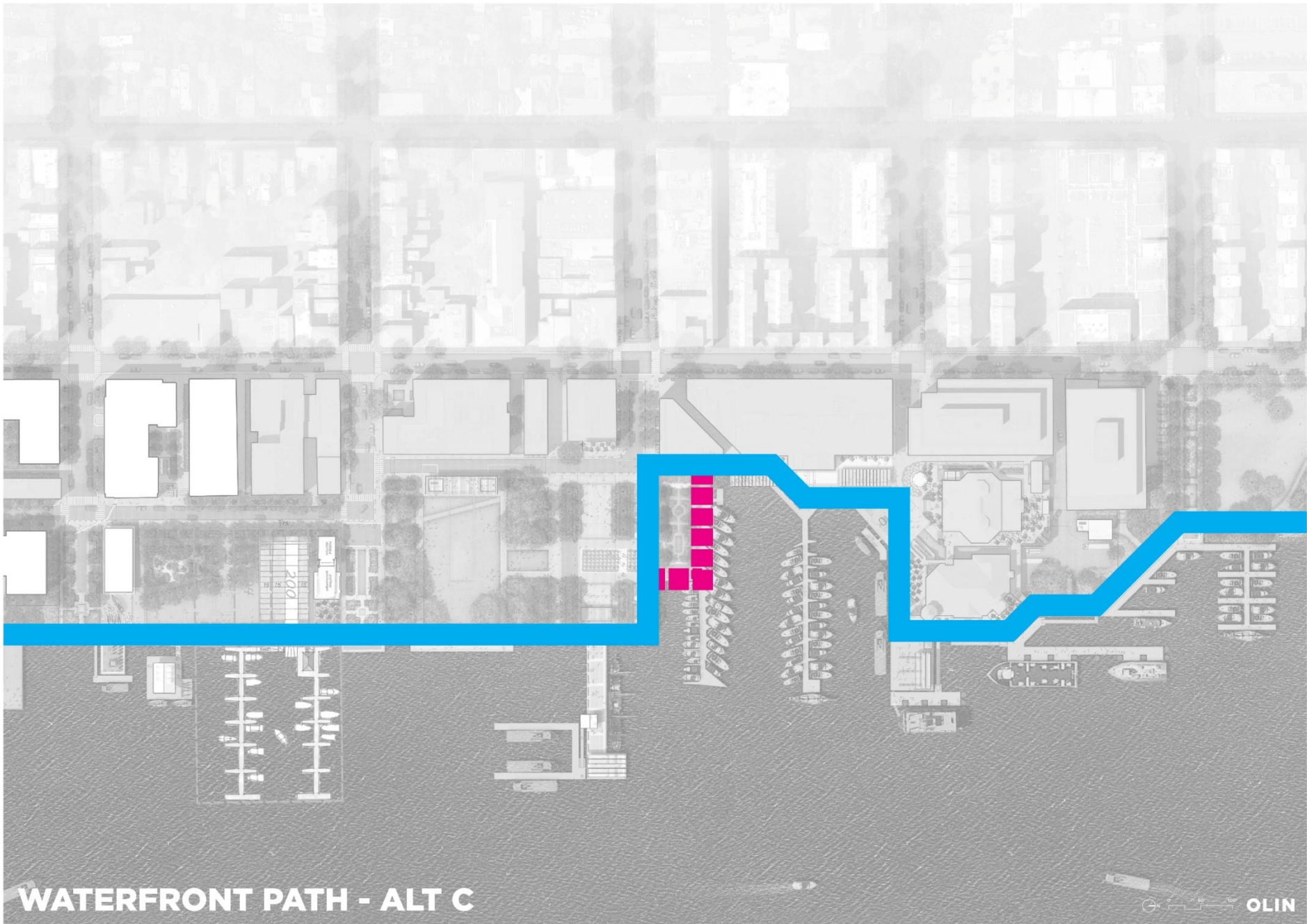
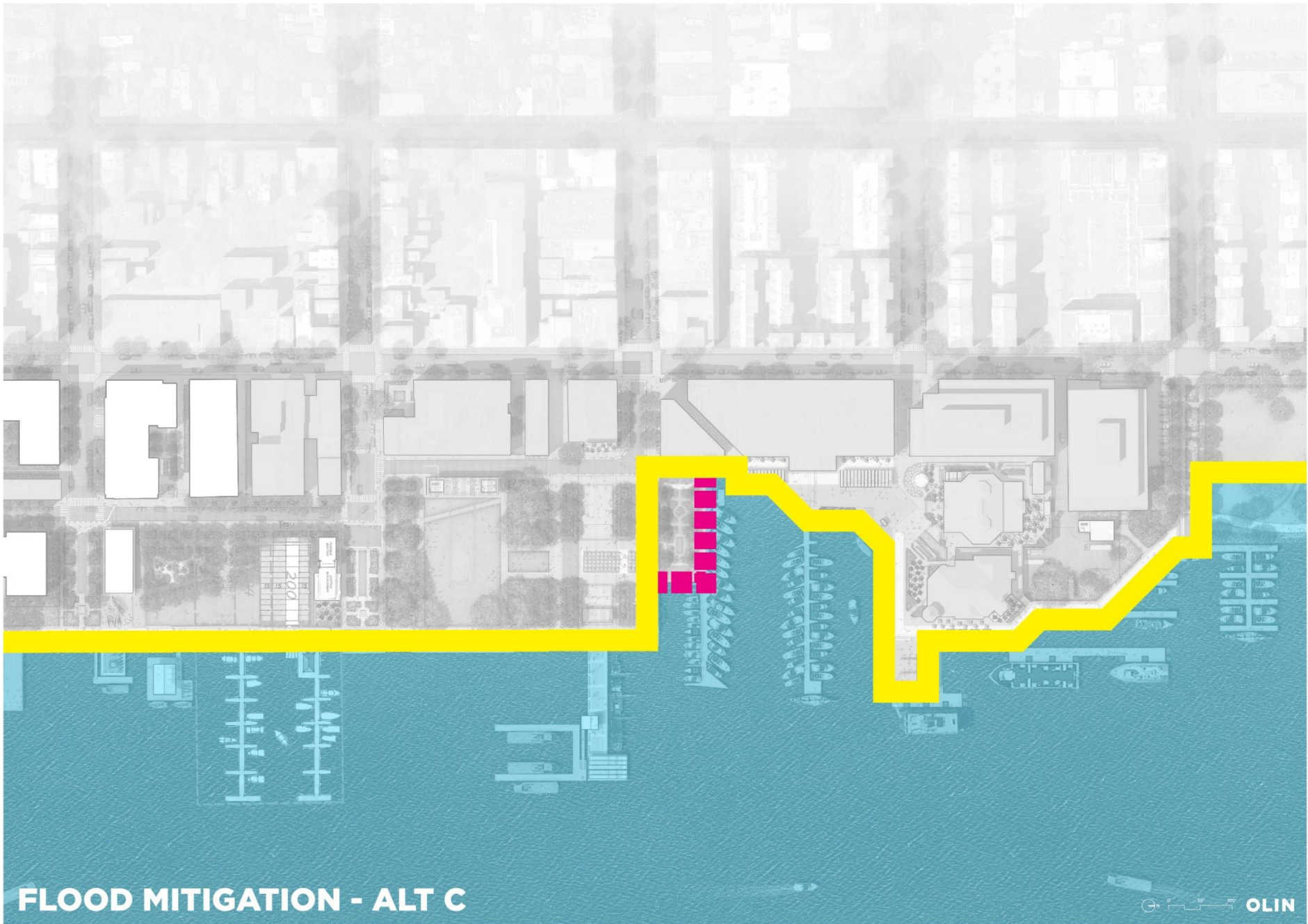


FIGURE GROUND - ALT D



WATERFRONT PATH - ALT C

OLIN

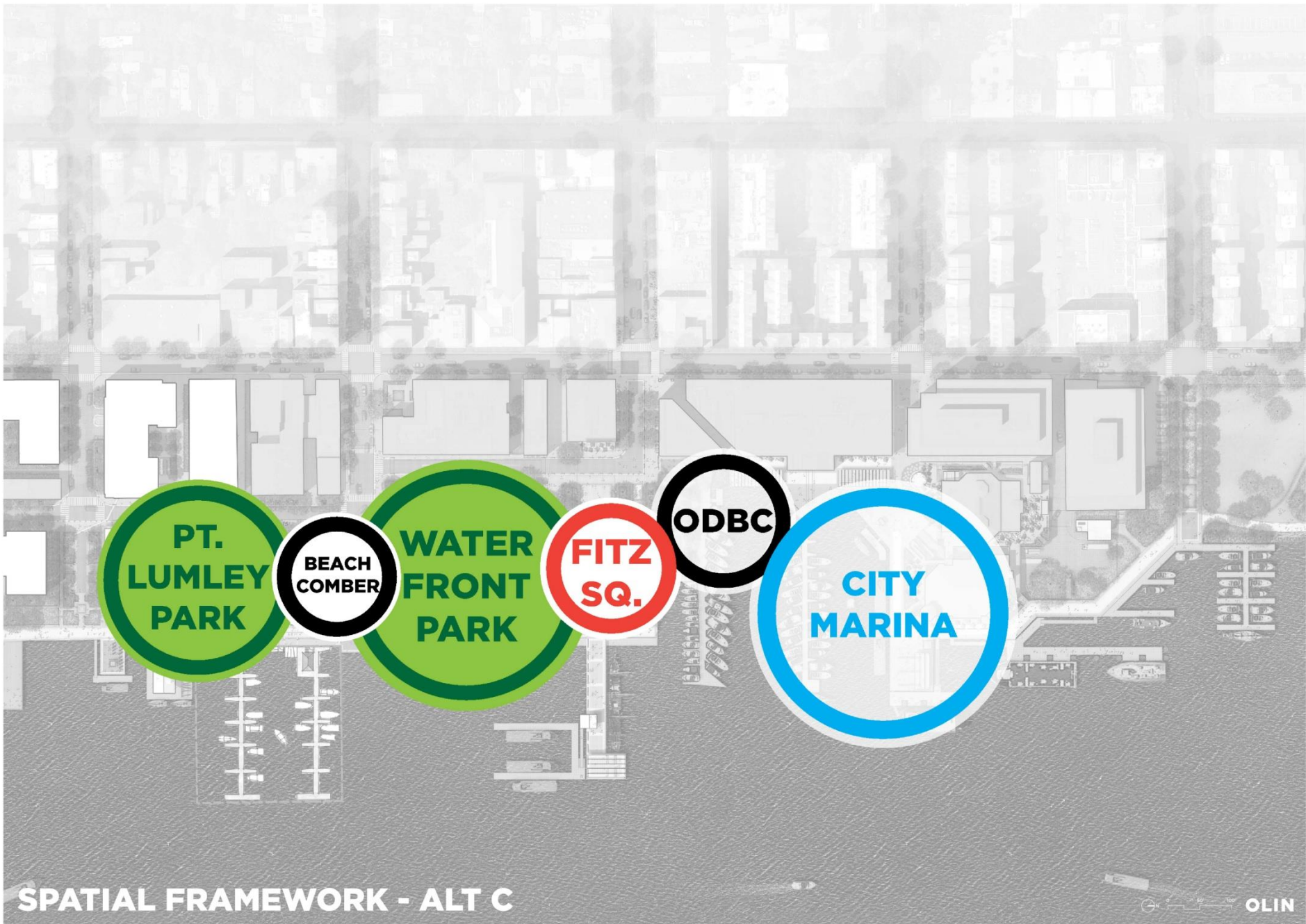


FLOOD MITIGATION - ALT C

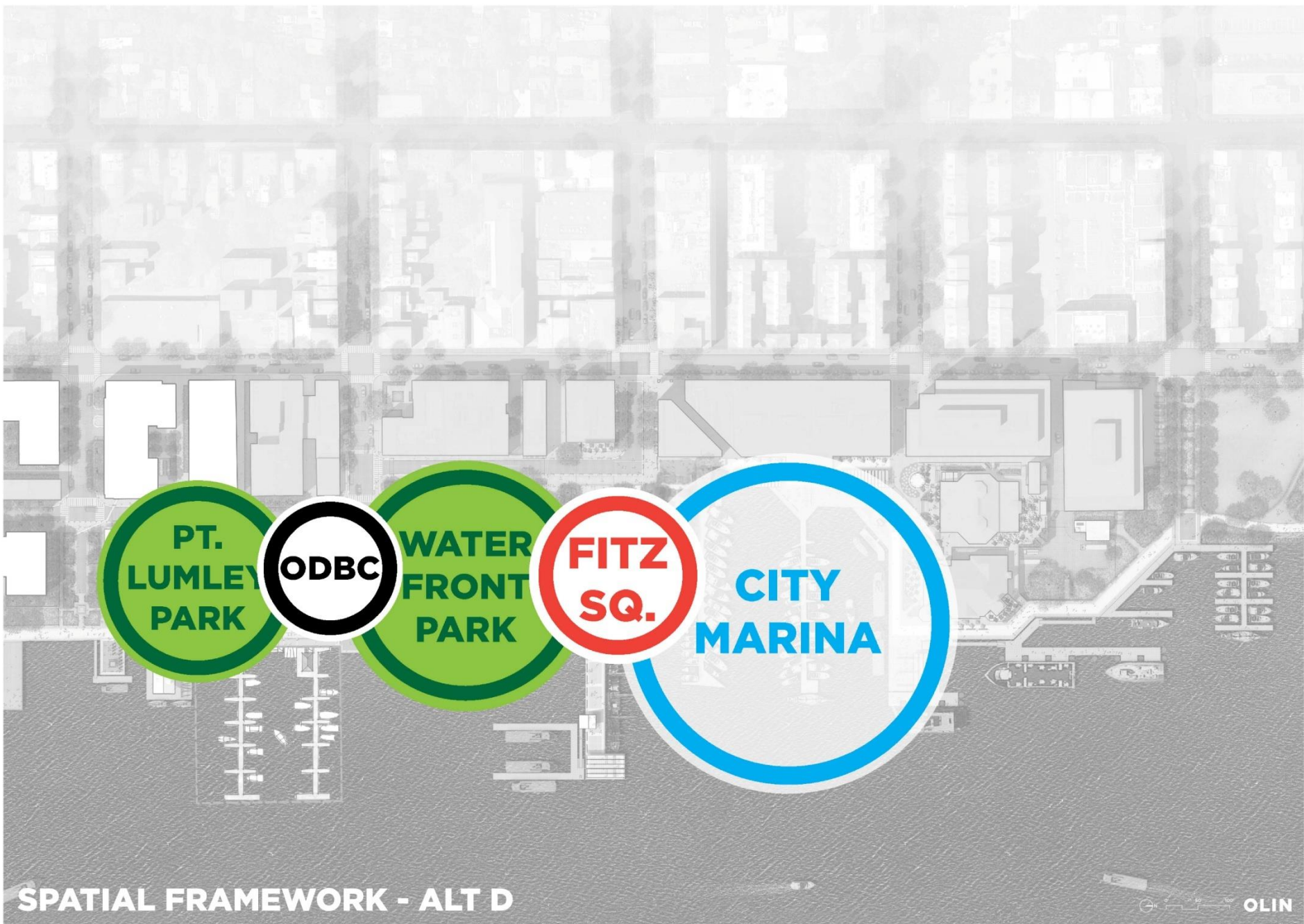


0 50' 100'

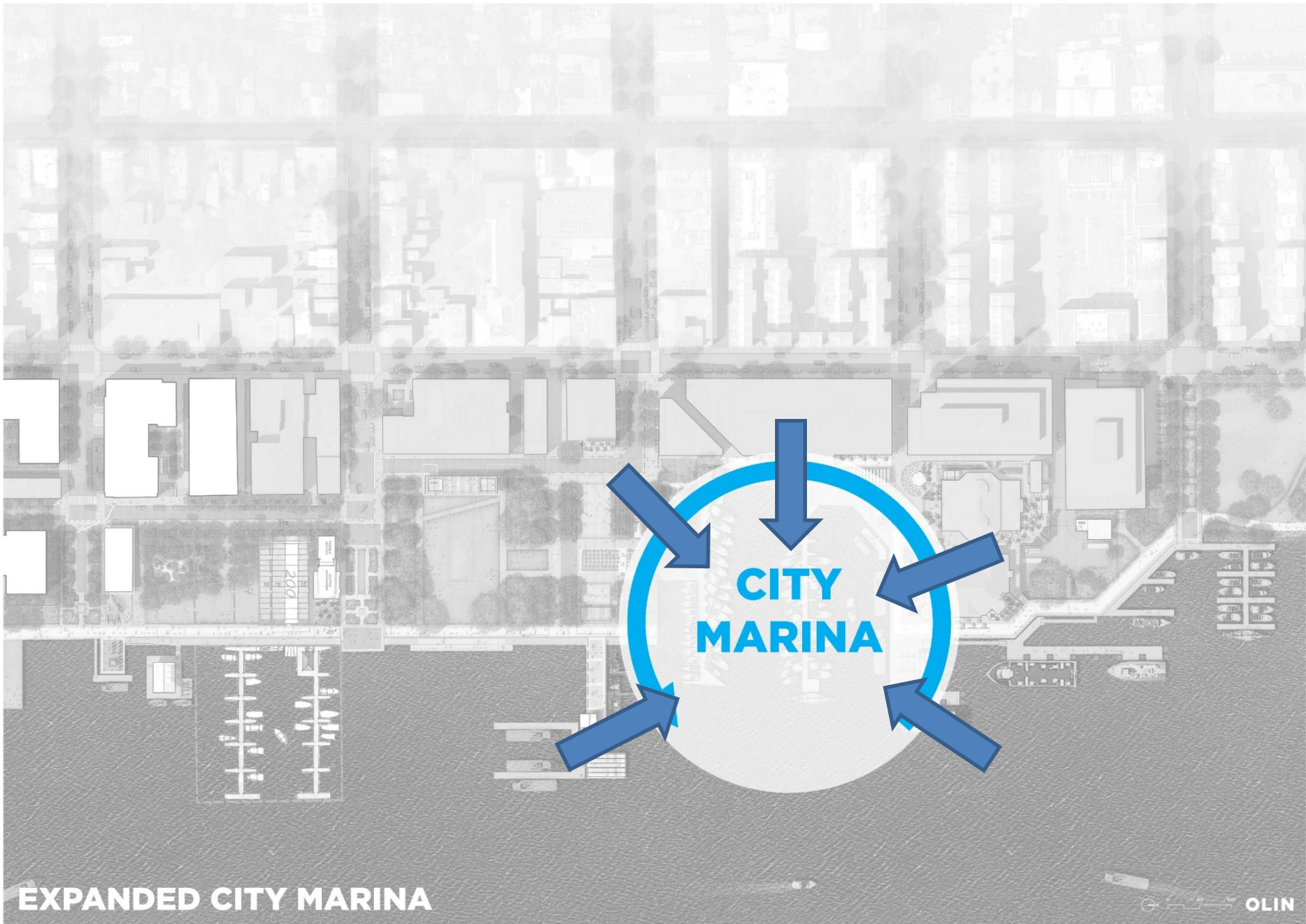
OLIN



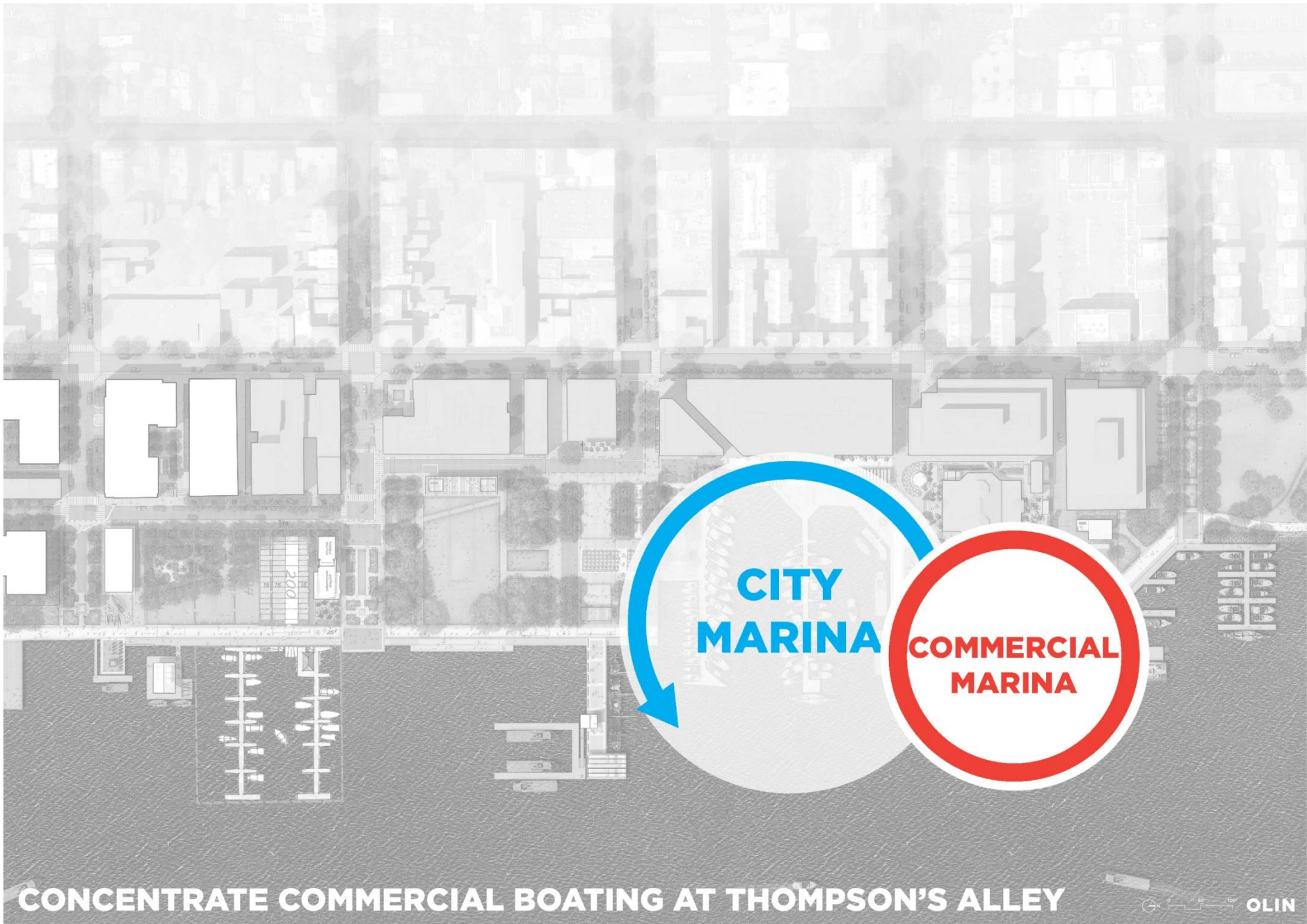
SPATIAL FRAMEWORK - ALT C



SPATIAL FRAMEWORK - ALT D



EXPANDED CITY MARINA



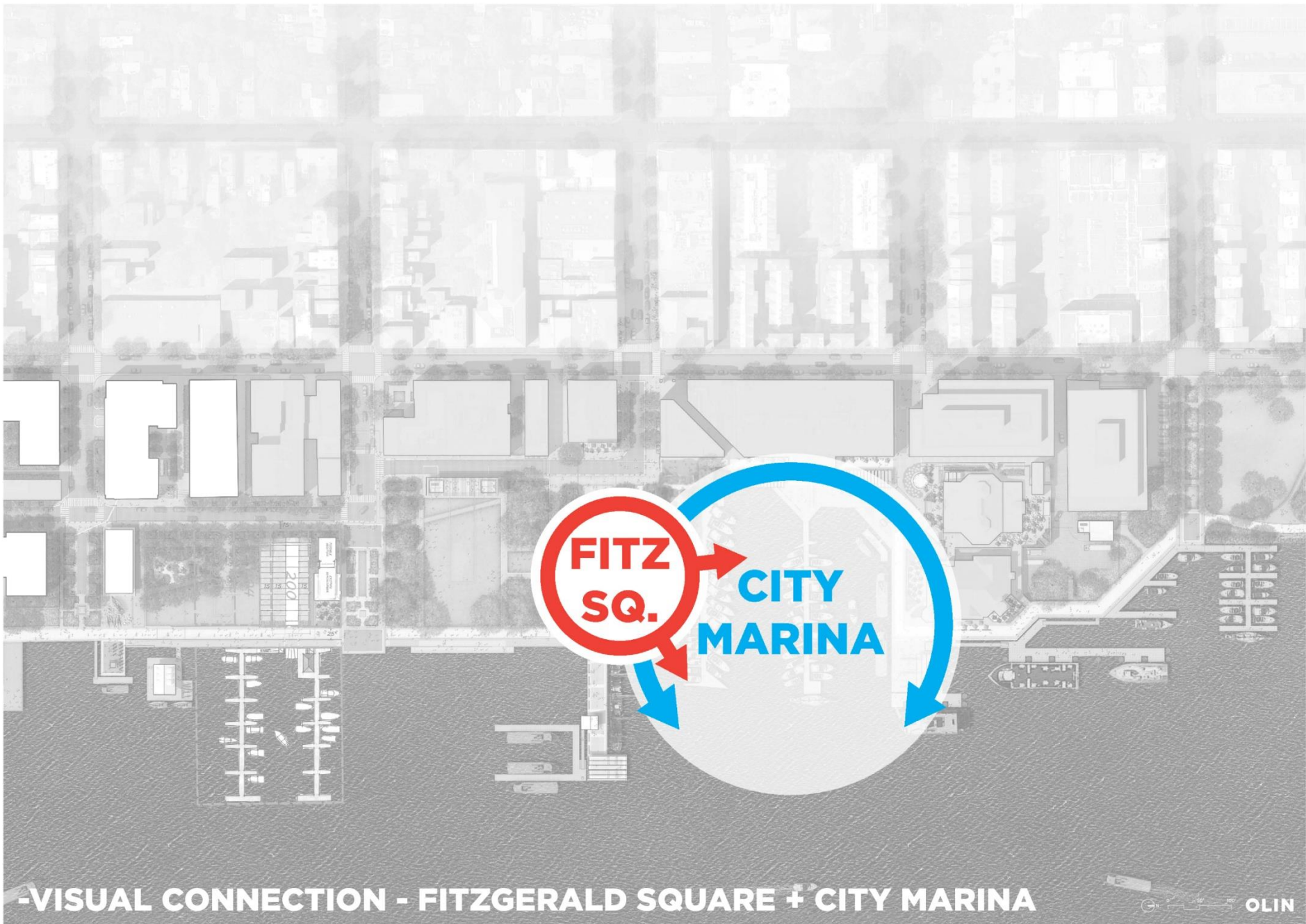
**CITY
MARINA**

**COMMERCIAL
MARINA**

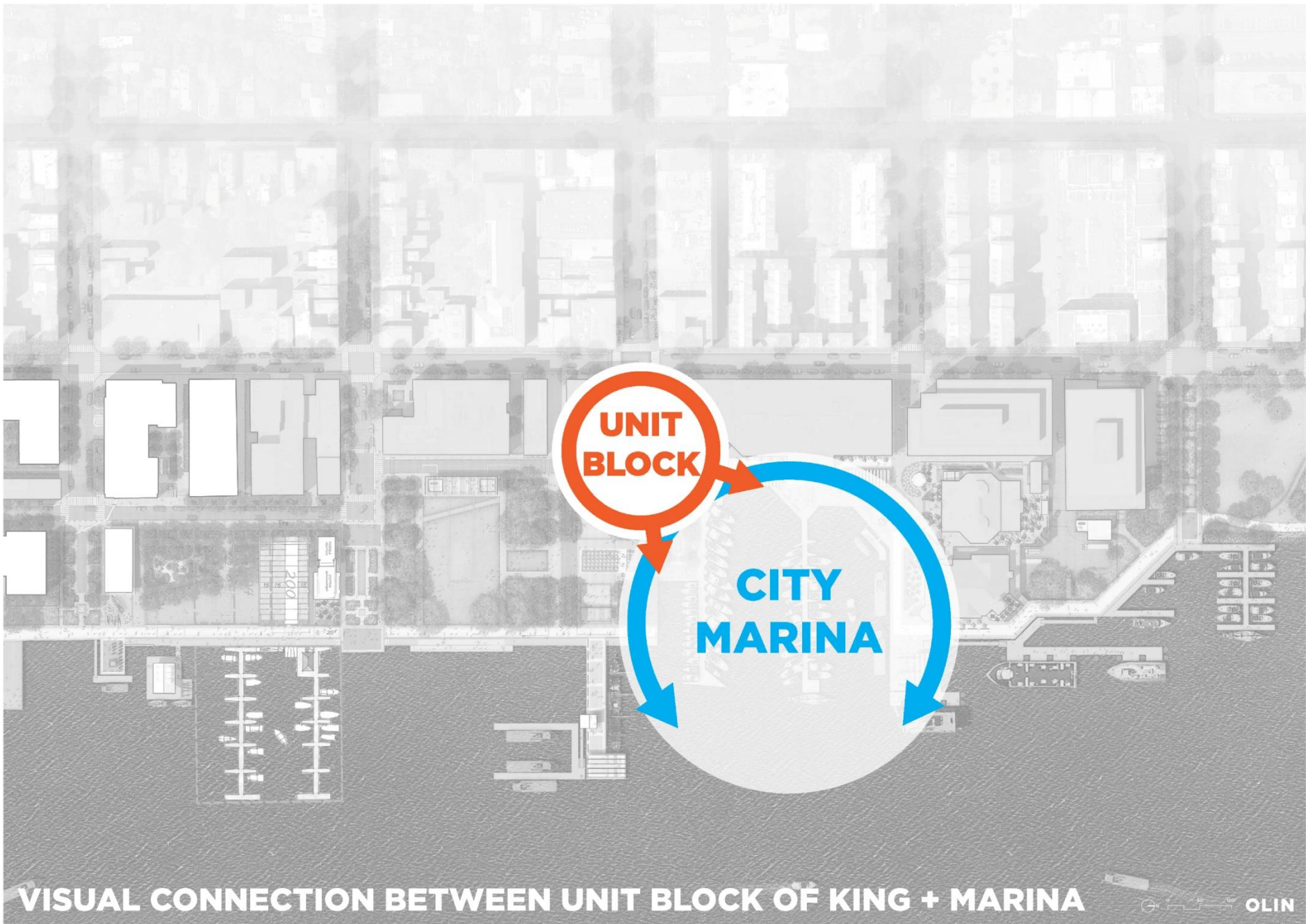
CONCENTRATE COMMERCIAL BOATING AT THOMPSON'S ALLEY



FITZGERALD SQUARE + CITY MARINA - ALT C



-VISUAL CONNECTION - FITZGERALD SQUARE + CITY MARINA



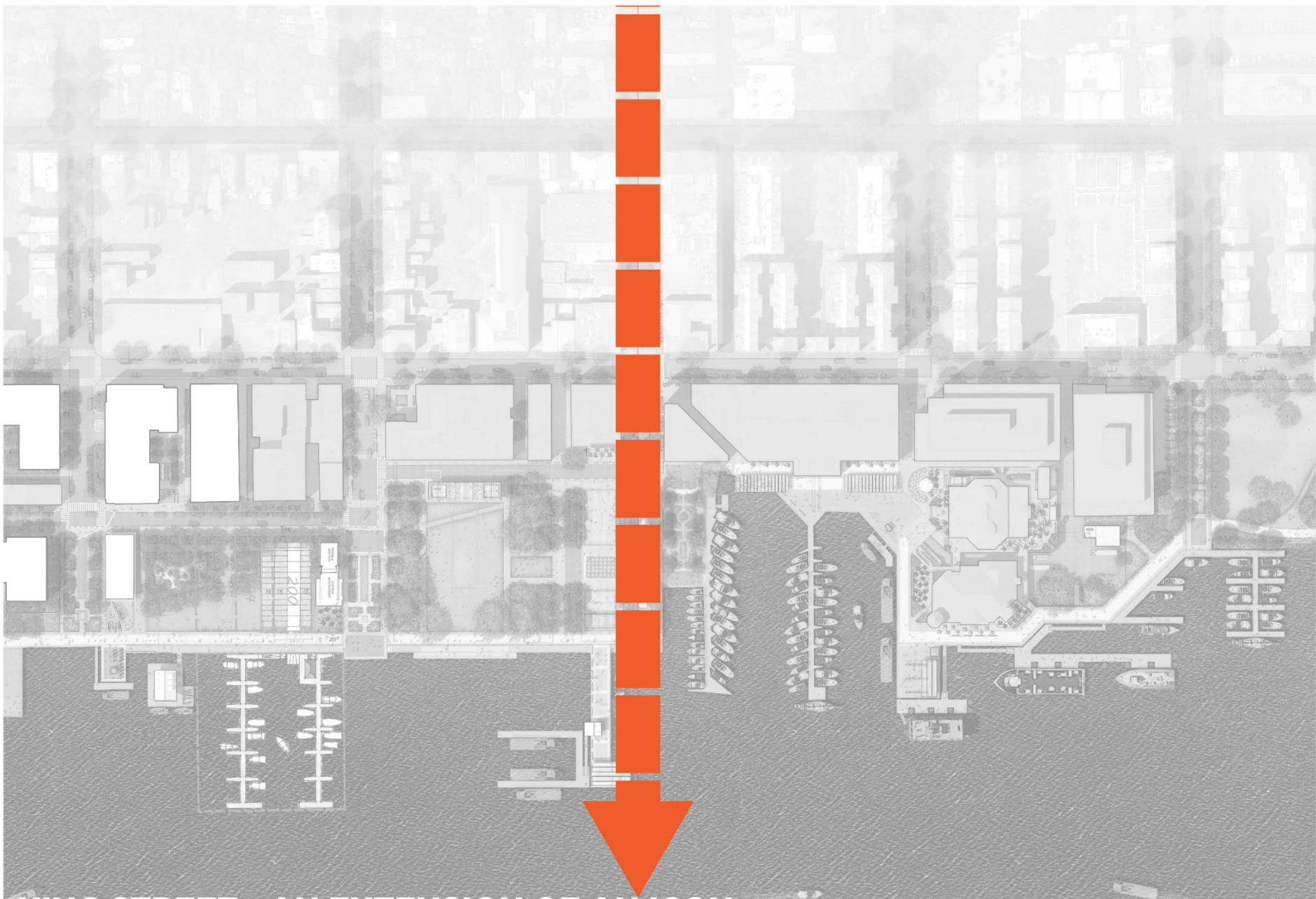
VISUAL CONNECTION BETWEEN UNIT BLOCK OF KING + MARINA



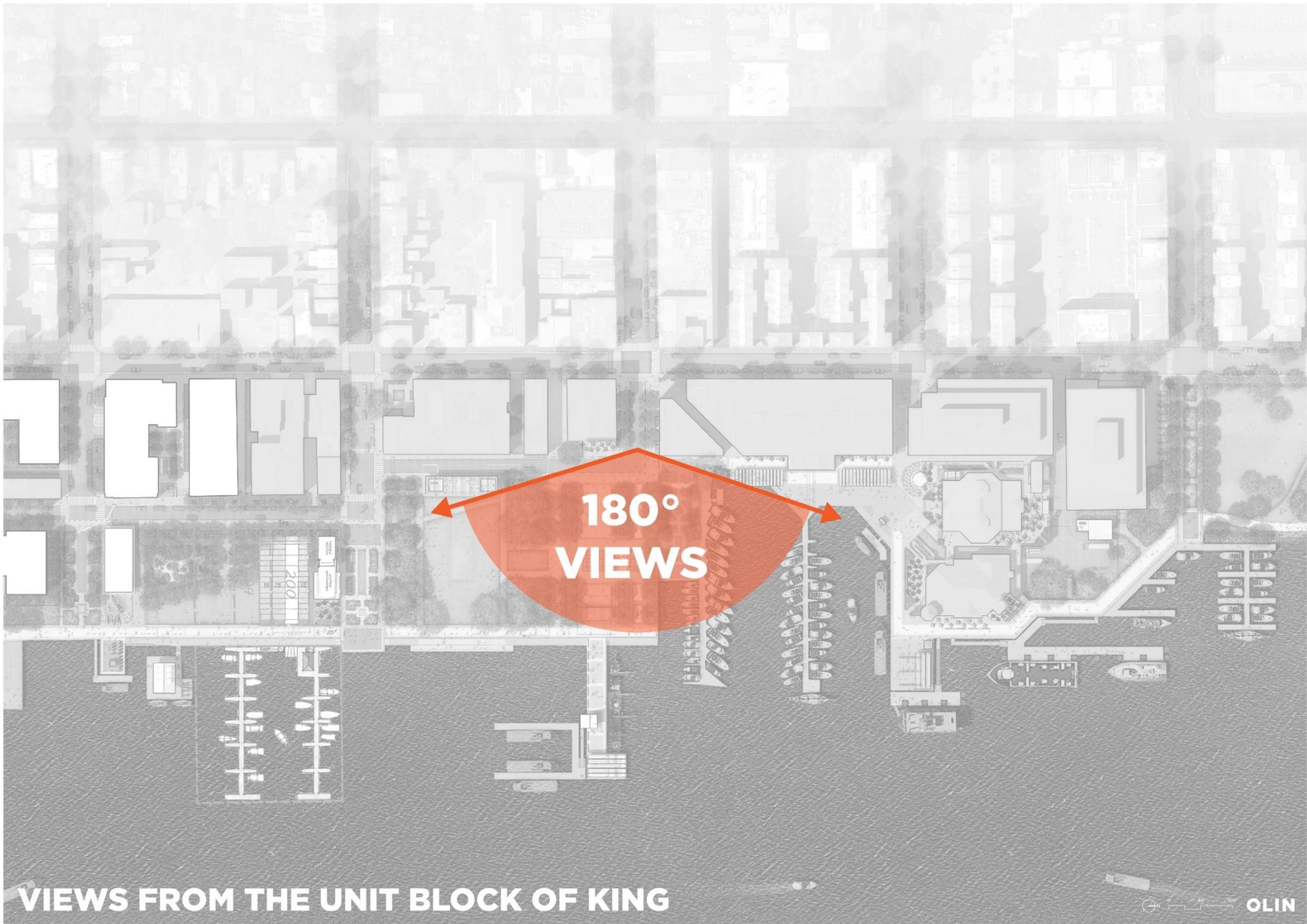
**WATERFRONT
PARK**

**CITY
MARINA**

VISUAL CONNECTION - WATERFRONT PARK + CITY MARINA



KING STREET - AN EXTENSION OF AN ICON

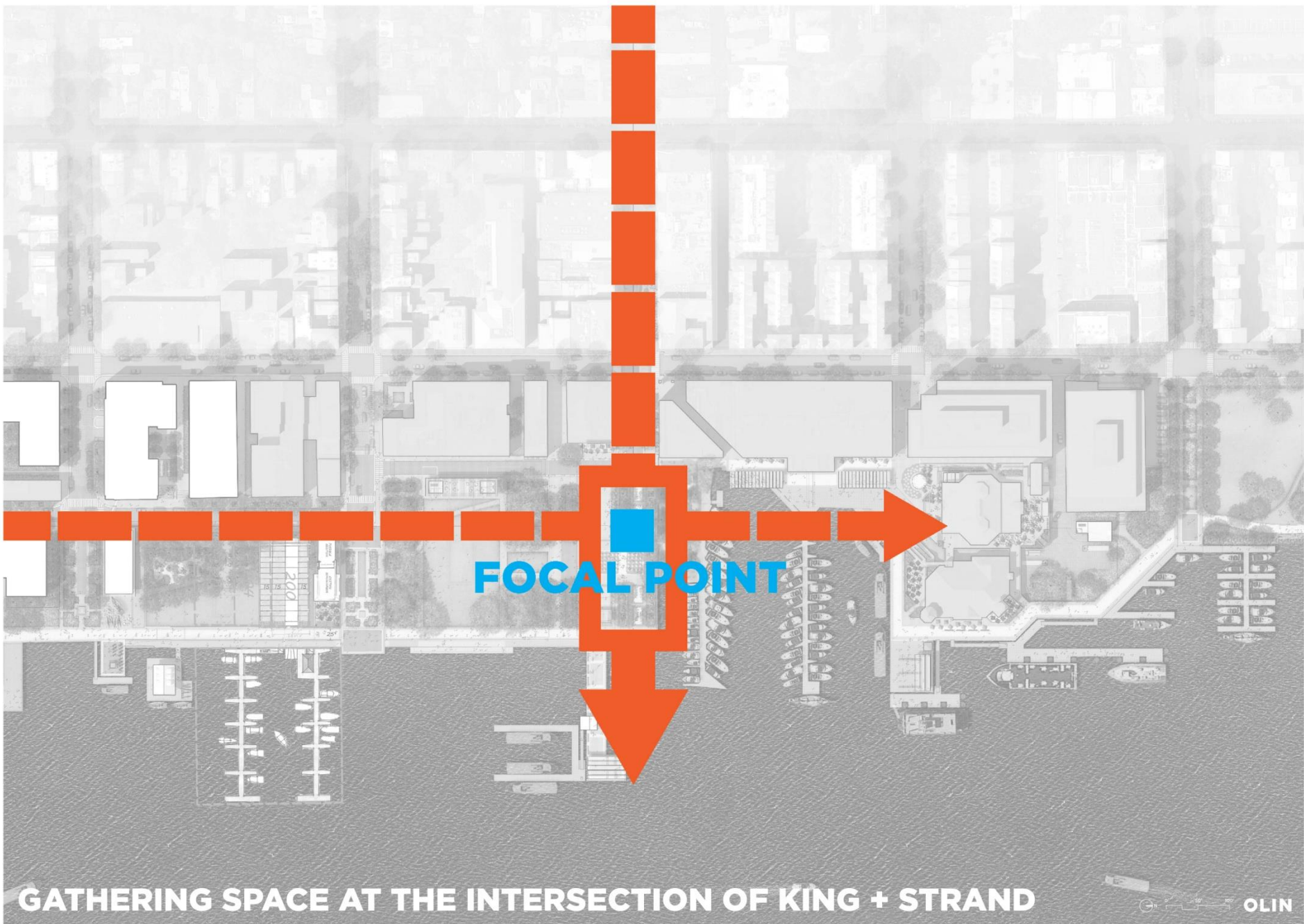


VIEWS FROM THE UNIT BLOCK OF KING

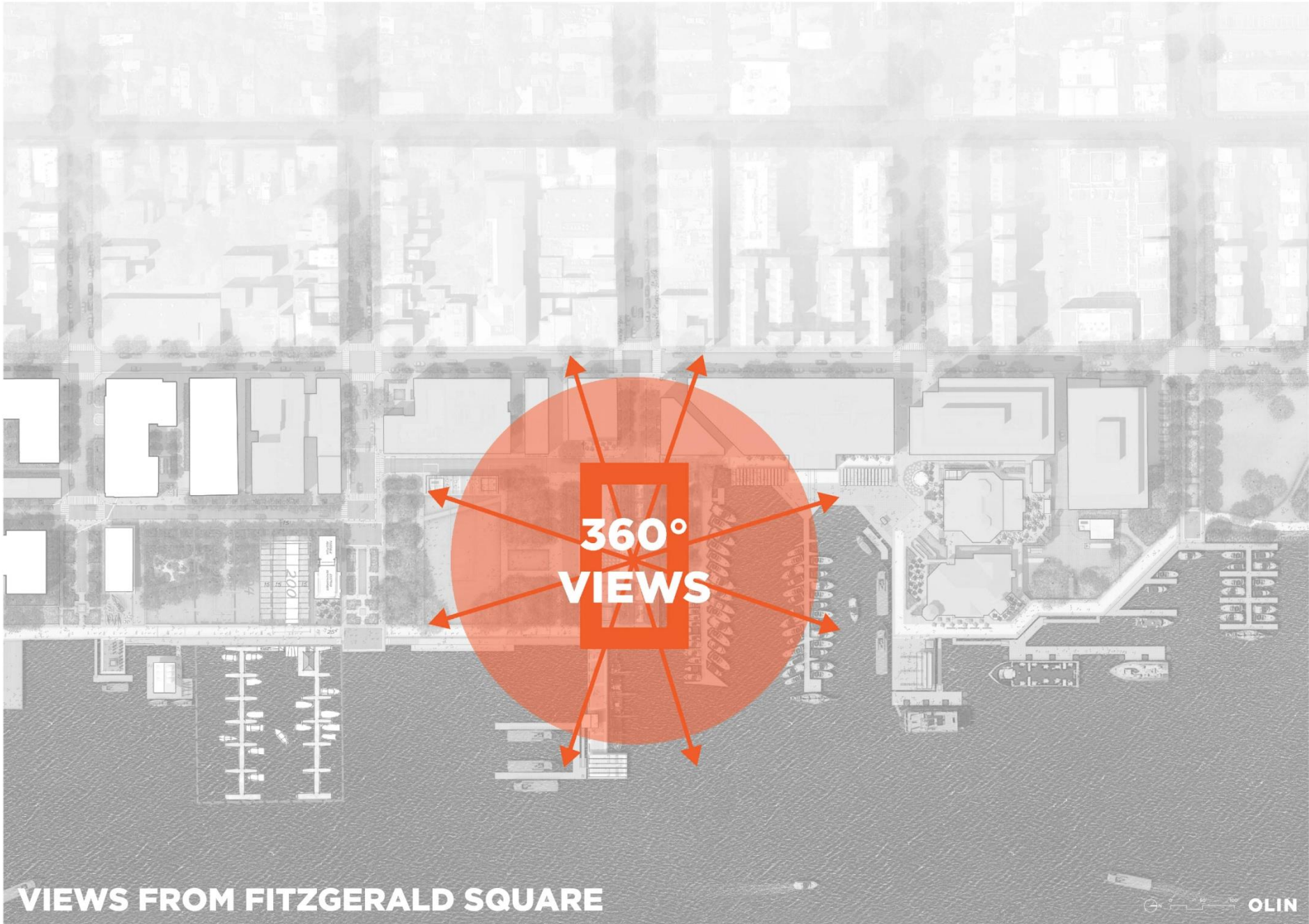
An aerial photograph of a city block, likely in Washington D.C. based on the street names. A large orange arrow points vertically downwards from the top of the image. A red square highlights a specific location on the left side of the block, near the intersection of a street and a large building complex. The text 'FOCAL POINT' is written in blue capital letters next to the red square. The bottom of the image features a white banner with the text 'REALIGN FITZGERALD SQUARE WITH KING STREET'. In the bottom right corner, there is a small logo for 'OLIN' and a scale bar.

FOCAL POINT

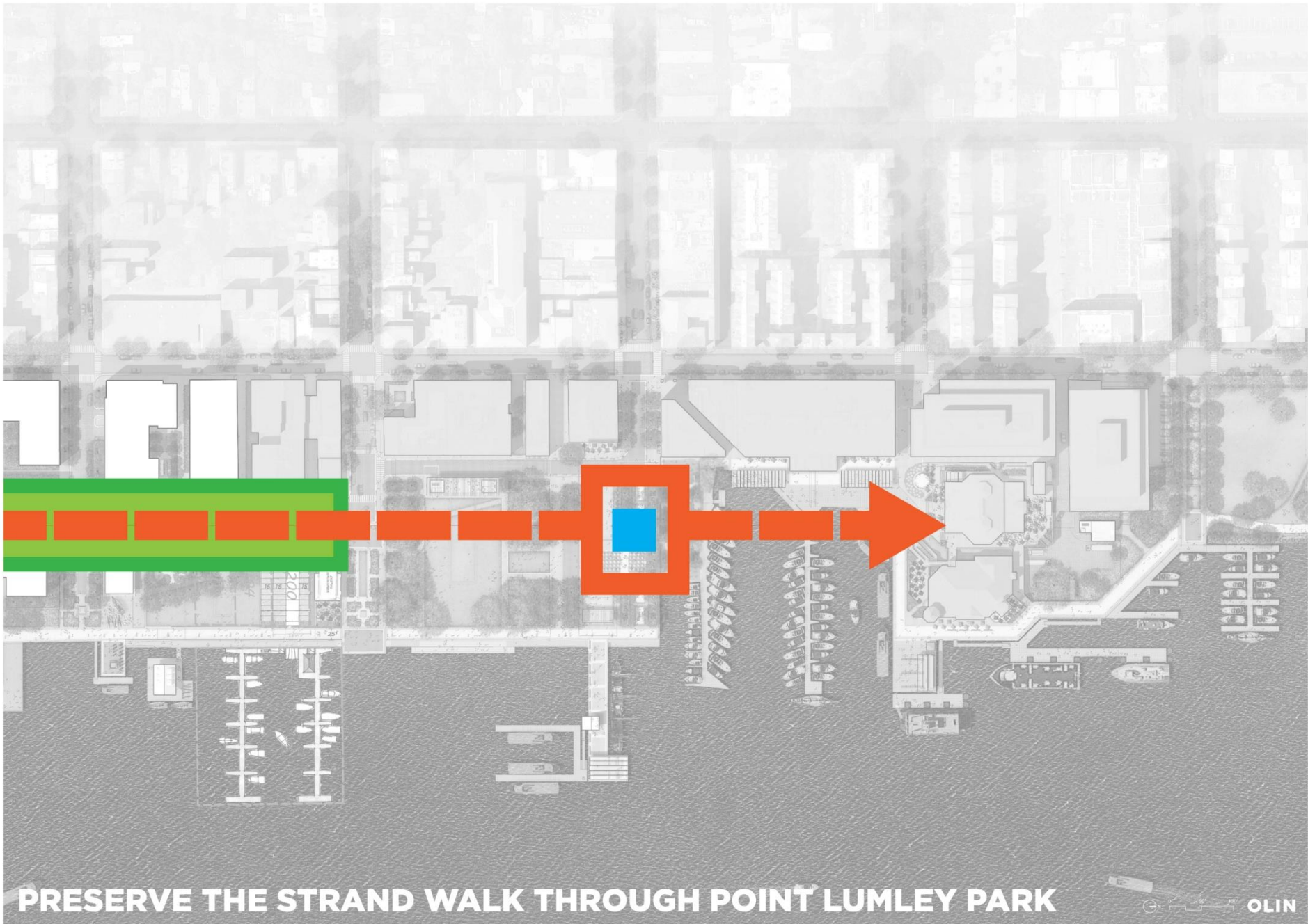
REALIGN FITZGERALD SQUARE WITH KING STREET



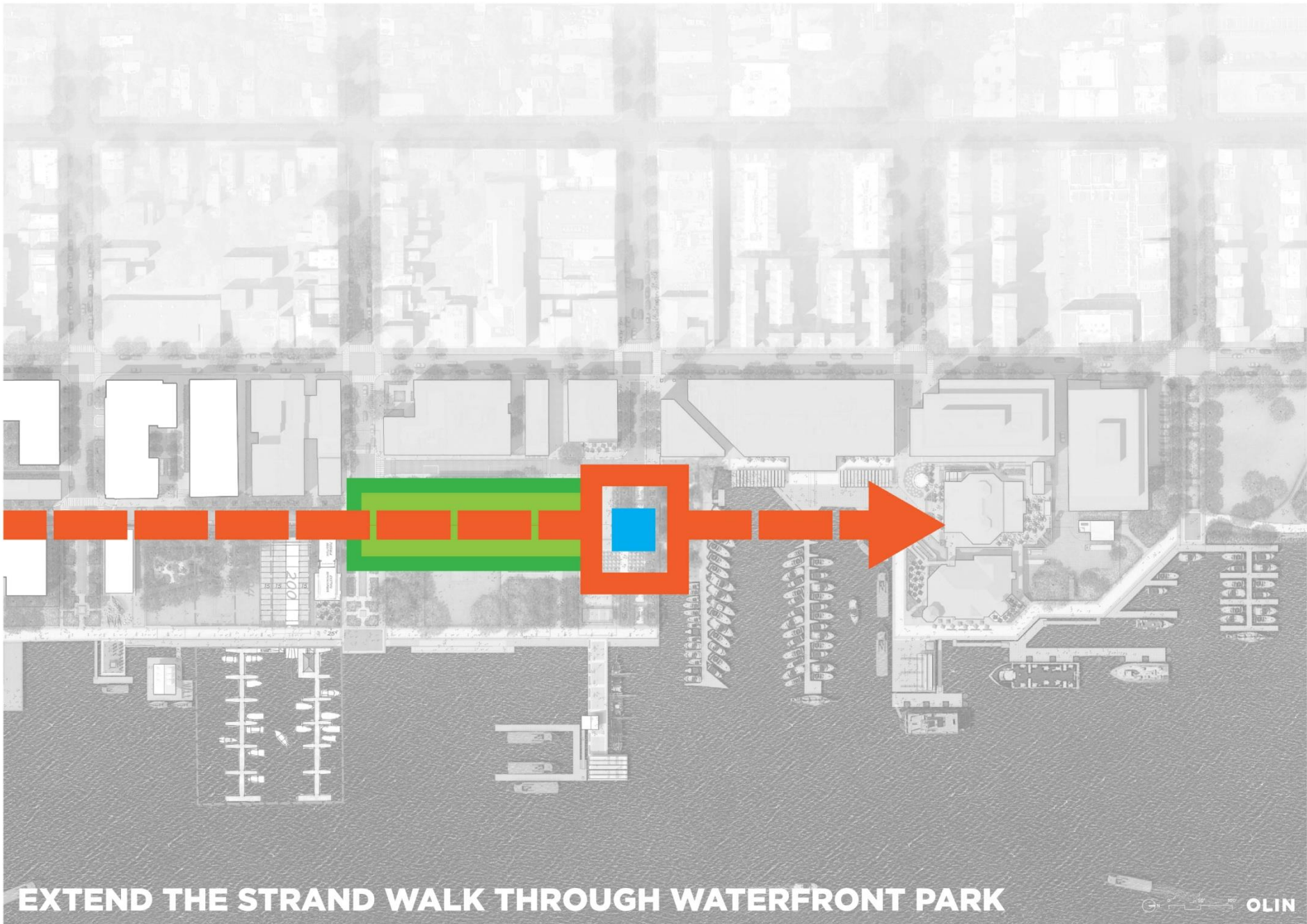
GATHERING SPACE AT THE INTERSECTION OF KING + STRAND



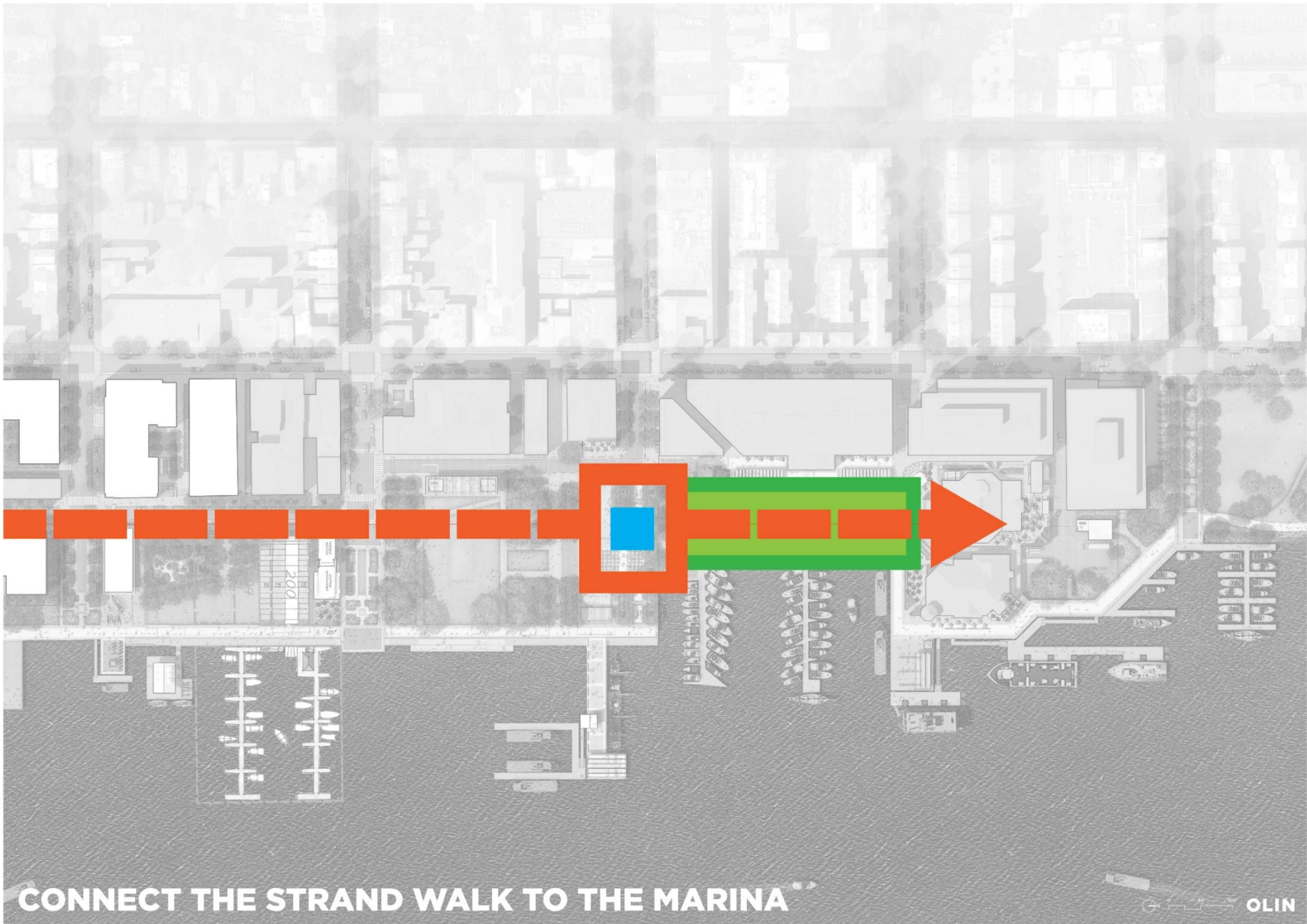
VIEWS FROM FITZGERALD SQUARE



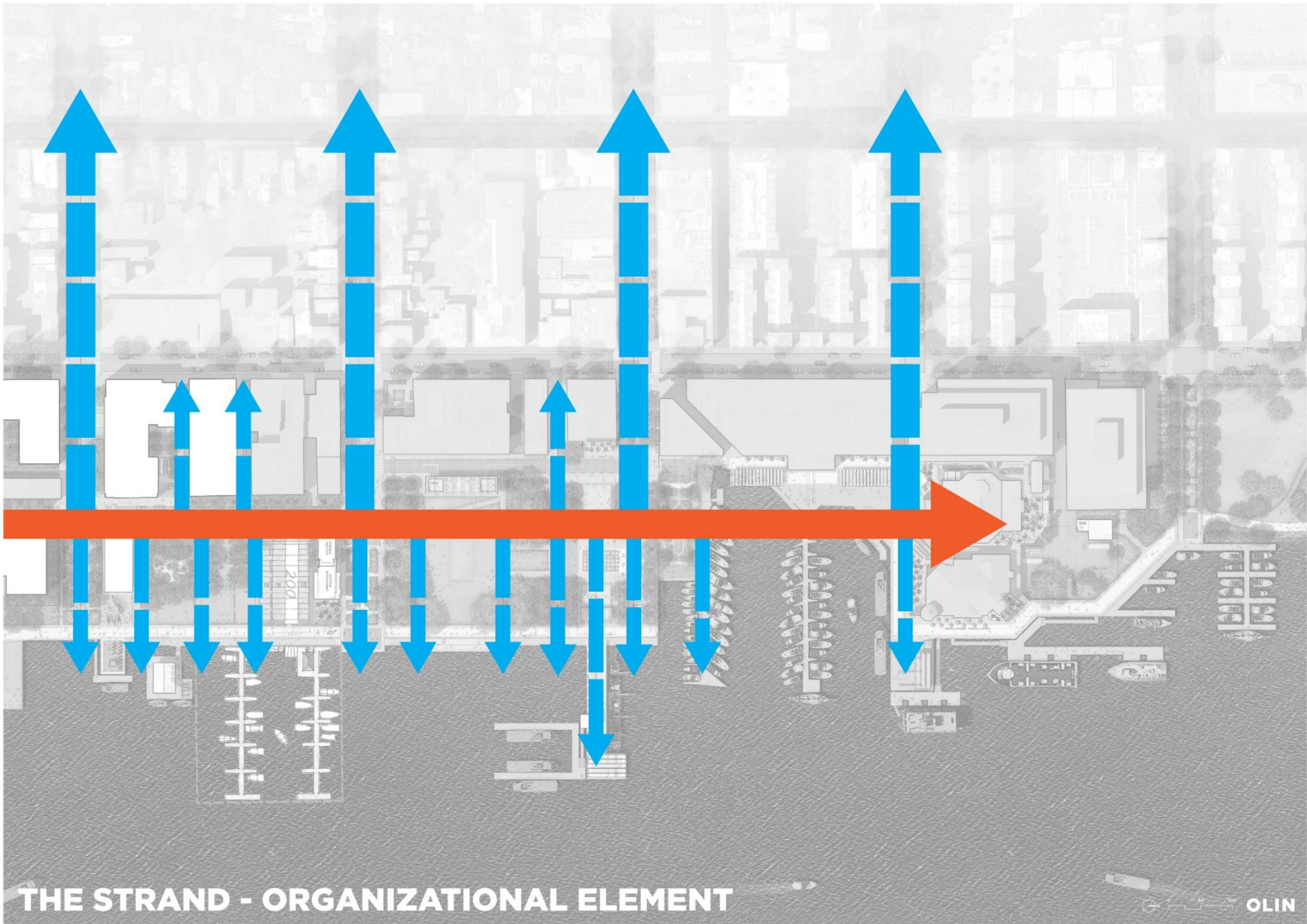
PRESERVE THE STRAND WALK THROUGH POINT LUMLEY PARK



EXTEND THE STRAND WALK THROUGH WATERFRONT PARK



CONNECT THE STRAND WALK TO THE MARINA



THE STRAND - ORGANIZATIONAL ELEMENT

NEW ODBC PARKING LOT 45 SPACES

NEW ODBC CLUBHOUSE



NEW ODBC PIERS



Legislation Details (With Text)

File #: 14-2621 **Name:** Meeting Minutes
Type: Minutes **Status:** Agenda Ready
File created: 3/27/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: The Public Hearing Meeting Minutes of March 15, 2014; and
The Regular Meeting Minutes of March 25, 2014.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2621 March 15 minutes](#)
[14-2621 March 25 minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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The Public Hearing Meeting Minutes of March 15, 2014; and
The Regular Meeting Minutes of March 25, 2014.

**City of Alexandria
Meeting Minutes
City Council Public Hearing
Saturday, March 15, 2014, 9:30 AM
Council Chambers**

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

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Anderson, Assistant City Attorney; Ms. Hamer, Director, Planning and Zoning (P&Z); Mr. Moritz, Deputy Director, P&Z; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Mr. Randall, Urban Planner, P&Z; Ms. Horowitz, Division Chief, P&Z; Mr. Dambach, Division Chief, P&Z; Mr. Geratz, Principal Planner, P&Z; Ms. Sanders, Principal Planner, T&ES; Ms. Marks, Acting Deputy Director, T&ES; Mr. Fifer, Acting Director, Office of Communications and Public Information; Mr. Garbacz, Division Chief, T&ES; Mr. Hunt, Customer Services Manager, Code Administration; Mr. Cooper, Code Administration; Police Captain Wemple; Mr. Martinez, ITS; and Mr. Lloyd.

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

OPENING

1. Calling the Roll.

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

2 Public Discussion Period.

The following persons participated in the public discussion period:

1. John Smucker, 108 North Quaker Lane, spoke in support of the City of Alexandria banning handguns and offered a resolution for Council to consider in support of the ban.

2. Dino Drudi, 315 North West Street, stated that the boards and commissions of the City are fragmented, in particular those dealing with transportation issues, and the boards and commissions should be restructured to give one board the authority to hear all issues and deliver an appropriate balance, forwarding decisions to Council that will be upheld.

3. Joyce Rawlings, 327 Wesmond Drive, spoke about the changes occurring throughout the City of Alexandria and how many families and citizens are not able to continue

to live in the City of Alexandria. Ms. Rawlings requested that Council be mindful of helping individuals be able to stay and prosper in the City of Alexandria as they go through their budget deliberations.

4. Poul Hertel, 1217 Michigan Street, spoke about the significant property tax increases he has experienced over the years. Mr. Hertel pointed out that there is no way that the senior citizen population has experienced an income growth that is equivalent to the tax increases and he inquired what all the money collected over the years has covered.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

ACTION CONSENT CALENDAR (3-7)

Planning Commission

3. Special Use Permit #2014-0002
5380 Holmes Run Parkway - Day Care Center/Preschool
Public Hearing and Consideration of a request to operate a day care center (preschool) and a request for a parking reduction; zoned RC/High Density Apartment. Applicant: The Child and Family Network Centers represented by Lee Jackson
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 03/15/14, and is incorporated as part of this record by reference.)

4. Special Use Permit #2014-0004
5424 Eisenhower Avenue (Parcel Address: 5400 Eisenhower Avenue) - Dance Fitness Studio
Public Hearing and Consideration of a request to operate a private commercial school (dance fitness studio) and a request for a parking reduction; zoned OCH/Office Commercial High. Applicant: Sensazao LLC
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 03/15/14, and is incorporated as part of this record by reference.)

5. Special Use Permit #2014-0005
5000 Polk Avenue - James K. Polk Elementary School Sign
Public Hearing and Consideration of a request to replace a freestanding school sign at a public elementary school; zoned R-12/Single Family and R-20/Single-Family. Applicant: Alexandria City Public Schools by William Finn
Planning Commission Action: Recommend Approval 6-1

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 03/15/14, and is incorporated as part of this record by reference.)

6. Text Amendment #2014-0001
Modifications of Minimum Zoning Regulations
Public Hearing and Consideration of a text amendment to Section 11-416 of the Zoning Ordinance to clarify that requests for modification of minimum zoning regulations may be approved by the City Council as part of a special use permit application and to revise the standard for approving a modification of minimum landscape regulations. Staff: Department of Planning and Zoning
Planning Commission Action: Initiated and Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 03/15/14, and is incorporated as part of this record by reference.)

7. Development Special Use Permit #2013-0017
1616 King St. - Hampton Inn
Public Hearing and Consideration of requests for an amendment to a previously approved special use permit and site plan (SUP #98-0039 and SIT #98-0007) to add additional guest rooms and special use permit approval for a reduction of loading and parking spaces; zoned KR/King Street Retail. Applicant: MJS Corp by Duncan W. Blair, attorney

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 03/15/14, and is incorporated as part of this record by reference.)

END OF ACTION CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar, with the exception of docket items #3 and #7, which were considered under separate motions. The approvals were as follows:

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

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

3. Special Use Permit #2014-0002
5380 Holmes Run Parkway - Day Care Center/Preschool
Public Hearing and Consideration of a request to operate a day care center (preschool)

and a request for a parking reduction; zoned RC/High Density Apartment. Applicant: The Child and Family Network Centers represented by Lee Jackson
Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 03/15/14, and is incorporated as part of this record by reference.)

Councilman Wilson requested an explanation for the need for additional detail in condition #6.

In response to Councilman Wilson, Ms. Horowitz, Division Chief, Planning and Zoning, stated that the Department of Social Services requires this level of specificity and the Department of Community and Human Services requested the additional language.

Councilman Smedberg requested the inclusion in the condition of language that adheres to the state standards set out by the Department of Social Services.

WHEREUPON, upon motion Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation with an amendment to condition #6, stating, "the preschool shall devise a written policy that shall be routinely practiced for crossing Holmes Run Parkway that is subject to the approval of the City's Department of Community and Human Services and the Department of Social Services at the State level." The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

7. Development Special Use Permit #2013-0017
1616 King St. - Hampton Inn
Public Hearing and Consideration of requests for an amendment to a previously approved special use permit and site plan (SUP #98-0039 and SIT #98-0007) to add additional guest rooms and special use permit approval for a reduction of loading and parking spaces; zoned KR/King Street Retail. Applicant: MJS Corp by Duncan W. Blair, attorney

Planning Commission Action: Recommend Approval 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 03/15/14, and is incorporated as part of this record by reference.)

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

1. Duncan Blair, 524 King Street, attorney for the applicant, spoke in support of the Special Use Permit (SUP).

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council closed the public hearing and approved the

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

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

None.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

8. Special Use Permit #2014-0003
620 North Fayette Street - Bastille Restaurant
Public Hearing and Consideration of a request to operate a restaurant and a request for a parking reduction; zoned CRMU-H/Commercial Residential Mixed Use High.
Applicant: Le Coq, LLC represented by Duncan Blair, attorney
Planning Commission Action: Recommended Approval as Amended 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 03/15/14, and is incorporated as part of this record by reference.)

Mr. Randall, Urban Planner, Planning and Zoning, gave a presentation and responded to questions from Council about closing hours, outdoor seating and serving of alcohol.

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

1. Duncan Blair, 524 King Street, attorney for the applicant, spoke in support the Special Use Permit (SUP) and responded to questions from Council.
2. Judy Guse-Noritake, 1119 Wythe Street, spoke in support of the SUP.
3. Salena Zellers, 1122 Madison Street, spoke in support of the SUP.
4. Leslie Zupan, 1309 Queen Street, representing the West Old Town Citizens Association, spoke in support of the SUP and noted the concerns of the association regarding parking, noise concerns, alcohol service and hours of operation.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and approved the Planning Commission recommendation. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

9. Special Use Permit #2013-0084
1318 King Street - Automobile Sales
Public Hearing and Consideration of a request for continued operation of a

non-conforming automobile sales business; zoned KR/King Street Retail. Applicant: A & B Auto Finance Co. by Behrooz Raiszadeh
Planning Commission Action: Recommended Denial 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 03/15/14, and is incorporated as part of this record by reference.)

Mr. Randall, Urban Planner, Planning and Zoning, gave a presentation on the proposed SUP and responded to questions from Council.

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

1. Van Van Fleet, 26 Wolfe Street, spoke in support of the businesses remaining at their sites.
2. Michael Hobbs, 419 Cameron Street, spoke in support of the businesses remaining at their sites.
3. Sharon Annear, 1118 North Howard Street, spoke in support of the businesses remaining at their sites.
4. David Chamowitz, 118 North Alfred Street, attorney for the applicant, requested that Council allow the applicant an additional eight months until his Department of Motor Vehicles (DMV) sales license expires to find a location for the business. Mr. Chamowitz responded to questions from Council about lease expiration and DMV motor vehicles sales license expiration.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing and reversed the Planning Commission recommendation and approved the recommendation amending condition #19 to allow the applicant to remain on the property until October 2014, at which time the applicant must vacate the property. The applicant cannot request another extension. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

10. Special Use Permit #2013-0085
1310 King Street - Automobile Sales
Public Hearing and Consideration of a request for continued operation of a non-conforming automobile sales business; zoned KR/King Street Retail. Applicant: Vafa Zarineh by Reza Sasani, agent
Planning Commission Action: Recommend Denial 7-0

(A copy of the Planning Commission report dated March 4, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 03/15/14, and is incorporated as part of this record by reference.)

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

Mayor Euille noted that the previous speakers were speaking on docket items #9 and #10.

1. Reza Sasani, applicant, requested Council consideration of approving the SUP, which was denied by the Planning Commission. Mr. Sasani requested an extension until December 2014 if the business could not remain at its current location. Mr. Sasani responded to questions from Council about the expiration of his DMV sales license and his search for a new location.

WHEREUPON, upon motion by Vice Mayor Silberberg, seconded by Councilwoman Pepper and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, a motion was made by Councilman Smedberg to uphold the Planning Commission recommendation for denial. The motion failed for lack of second.

WHEREUPON, a motion was made by Councilwoman Pepper and seconded by Councilman Chapman, for City Council to reverse the Planning Commission recommendation and allow the applicant to have an extension until December 2014.

Councilman Wilson offered an amendment to the motion to allow the extension until October 2014. The amendment was acceptable to the maker and seconder of the motion.

The final motion as amended reads as follows:

City Council reversed the Planning Commission recommendation and approved the recommendation 6-1, amending condition #18 to allow the applicant to remain on the property until October 2014, at which time the applicant must vacate the property. The applicant cannot request another extension. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, Councilman Smedberg.

OTHER

11. Public Hearing and Review of Decision to Remove Parking on King Street from West Cedar Street to Highland Place in Order to Install Bicycle Lanes and Associated Pedestrian and Bicycle Improvements.

(A copy of the City Manager's memorandum dated March 4, 2014, is on file in the Office of City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 03/15/14, and is incorporated as part of this record by reference.)

Director of Transportation and Environmental Services Baier gave a presentation of the installation of bicycle lanes and other pedestrian and bicycle improvements along King Street

and responded to questions from Council about the decision making process, types of improvements (pedestrian, traffic and bicycle), changes to the truck route, and alternate routes (i.e., Masonic Temple trail).

Mr. Putzier, Assistant General Manager, DASH, spoke in support of the installation of the bike lanes along King Street and he noted that the buses would be able to safely travel King Street with the bike lanes.

Please note: At 12:45 p.m., City Council took a 15-minute recess.

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

1. William Schuyler, 505 Wolfe Street, representing the Traffic and Parking Board, explained why the Board recommended a denial of the staff position for installation of bike lanes along King Street.

2. Lisa Beyer Scanlon, 515 Braxton Place, representing Taylor Run Citizen's Association, gave a presentation on a concept designed by the Taylor Run Citizen's Association to provide complete streets on King Street and implement sharrows instead of bike lanes, as well as other pedestrian and traffic improvements. Ms. Scanlon distributed booklets to Council with the entire plan and responded to questions from Council.

3. Sue Gunter, 510 Braxton Place, spoke in support of installing the bike lanes.

4. Jakub Jakubek, 5270 Duke Street, #415, spoke in support of installing the bike lanes.

5. Randy Cole, 136 Moncure Drive, spoke in support of installing the bike lanes.

6. Andre Hamre, 205 Wesmond Drive, spoke in support of installing the bike lanes.

7. Kevin Posey, 507 Carlyle Drive, spoke in support of installing the bike lanes.

8. Jerry King, 400 East Howell Avenue, spoke in support of installing the bike lanes.

9. Eric Wagner, 18 West Uhler Avenue, spoke in support of installing the bike lanes.

10. Stewart Schwartz, 316 F Street NE, Washington, DC, representing the Coalition for Smarter Growth, spoke in support of installing the bike lanes.

11. Patrick Earle, 231 Grant Avenue, Tacoma Park, MD, spoke in support of installing the bike lanes.

12. Annika Moman, 618 Queen Street, spoke in support of installing the bike lanes.

13. Rudolf Rojas, 310 Lamont Place, spoke in support of installing the bike lanes.

14. Bonnie O'Day, 1227 Quaker Hill Drive, spoke in support of installing the bike

lanes.

15. Patricia Collins, 2004 Scroggins Road, spoke in support of installing the bike lanes.

16. Kristopher Andersen, 53 East Taylor Run Parkway, spoke in support of installing the bike lanes,

17. Natasha Garcia Andersen, 53 East Taylor Run Parkway, spoke in support of installing the bike lanes.

18. Scott Binde, 1307 Queen Street, spoke in support of installing the bike lanes.

19. Tom Walczykowski, 405 Cloverway Drive, spoke against installing the bike lanes.

20. Tim Ockerman, 515 Janney's Lane, spoke against installing the bike lanes.

21. Robert C. Dunn, 1113 Cross Drive, spoke in support of installing the bike lanes.

22. Leonard Rubenstein, 17 West Cedar Street, spoke in support of installing the bike lanes.

23. Maitland Bottoms, 216 Moncure Drive, spoke in support of installing the bike lanes.

24. Lindsey Bachman, 306 East Glendale Avenue, Apt. 1, spoke in support of installing the bike lanes.

25. Bruce Dwyer, 915 Bernard Street, spoke in support of installing the bike lanes.

26. Daniel McNulty, 205 Wesmond Drive, spoke in support of installing the bike lanes.

27. Elizabeth Wright, 113 South Ingram Street, spoke in support of installing the bike lanes.

28. Louise Welch, 2207 King Street, spoke against installing the bike lanes.

29. R. Craig Hudson, 2602 King Street, spoke against installing the bike lanes.

30. Amy Lehmkuhler, 2407 King Street, spoke against installing the bike lanes.

31. Lynne Lawrence, 400 North View Terrace, spoke against installing the bike lanes.

32. Suzanne Dingwell, 418 Ferdinand Day Drive, spoke in support of installing the bike lanes.

33. Catherine Moran, 810 Prince Street, spoke in support of installing the bike lanes.
34. Richard LaFalce, 2512 King Street, spoke against installing the bike lanes.
35. Kim Kaplan, 418 Queen Street, spoke in support of installing the bike lanes.
36. Arlene Fitzpatrick, 2211 King Street, spoke against installing the bike lanes.
37. Amy Slack, 2307 Randolph Avenue, spoke about the process and the type of information the Traffic and Parking Board received for their decision making process.
38. Darlene Johnson, 2210 King Street, spoke against installing the bike lanes.
39. Richard Johnson, 2210 King Street, spoke against installing the bike lanes.
40. Betsy Biffl, 621 North St. Asaph St., #111, spoke in support of installing the bike lanes.
41. Katy Cannady, 20 East Oak Street, spoke against installing the bike lanes.
42. Aaron Eastman, 2209 King Street, spoke against installing the bike lanes. Mr. Eastman submitted a petition to support the opposition and in support of consideration of Concept 3.
43. Jonathan Krall, 6A East Mason Avenue, spoke in support of installing the bike lanes.
44. Susan Gitlin, 609 Little Street, representing the Environmental Policy Commission, spoke in support of installing the bike lanes.
45. Gregory Billing, representing the Washington Area Bicyclist Association, spoke in support of installing the bike lanes.
46. Sean Crumley, 209A East Nelson Avenue, spoke in support of installing the bike lanes.
47. Lisa Kaplowitz, 2228 King Street, spoke in support of installing the bike lanes.
48. William Pfister, 3718 Templeton Place, spoke in support of installing the bike lanes.
49. Stan Protigal, 111 Mount Vernon Avenue, spoke against installing the bike lanes.
50. James Bender, 502 ½ East Bellefonte Avenue, spoke in support of installing the bike lanes.
51. William Kalish, 610 South View Terrace, spoke in support of installing the bike lanes.

52. Dino Drudi, 315 North West Street, spoke against installing the bike lanes.

53. Peter Watkins, 604 Little Street, spoke in support of installing the bike lanes.

54. Marguerite L. Lang, 14 West Rosemont Avenue, representing the Rosemont Citizens Association Executive Board, spoke against installing the bike lanes and requested further study of the issue.

55. Bayley Vanderpool, 2701 16th St. South #645, spoke in support of installing the bike lanes.

56. Annabelle Fisher, 5001 Seminary Road, spoke against installing the bike lanes.

57. Anne Haynes, 204 Elm Street, spoke in support of installing the bike lanes.

58. Boyd Walker, 1302 King Street, spoke in support of installing the bike lanes.

59. Kel Moore, 2645 North Van Dorn Street, spoke in support of installing the bike lanes.

60. Randolph Dingwell, 418 Ferdinand Day Drive, spoke in support of installing the bike lanes.

61. Angus Hendrick, 25 West Glebe Road, spoke in support of installing the bike lanes.

62. Jesse Strauss, 1721 Stonebridge Road, spoke in support of installing the bike lanes.

63. David Kaplan, 418 Queen Street, spoke in support of installing the bike lanes.

64. Jim Durham, 622 Fort Williams Parkway, spoke in support of installing the bike lanes.

65. Bert Ely, 200 South Pitt, representing the Old Town Civic Association, spoke against installing the bike lanes and requested deferral of the decision.

66. Dave Levy, 309 East Nelson Avenue, spoke in support of installing the bike lanes.

67. Stephen Milone, 907 Prince Street, spoke in support of installing the bike lanes.

Police Captain Wemple stated that the Police Department stated that the department supports any plan that will increase the safety of City streets and he noted that enforcement in the area is generally not a problem for the department.

WHEREUPON, upon motion by Councilmember Lovain, seconded by Councilman

Wilson and carried unanimously, City Council closed the public hearing. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

WHEREUPON, a motion was made by Councilmember Lovain, seconded by Councilwoman Pepper for City Council to uphold the Director of Transportation and Environmental Services' decision to remove parking on King Street from West Cedar Street to Highland Place in order to install bicycle lanes and associated pedestrian and bicycle improvements.

Councilman Wilson offered the following amendments and modifications to the motion: City Council requested that staff, along with neighborhood input, examine and include the following modifications in the decision-making process:

- inclusion of neighborhood signage designating the residential area and notifying that the speed limit is strictly enforced (west of Janney's Lane and King Street);
- inclusion of a traffic signal at Upland Place;
- inclusion of a crosswalk at Park Road or Carlisle Drive;
- installation of east and west speed boards;
- inclusion of additional 25 mile per hour static speed limit signs along (work with the community for locations);
- inclusion of buffers/markings to draw visual cues to the new markings for the bike lanes;
- separate truck route action as an ordinance to be approved by Council;
- additional pedestrian crossing at Upland Place/King Street to be designed by staff;
- inclusion of pedestrian crossing of Park Road at King Street;
- examine the feasibility of including parking at the dead end of Walnut Street and/or examine the feasibility of opening up the area to pedestrian/bicycle traffic;

The amendments were acceptable to the maker and seconder of the motion.

Councilman Chapman offered the following amendment: staff will work on collecting local data about the project for the 18 months from the completion of the project. The amendment was acceptable to the maker and seconder of the motion.

Vice Mayor Silberberg requested that the Masonic Temple trail be upgraded to encourage more usage of the trail. In response to Vice Mayor Silberberg's request, Mayor Euille stated that the City has no commitment to provide the trail with lighting and cameras. Mayor Euille noted that staff will continue to work with the owners of the Masonic Temple on the feasibility of using the trail near it.

The final motion reads as follows:

City Council unanimously upheld the Director of Transportation and Environmental Services' decision to remove parking on King Street from West Cedar Street to Highland Place in order to install bicycle lanes and associated pedestrian and bicycle improvements. City Council requested that staff, along with neighborhood input, examine and include the following modifications in the decision-making process:

- inclusion of neighborhood signage designating the residential area and notifying that the speed limit is strictly enforced (west of Janney's Lane and King Street);
- inclusion of a traffic signal at Upland Place;
- inclusion of a crosswalk at Park Road or Carlisle Drive;
- installation of east and west speed boards;
- inclusion of additional 25 mile per hour static speed limit signs along (work with the community for locations);
- inclusion of buffers/markings to draw visual cues to the new markings for the bike lanes;
- separate truck route action as an ordinance to be approved by Council;
- additional pedestrian crossing at Upland Place/King Street to be designed by staff;
- inclusion of pedestrian crossing of Park Road at King Street;
- to continue working with the owners of the Masonic Temple on the feasibility of using the trail near it; and
- staff will work on collecting local data about the project for the 18 months from the completion of the project.

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

ORDINANCES AND RESOLUTIONS

12. Public Hearing, Second Reading and Final Passage of a Proposed Amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles For Hire), Division 2 (Certificates Of Public Convenience And Necessity) of The Code of the City of Alexandria, Virginia, 1981, as Amended.

(A copy of the City Manager's memorandum dated March 15, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 03/15/14, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 03/15/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 12; 03/15/14, and is incorporated as part of this record by reference.)

Mr. Garbacz, Division Chief, Transportation and Environmental Services, gave an explanation of the changes to the ordinance.

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilmember Lovain and carried 6-0-1 by roll-call vote, City Council closed the public hearing and approved an ordinance for a proposed amendment to Title 9 (Licensing and Regulation), Chapter 12 (Taxicabs and Other Vehicles for Hire), Division 2 (Certificates of Public Convenience and

Necessity) of the Code of the City of Alexandria, Virginia, 1981, as amended. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Wilson; Opposed, none; Abstained, Councilman Smedberg.

The ordinance reads as follows:

ORDINANCE NO. 4860

AN ORDINANCE to amend and reordain Title 9 (LICENSING AND REGULATION), Chapter 12 (TAXICABS AND OTHER VEHICLES FOR HIRE), Division 2 (CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY) 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 12, Division 2 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 9-12-35 to read as follows:

Sec. 9-12-35 Grandfathered certificates.

A certificate which was issued to an individual owner or driver prior to February 15, 1983, and remains in force and effect, including by renewal, on and after July 1, 2005, shall be subject to the following provisions:

- (a) the original holder of such an individual certificate may change affiliation at any time and for any reason, subject to compliance with the provisions of this section.
- (b) the provisions of section 9-12-32 shall not be applicable to renewals of grandfathered certificates held by an individual owner or driver.
- (c) grandfathered certificates are non-transferable, may only be transferred in the manner set forth in the following section (d).

(d) and -uUpon the holder's departure from the industry, shall not be reissued the company with whom the grandfathered certificate is at that time affiliated may request that the grandfathered certificate be converted to a standard authorization, which, if granted, shall be in addition to the number of authorizations then affiliated with the company. The Traffic and Parking Board shall consider any such request at a public hearing and will make the final determination regarding such request. The City Manager shall promulgate regulations for processing such requests and scheduling them for hearing. In the event such a request is granted, then the grandfathered certificate holder may transfer the vehicle permit in the same manner and subject to the same regulatory requirements as those vehicle permits for vehicles with standard authorizations.

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

13. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and

reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001. (Implementing ordinance for the rezoning of the property for the Health Department project approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 03/15/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 03/15/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council approved an ordinance to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (Official Zoning Map and District Boundaries), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4861

AN ORDINANCE to amend and reordain Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 (OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES), of the City of Alexandria Zoning Ordinance, by rezoning the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2014-0001.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2014-0001, 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 February 4, 2014 of a rezoning of the property at 509 North St. Asaph Street from, RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) with proffer, which recommendation was approved by the City Council at public hearing on February 22, 2014;

2. The said rezoning is in conformity with the 1992 Master Plan of the City of Alexandria, Virginia, as amended;

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 Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," adopted by Section 1-300 of the City of Alexandria Zoning Ordinance, be, and the same hereby is, amended by changing, in the manner set forth below, the zoning classification of the property hereinafter described:

LAND DESCRIPTION: 509 North St. Asaph Street,
Tax Map #: 064.02-05-01

From: RM/Townhouse

To: CRMU/X Commercial, Residential, Mixed Use (Old Town North) with the following proffer:

The Old Health Department building at 509 N. Saint Asaph Street shall not be torn down and will be restored and adapted, leaving the west, north and south facing exterior facades substantially intact, as necessary, to convert the building from an office use to residential townhouses.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing amendment on the said map.

Section 3. That Sheet No. 064.02 of the "Official Zoning Map, Alexandria, Virginia," as so amended, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage.

14. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Master Plan Amendment related to the Health Department Project approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 03/15/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 03/15/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilman Wilson and carried unanimously by roll-call vote, City Council approved an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4862

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Old Town North chapter of such master plan as Master Plan Amendment No. 2014-0001 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1, In Master Plan Amendment No. 2014-0001, 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 February 4, 2014 of an amendment to the Old Town North Chapter of the Master Plan of the City of Alexandria to amend the land use and zoning maps for the property at 509 North St. Asaph from RM/Townhouse to CRMU/X Commercial, Residential, Mixed Use (Old Town North) which recommendation was approved by the City Council at public hearing on February 22, 2014;

2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.

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 the Old Town North Chapter of the Master Plan of the City of Alexandria, be, and the same hereby is, amended by amending maps 10, 11, 17 and 18 as shown in the attached graphic of the maps titled Master Plan Amendment Updated Maps attached hereto and incorporated fully herein by reference.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of the Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

15. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. (Implementing Ordinance for the Eisenhower East Small Area Plan Amendment related to the Carlyle Plaza II project approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 03/15/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 15; 03/15/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council approved an ordinance to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4863

AN ORDINANCE to amend and reordain the Master Plan of the City of Alexandria, Virginia, by adopting and incorporating therein the amendment heretofore approved by city council to the Eisenhower East Small Area Plan Chapter of such master plan as Master Plan Amendment No. 2013-0006 and no other amendments, and to repeal all provisions of the said master plan as may be inconsistent with such amendment.

WHEREAS, the City Council of the City of Alexandria finds and determines that:

1. In Master Plan Amendment No. 2013-0006, 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 February 4, 2014 of an amendment to the Eisenhower East Small Area Plan Chapter of the Master Plan of the City of Alexandria to amend Figure 4-10 on page 4-14 to allow office space to be converted to hotel or residential, which recommendation was approved by the City Council at public hearing on February 22, 2014;
2. The said amendment has heretofore been approved by the planning commission and city council after full opportunity for comment and public hearing.
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 the Master Plan of the City of Alexandria, be, and the same hereby is, amended by adding the words, "and/or additional residential" after the word hotel in footnote 5 of Figure 4-10 on page 4-14 of the Eisenhower East Small Area Plan Chapter of the Master Plan.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing master plan amendment as part of the Master Plan of the City of Alexandria, Virginia.

Section 3. That all provisions of the Master Plan of the City of Alexandria, Virginia, as may be inconsistent with the provisions of this ordinance be, and same hereby are, repealed.

Section 4. That the Master Plan of the City of Alexandria, as amended by this ordinance, be, and the same hereby is, reordained as the Master Plan of the City of Alexandria, Virginia.

Section 5. That the city clerk shall transmit a duly certified copy of this ordinance to the Clerk of the Circuit Court of the City of Alexandria, Virginia, and that the said Clerk of Circuit Court shall file same among the court records.

Section 6. That this ordinance shall become effective upon the date and at the time of its final passage.

16. Public Hearing, Second Reading, and Final Passage of an Ordinance to amend and reordain Section 11-700 (Transportation Management special use permits) 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. 2013-0009. (Implementing Ordinance for the text amendment related to new TMP regulations approved by City Council on February 22, 2014)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 03/15/14, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 16; 03/15/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved an ordinance to amend and reordain Section 11-700 (Transportation Management Special Use Permits) 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. 2013-0009. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance reads as follows:

ORDINANCE NO. 4864

AN ORDINANCE to amend and reordain Section 11-700 (Transportation Management special use permits) 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. 2013-0009.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0009, 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 February 4, 2014 of a text amendment to the Zoning Ordinance to adopt revised Transportation Management Plan Special Use Permit regulations, which recommendation was approved by the City Council at public hearing on February 22, 2014

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 11-700 of the Zoning Ordinance be, and the same hereby is, amended by deleting the current section in its entirety and inserting new language, as shown:

Sec. 11-700 Transportation management special use permits.

11-701 Purpose and intent.

- (A) There are certain land uses which, by their location, nature, size and/or density, or by the accessory uses permitted or required in connection therewith, or by certain operational or design and engineering characteristics, tend to cause traffic and related impacts which are contrary to the public health, safety and general welfare in that they lead to, generate or exacerbate: danger and congestion in travel and transportation upon the public streets, parking problems, harmful air pollution, wasteful energy consumption, excess noise, and other adverse impacts upon public and private transportation facilities, environmental quality, historic areas and other qualities of the city which make it a desirable, prosperous and attractive residential and commercial community. These uses present a disproportionate danger of such impacts relative to similar uses of a different size and density and to other uses permitted under this ordinance.
- (B) These uses may be allowed to locate within designated zones only under a special use permit, as provided in this section 11-700, which, through the imposition of pertinent conditions and requirements, shall ensure that the adverse and disproportionate traffic, transportation and related impacts of such uses are reduced to levels consonant with the public health, safety and general welfare, that surrounding land, structures, persons and property are adequately protected and that public and private transportation is facilitated.
- (C) The purpose of this section 11-700 is to mitigate the traffic, transportation and related impacts of such certain land uses through the requirement that a transportation management plan for such uses be prepared and that a special use permit be issued for such uses containing terms and conditions which require the implementation of an appropriate transportation management plan. The intent of the transportation management plan is to reduce single occupancy vehicle trips by:
- encouraging other forms of travel, including transit use, ridesharing, walking and bicycling to accomplish that reduction through site-specific controls and conditions;
 - leveraging and sharing planned or existing TMPs and conditions in neighboring uses,
 - fees paid to a citywide transportation demand management program,
 - additional measures or a combination thereof, all in coordination with the city's overall transportation demand management program, Transportation Master Plan, and the Transportation chapter of the City of Alexandria Master Plan.

11-702 Transportation Management Plan Program.

- (A) There is hereby created a Transportation Management Plan (TMP) Program designed to accomplish the purpose and intent of this section 11-700 by maximizing the mobility of all users by encouraging transit use, ridesharing, pedestrian and bicycle transportation to minimize single vehicle occupancy trips by motor vehicles and ensuring adequate transportation infrastructure and services to support future levels of development.
- (B) The TMP Program shall consist of a citywide TMP (Citywide TMP) as well as stand-alone TMP programs operated by individual developments.
- (C) The Director of Transportation and Environmental Services shall report on an annual basis to the Transportation Commission, the Planning Commission and City Council on the status of the TMP Program. The annual report shall be distributed to all developments that contribute to the City-wide and City-managed TDM Fund.

11-703 Transportation Demand Management Fund.

- (A) There is hereby created a citywide, city-managed dedicated Transportation Demand Management (TDM) Fund (TDM Fund) which will promote and create transportation alternatives to single occupancy vehicles that meet the goals of this section 11-700 and the Transportation chapter of the City of Alexandria Master Plan.
- (B) Any payments made to the City as a result of the conditions or requirements of an approved TMP SUP shall be deposited into the city TDM Fund.
- (C) Funds deposited into the city TDM Fund shall be separately maintained and segregated and not subject to use other than for its approved program expenditures.
- (D) As part of its annual report on the status of the TMP Program under section 11-702(B), the Director of Transportation and Environmental Services shall report on the status of the TDM Fund, including how funds have been spent in the prior year and a proposed program of expenditures for the following year. After a public hearing and consideration by the Transportation Commission and the Planning Commission, each Commission shall make a recommendation to City Council, which shall adopt an annual program of TDM expenditures for the city.

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

- (A) *Development tiers.* The following development tiers represent a graduated level of development to which TMP requirements apply.

- (1) *Tier one uses.* The following levels of development typically have a relatively low level of traffic and related impacts and are regulated as a tier one use.
- a) *Residential:* more than 20 but no more than 99 residential units;
 - b) *Commercial or professional office space:* more than 9,999 but no more than 99,999 square feet of Floor Area.
 - c) *Retail:* either more than 9,999 but no more than 74,000 square feet of Floor Area or more than 3,000 square feet but no more than 10,000 square feet of Floor Area with more than 50 peak hour trips during either peak hour as defined in the administrative regulations authorized by Section 11-709.
 - d) *Hotels:* 30 rooms or more; and
 - e) *Industrial or warehouse:* 30,000 or more square feet of Floor Area.
- (2) *Tier two uses.* The following levels of development typically have a moderately high level of traffic and related impacts and are regulated as a tier two use.
- a) *Residential:* more than 99 but no more than 349 residential dwelling units;
 - b) *Commercial and/or professional office space:* more than 99,999 square feet but no more than 249,000 square feet of Floor Area; and
 - c) *Retail space:* More than 74,999 square feet but no more than 149,000 square feet of Floor Area.
- (3) *Tier three Uses.* The following levels of development typically have a very high level of traffic and related impacts and are regulated as a tier three use.
- a) *Residential:* more than 349 dwelling units;
 - b) *Commercial and/or professional office space:* more than 249,999 square feet of Floor Area; and
 - c) *Retail space:* more than 149,999 square feet of Floor Area.
- (4) *Mixed Uses.* For a development or building that includes more than one use, each use shall be separately assessed and the highest applicable tier shall apply to the whole development. If a development has more than one use in the same tier, then the next highest tier will be used to define the TMP development tier.
- (5) All other uses shall be exempt from the requirements of this section 11-700.
- (B) *Program participation based on tier status.*
- (1) *Participation.* Each TMP project, depending on its development tier, has the following requirements and options with regard to the type of TMP program in which it participates:
- a) A tier one use shall be required to participate in the Citywide TMP program.
 - b) A tier two use shall have the option, with the consent of the Director of Transportation and Environmental Services and approval of this Special Use Permit, of participating in the Citywide TMP program or operating its

own stand-alone TMP and may be encouraged to partner with a neighboring use.

- c) A tier three use shall create and operate its own stand-alone TMP and may be encouraged to partner with a neighboring TMP.

(2) *Requirements with Respect to participation in the City-wide TMP Program.* Each development that is required to participate in the city-wide TMP program must comply with all conditions of the TMP SUP which at a minimum will include:

- a) Designation of a TMP Coordinator whose contact information shall be provided to the City;
- b) Regular payments will be made into the TDM Fund in accordance with the TMP Assessment as described in Section 11-708 herein; and
- c) Access to the property by the City in order to implement TDM measures such as surveys, mailings and hosting events to encourage participation.

(3) *Requirements with Respect to Partnering*

- a) A tier two or tier three use TMP partnership proposal shall be submitted jointly by both parties.
- b) The proposal shall be reviewed and approved by the Director of Transportation and Environmental Services.
- c) If a partnership is approved, each use involved in such a TMP partnership must still independently meet the requirements of its TMP, including independently submitting all required reports.

11-705 Application for TMP special use permit

- (A) *Application.* A TMP SUP application shall be filed pursuant to section 11-500 of this ordinance and consistent with the administrative guidelines authorized pursuant to section 11-709. The application shall be filed concurrently with the application for approval of a preliminary site plan for the same use as required by section 11-400 of this ordinance.
- (B) *Multi-modal transportation scoping requirement.* The application shall include a scoping form which shall conform to the guidelines established with the administrative regulations authorized by Section 11-709 to determine whether a multi-modal transportation study will be required.
- (C) *Multi-modal transportation study requirement* If a multi-modal transportation study is required it shall meet the requirements set forth in the administrative guidelines authorized by Section 11-709 herein and at a minimum shall address the following:
 - (1) Vehicular transportation
 - (2) Transit service
 - (3) Bicycle and pedestrian facilities

(4) Parking study and management plan required if parking reduction requested, unless otherwise exempted in the Small Area Plan or other City Council approved plan

(5) Proposed Transportation Management Plan.

(D) *Proposed TMP.* The applicant shall propose a TMP as part of the application which shall conform to the guidelines established by administrative guidelines authorized by section 11-709, and shall at a minimum include the following:

(1) Strategies that influence travel behavior by mode, frequency, time, route or trip length in order to reduce single vehicle occupancy trips.

(2) Specific program components which may include, but are not limited to, a combination of the following: subsidies for transit, carpool, vanpool and shuttles; parking for carpool and vanpool vehicles; carshare or rideshare programs; marketing; teleworking facilities; bicycle facilities.

11-706 Action by city council.

(A) In reviewing an application for a special use permit under this section 11-700, the city council shall consider the traffic, transportation and related impacts of the proposed use, the applicable factors listed in section 11-504, and the following characteristics of the proposed use that will determine or affect the extent of those impacts:

(1) Whether the SUP will encourage the use of travel modes other than single occupancy vehicles and reduce the peak hour traffic impacts associated with new development;

(2) Whether the SUP will maximize the mobility of pedestrians, transit users, bicyclists and motor vehicles and create an integrated, multimodal transportation system that is accessible and safe for all users;

(3) Whether the SUP will maintain the viability of its commercial centers, neighborhoods and growth areas by providing adequate transportation infrastructure and services to support future levels of development; and

(4) Whether the SUP will minimize vehicular impacts associated with new development.

(B) The city council may approve an application for a special use permit under this section 11-700 if it determines (i) that the applicant's transportation management plan is in accord with the requirements of this section 11-700, (ii) that the transportation management plan, together with any amendments deemed appropriate by council, demonstrates that reasonable and practicable actions will be taken in conjunction with and over the life of the proposed use which will produce a measureable reduction in the traffic and transportation impacts consistent with the mode share target as set forth in the TMP SUP, (iii) and that those actions, strategies and programs will be taken in conjunction and coordination with the city's transportation demand management program.

11-707 Conditions and Requirements. In approving a TMP SUP under this section 11-700, city council may impose such reasonable conditions and restrictions that it determines are necessary and desirable to ensure that the use will further the intent of this section 11-700, the applicable factors of section 11-504, and the factors listed in sections 11-706(A). Such conditions shall include such operational activities and fee payments designed to achieve successful transportation demand management, including at a minimum the following:

- (A) **Coordinator.** Each TMP project shall appoint a coordinator responsible for the implementation of the TMP and for coordination with the city.
- (B) **Surveys.** Each TMP project that is not part of the Citywide TMP Program shall be responsible for surveying its residents, tenants, and employees on an annual basis to determine the success of the TMP. The TMP project must demonstrate a good faith effort to achieve response rate targets as set forth in the TMP SUP for the project.
- (C) **Reviews.** Each TMP shall be required to report annually on its activities under the TMP and shall be reviewed by the city to determine its TMP compliance.
- (D) **TMP assessment.** Each TMP will be required to pay a TMP annual assessment pursuant to section 11-708.

11-708 TMP assessment schedule and adjustments. Each TMP shall be required to make a monetary payment at a given rate based on the development type and size. The payment shall be made either into the TMP Fund for the individual project or into the city TDM Fund, depending on the program participation of the development as defined by Section 11-704 herein. The amount of the payment shall be based on a standardized rate as that rate may be modified as provided herein.

- (A) The base rate applicable to all TMPs subject to the assessment as of EFFECTIVE DATE is as follows:

Land Use	Base Rate in FY14
Residential	\$81.12 per dwelling unit
Commercial	\$0.254 per square foot of Floor Area
Retail	\$0.203 per square foot of Floor Area
Hotel	\$40.56 per room
Industrial	\$0.101 per square foot of Floor Area

- (B) The base assessment rate will be adjusted on an annual basis on July 1 of each year in accordance with the Consumers Price Index (CPI-U) as reported by the United States Department of Labor, Bureau of Labor Statistics. The base assessment rate in effect at the time of the project's first certificate of occupancy permit (CO) is the applicable rate for the project.
- (C) If any part of the TMP project is within 1,000 feet walking distance of a Metrorail station entrance or a BRT/fixed transit station entrance (Station Entrance), on a

fully operational corridor, a 20% reduction from the base assessment rate will be applied. If the TMP project is within 1,500 feet of a Station Entrance, a 15% a reduction from the base assessment rate will be applied.

11-709 Administrative Guidelines. The Director of Transportation and Environmental Services is hereby authorized to promulgate administrative guidelines to supplement this section 11-700 and to facilitate the TMP Program. The guidelines shall be consistent with the provisions of this section 11-700. They shall include the city's technical assumptions, specifications, submission requirements, and expectations for applicants and participants in the TMP program and shall be designed to provide guidance to applicants and their professional consultants and to facilitate participation by applicants and coordination between development applicants and staff. The guidelines shall be approved initially by city council and any subsequent changes to the guidelines shall be made part of the annual reporting required under section 11-702(B).

11-710 Reserved

11- 711 Enforcement and civil penalties.

- (A) Compliance Required. Each TMP project is required to comply with all conditions of its TMP SUP and with the provisions of this section 11-700 and compliance will be assessed on a regular basis as part of required review of the TMP by the city.
- (B) Failure of a TMP project to comply with its approved TMP shall result in the assessment of civil penalties or revocation of the approved TMP SUP as follows:
 - (1) A violation of a TMP SUP condition may result in the following cumulative penalties, which may be accrued in any given 12 month period as follows:
 - (a) If the Director of Transportation and Environmental Services determines that a violation of the TMP SUP has occurred, he or she may cause a notice of violation to be served on any such person committing or permitting such violation. Such notice shall give 30 days for the violation to be corrected.
 - (b) If the 30 day compliance period elapses and the violation of the TMP SUP arising from the same set of operative facts continues, a notice of violation with civil penalty in the amount of 5% of the use's annual financial obligation as provided in the SUP conditions, up to a maximum of \$5,000, may be assessed. Such notice shall include an additional 30 day compliance period to correct the violation.
 - (c) If, after the compliance period in 11-711(B)(1)(b) elapses, the violation of the TMP SUP arising from the same set of operative facts continues, a notice of violation with a civil penalty in the amount of 10% of the use's annual financial obligation as provided in the SUP conditions, up to a maximum of \$5,000 may be assessed. Such notice shall include an additional 30 day compliance period to correct the violation.
 - (d) If, after the compliance periods provided in section 11-711(B)(1)(b) and (c) elapses, the violation of the TMP SUP arising from the same set of

operative facts continues, a notice of violation with a civil penalty in the amount of 15% of the use's annual financial obligation as provided in the SUP conditions, up to a maximum of \$5,000 may be assessed.

- (2) If after assessment of three civil penalties, any use continues to fail to comply with a condition of its approved TMP, the use may be required to participate in the Citywide TMP Program, may be subject to increased review and reporting requirements and may be subject to a staff recommendation for action by the city council revoke the TMP SUP pursuant to section 11-205 of this ordinance.

11-712 Permit validity and modification.

- (A) Each special use permit issued pursuant to the provisions of this section 11-700 shall expire and become null and void concurrently with the expiration of the site plan approved in connection therewith as provided in section 11-400.
- (B) The enlargement, extension or increase of more than five percent in the Floor Area expressed in square feet of any use for which a special use permit has been issued under the provisions of this section 11-700 shall require an application for and approval of a new or amended special use permit governing the entire use as enlarged, extended or increase.
- (C) In the case of a mixed-use building or structure for which a special use permit has been issued under this section 11-700, any modification of the mixture of uses which increases or decreases the amount of square feet utilized by the dominant use by more than 20 percent shall require an application for and approval of a new or amended special use permit governing the entire building or structure as modified.

11-713 Nonconforming use status and related matters.

- (A) No individual building or structure, otherwise subject to the provisions of this section 11-700, which is in existence on May 16, 1987, or for which a preliminary site plan approved on or before May 16, 1987, continues in force and effect, shall be deemed a nonconforming or noncomplying use by virtue of any provision of this section 11-700, nor shall any such building or structure be subject to the provisions of this section 11-700.
- (B) Any TMP SUP granted after May 16, 1987 and before March 15, 2014 remains in full force and effect. No individual building or structure, otherwise subject to the provisions of this section 11-700, which is in existence on March 15, 2014, or for which a preliminary site plan approved on or before March 15, 2014, continues in force and effect, shall be deemed a nonconforming or noncomplying use by virtue of any provision of this section 11-700, nor shall any such building or structure be subject to the provisions of this section 11-700.
- (C) Any other provision of law to the contrary notwithstanding, the owner, contract purchaser or lessee, or any authorized agent of such party in interest, of any

individual building or structure or project, complex or development which is or becomes a lawful nonconforming or noncomplying use under the provisions of this section 11-700, may file an application for the issuance of a special use permit under the provisions of this section 11-700.

11-714 Administration.

(A) The director shall administer the provisions of this section 11-700 and shall consult and coordinate with the directors of transportation and environmental services and of the transportation planning division and such other divisions of the city government as may be appropriate.

(B) The fee for filing and processing a special use permit application shall be according to that prescribed by section 11-104 and such fee shall be in addition to any other fees required under this ordinance.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Section 11-700, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on the date and at the time of its final passage, 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.

17. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014. (Implementing ordinance for the text amendment approved by City Council on February 22, 2014 regarding stormwater regulations)

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 03/15/14, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 17; 03/15/14, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Silberberg and carried unanimously by roll-call vote, City Council approved an ordinance to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning

Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

The ordinance read as follows:

ORDINANCE NO. 4865

AN ORDINANCE to amend and reordain Article XIII (Environmental Management) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by city council as Text Amendment No. 2013-0014.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2013-0014, 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 February 4, 2014 of a text amendment to the Zoning Ordinance to adopt revised stormwater management regulations, which recommendation was approved by the City Council at public hearing on February 22, 2014

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 Article XIII of the Zoning Ordinance be, and the same hereby is, amended by deleting the current section in its entirety and inserting new language, as shown:

ARTICLE XIII. - ENVIRONMENTAL MANAGEMENT

Sec. 13-100. - General findings.

13-101 - Purpose.

13-102 - Authority.

13-103 - Definitions.

13-104 - Administration.

13-105 - Designation of Chesapeake Bay Preservation Area Overlay District.

13-106 - Establishment of CBPA boundaries.

13-107 - Development, redevelopment, and uses permitted in RPAs.

13-108 - Development and uses permitted in RMAs.

13-109 - General performance requirements for CBPAs.

13-110 - Alternative stormwater management equivalency options and establishment of the Alexandria Water Quality Improvement Fund.

13-111 - Development review process.

13-112 - Environmental site assessment.

13-113 – Stormwater pollution prevention plan.
13-114 - Stormwater management plan.
13-115 – Stormwater management plan review.
13-116 – Pollution prevention plan.
13-117 - Water quality impact assessment.
13-118 - Final plans.
13-119 - Exceptions.
13-120 - Appeals.
13-121 - Hearings
13-122 - Noncomplying land uses and structures.
13-123 - Exemptions.
13-124 – Time limits on applicability and grandfathering.
13-125 – Monitoring and inspections.
13-126 - Penalties.

Sec. 13-100. - General findings.

The Chesapeake Bay is one of the most productive estuaries in the world, providing substantial economic and social benefits to the people of the Commonwealth of Virginia. Healthy state and local economies are integrally related to and dependent upon the health of the Chesapeake Bay. The general welfare of the people of the Commonwealth depends upon the health of the Bay.

The waters of the Chesapeake Bay and its tributaries, including the Potomac River and Alexandria's local streams, have been degraded significantly by point source and nonpoint source pollution, which threatens public health and safety and the general welfare.

13-101 - Purpose.

(A) It is the policy of the City of Alexandria, Virginia to protect the quality of water in the Chesapeake Bay and its tributaries and, to that end, to require all land uses and land development in the city to:

- (1) Safeguard the waters of the commonwealth from pollution;
- (2) Prevent any increase in pollution of state waters;
- (3) Reduce existing pollution of state waters; and
- (4) Promote water resource conservation.

(B) To fulfill this policy, this Article XIII is adopted to minimize potential pollution from stormwater runoff, minimize potential erosion and sedimentation, reduce the introduction of harmful nutrients and toxins into state waters, maximize rainwater infiltration while protecting groundwater, and ensure the long-term performance of the measures employed to accomplish the statutory purpose.

(C) The provisions of this Chapter shall be deemed severable, and the invalidity or unenforceability of any individual provision or section hereof shall not affect the validity and enforceability of the remaining provisions of the Chapter.

13-102 - Authority.

This Article XIII is issued under the authority of section 62.1-44.15:73 of the Code of Virginia (the Chesapeake Bay Preservation Act), 62.1-44.15:24 et seq of the Code of Virginia (the Virginia Stormwater Management Act) and attendant regulations as adopted by the Virginia State Water Control Board. Code of Virginia section 62.1-44.15:27 specifically requires the City to adopt a Virginia Stormwater Management Program.. Authority to protect water quality is also provided by section 15.2-2283 of the Code of Virginia.

13-103 - Definitions.

The following words and terms used in this Article XIII have the following meanings, unless the context clearly indicates otherwise.

(A) *Administrator*. The person responsible for the administration of this Article XIII, which in the city shall be the director of T&ES or his/her designee.

(B) *Alexandria Water Quality Volume Default*. The volume equal to the first 0.5 inch of runoff multiplied by the total impervious area of the site as defined herein.

(B) *Applicant*. A person who has submitted, or plans to submit, a plan of development or an exception request to the city or a person seeking approval from the city for any activity that is regulated under this article.

(C) *Best management practice (BMP)*. Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices, including both structural and nonstructural practices, to prevent or reduce the pollution of surface water and groundwater systems from the impacts of land-disturbing activities.

(D) *Buffer area*. An area of natural or established vegetation managed to protect other components of a resource protection area and state waters from significant degradation due to land disturbances. To effectively perform this function, the buffer area will achieve a 75 percent reduction of sediments and a 40 percent reduction of nutrients. A 100-foot wide buffer area shall be considered to meet this standard.

(E) *Clean Water Act or CWA* means the federal Clean Water Act (33 U.S.C §1251 et seq.), formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972, Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, and Public Law 97-117, or any subsequent revisions thereto.

(F) *Common plan of development or sale*. A contiguous area where separate and distinct construction activities may be taking place at different times on different schedules.

(G) *Control measure*. Any best management practice or stormwater management facility, or other method used to minimize the discharge of pollutants to state waters.

(H) *Department (DEQ)*. The Virginia Department of Environmental Quality.

(I) *Development*. Land disturbance and the resulting landform associated with the construction or substantial alteration of residential, commercial, industrial, institutional,

recreational, transportation, or utility facilities or structures or the clearing of land for non-agricultural or non-silvicultural purposes.

(J) *Director of T&ES/Director of P&Z.* Director of T&ES means the director of transportation and environmental services of the City of Alexandria. Director of P&Z means the director of planning and zoning of the City of Alexandria.

(KF) *Floodway.* All lands as defined in subsection 6-303(K) of this ordinance.

(L) *General permit.* The state permit titled General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities found in 9VAC25-880 et seq) of the Virginia Stormwater Management Regulations authorizing a category of discharges under the federal Clean Water Act and the Virginia Stormwater Management Act within a geographical area of the Commonwealth of Virginia.

(M) *Highly erodible soils.* Soils (excluding vegetation) with an erodibility index (EI) from sheet and rill erosion equal to or greater than eight. The erodibility index for any soil is defined as the product of the formula $RKLS/T$, where K is the soil susceptibility to water erosion in the surface layer; R is the rainfall and runoff; LS is the combined effects of slope length and steepness; and T is the soil loss tolerance.

(N) *Highly permeable soils.* Soils with a given potential to transmit water through the soil profile. Highly permeable soils are identified as any soil having a permeability equal to or greater than six inches of water movement per hour in any part of the soil profile to a depth of 72 inches (permeability groups "rapid" and "very rapid"), as found in the "National Soil Survey Handbook" of November 1996 in the "Field Office Technical Guide" of the U.S. Dept. of Agriculture Natural Resources Conversation Service.

(O) *Impervious cover.* A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces include, but are not limited to: roofs, buildings, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

(P) *Intermittent stream.* Any natural or engineered channel (measured from top of bank) with flowing water during certain times of the year, when groundwater provides for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow. Acceptable methodologies for establishing the presence of an intermittent stream will be provided by the director of T&ES pursuant to subsection 13-104(C).

(Q) *Isolated wetlands of minimal ecological value.* Those wetlands, as defined in 9VAC25-210-10, that:

- (i) Do not have a surface water connection to other state waters;
- (ii) Are less than one-tenth of an acre in size;
- (iii) Are not located in a Federal Emergency Management Agency designated 100-year floodplain;
- (iv) Are not identified by the Virginia Natural Heritage Program as a rare or state significant

natural community;

(v) Are not forested; and

(vi) Do not contain listed federal or state threatened or endangered species.

(R) *Land disturbance or land disturbing activity.* A man-made change to the land surface that potentially changes its runoff characteristics, including clearing, grading, filling, or excavation.

(S) *Layout.* A conceptual drawing sufficient to provide for the specified stormwater management facilities required at the time of approval.

(T) *Minor modification.* An amendment to an existing general permit before its expiration not requiring extensive review and evaluation including, but not limited to, changes in EPA promulgated test protocols, increasing monitoring frequency requirements, changes in sampling locations, and changes to compliance dates within the overall compliance schedules. A minor general permit modification or amendment does not substantially alter general permit conditions, substantially increase or decrease the amount of surface water impacts, increase the size of the operation, or reduce the capacity of the facility to protect human health or the environment.

(U) *Natural channel.* A nontidal waterway that is part of the natural topography and is generally characterized as being irregular in cross section with a meandering course.

(V) *Nonpoint source pollution.* Contamination from diffuse sources that is not regulated as point source pollution under section 402 of the Clean Water Act.

(W) *Nontidal wetlands.* Those wetlands, other than tidal wetlands, that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, as defined by the U.S. Environmental Protection Agency pursuant to section 404 of the Federal Clean Water Act, in 33 CFR 328.3b.

(X) *Operator.* The owner or operator of any facility or activity subject to regulation under this Article XIII. (Y) *Permittee.* The person to whom a state permit is issued, including any owner or operator whose construction site is covered under a state construction general permit.

(Z) *Person.* Any individual, corporation, partnership, association, municipality, commission, or political subdivision, of a state, governmental body, including federal, state, or local entity as applicable, any interstate body or any other legal entity.

(AA) *Pre-development.* The land use that exists at the time that plans for the development are submitted to the city. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the land use at the time the first item is submitted shall establish pre-development conditions.

(BB) *Post-development.* Conditions that reasonably may be expected or anticipated to exist after completion of the development activity on a specific site or tract of land.

(CC) *Public road.* For the purpose of this Article XIII, public road means a publicly owned road designed and constructed in accordance with water quality protection criteria at least as stringent as requirements applicable to the Virginia Department of Transportation, including

regulations promulgated pursuant to (i) the Erosion and Sediment Control Law (section 64.1-44.15:51 et seq. of the Code of Virginia) and (ii) the Virginia Stormwater Management Act (section 64.1-44.15:24 et seq. of the Code of Virginia). This definition includes those roads where the Virginia Department of Transportation exercises direct supervision over the design or construction activities, or both, and cases where roads are constructed or maintained, or both, by the City of Alexandria.

(DD) *Redevelopment*. The process of developing land that is or has been previously developed.

(EE) *Regulations*. The Virginia Stormwater Management Program (VSMP) Permit Regulations, 9VAC-25-870, as amended.

(FF) *Restored stormwater conveyance system*. A stormwater conveyance system that has been designed and constructed using natural channel design concepts. Restored stormwater conveyance systems include the main channel and the flood-prone area adjacent to the main channel (GG) *Resource Management Area (RMA)*. A Chesapeake Bay Preservation Area overlay designation as further defined in section 13-105(C).

(HH) *Resource Protection Area (RPA)*. A Chesapeake Bay Preservation Area overlay designation as further defined in section 13-105(B).

(II) *Shoreline*. Land contiguous to a body of water.

(JJ) *Site*. The land or water area where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Areas channelward of mean low water in tidal Virginia shall not be considered part of a site. The following shall be used for determining water quality and water quantity requirements in sections 13-109(E) & (F): For projects disturbing <50% of the tax parcel, (or if multiple parcels are involved, the land subject to the application), the disturbed area shall constitute the site; for projects disturbing $\geq 50\%$ of the tax parcel (or if multiple parcels are involved, the land subject to the application), the entire tax parcel shall constitute the site.

(KK) *State*. The Commonwealth of Virginia.

(LL) *State permit*. An approval to conduct a land-disturbing activity issued by the Virginia State Water Control Board in the form of a state stormwater individual permit or coverage issued under a state general permit or an approval issued by the Virginia State Water Control Board for stormwater discharges from an MS4. Under these state permits, the state imposes and enforces requirements pursuant to the federal Clean Water Act, the Virginia Stormwater Management Act, and their attendant regulations.

(MM) *State Water Control Law*. Chapter 3.1 (62.1-44.2 et seq) of Title 62.1 of the Code of Virginia.

(NNII) *State waters*. All waters on the surface or in the ground, wholly or partially within or bordering the commonwealth or within its jurisdiction, including wetlands.

(OO) *Stormwater*. Precipitation that is discharged across the land surface or through conveyances to one or more waterways and that may include stormwater runoff, snow melt

runoff, and surface runoff and drainage.

(PP) *Stormwater management facility*. A device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

(QQ) *Stormwater management plan*. A document or documents containing material describing methods for complying with the requirements of section 13-114 of this article.

(RR) *Stormwater pollution prevention plan (SWPPP)*. A document that is prepared in accordance with section 13-113 of this article and good engineering practices and that identifies potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the construction site, and otherwise meet the requirements of this article. In addition the document shall identify and require the implementation of control measures, and shall include, but not be limited to the inclusion of, or the incorporation by reference of, an approved erosion and sediment control plan, and a pollution prevention plan.

(SS) *Subdivision*. Means the same as defined in section 2-197.2 of the Alexandria Zoning Ordinance. (TT) *Substantial alteration*. Expansion or modification of a building or development that would result in land disturbance exceeding an area of 2,500 square feet in the resource management area only.

(UU) *Tidal shore*. Land contiguous to a tidal body of water between the mean low water level and the mean high water level.

(VV) *Tidal wetlands*. Vegetated and nonvegetated wetlands as defined in section 28.2-1300 of the Code of Virginia.

(WW) *Top of Bank*. To the extent applicable, top of bank shall be determined on prevailing professional standards and the best professional judgment of the director.

(XX) *Total maximum daily load (TMDL)*. The sum of the individual wasteload allocations for point sources, load allocations for nonpoint sources, natural background loading, and a margin of safety. TMDLs can be expressed in terms of either mass per time, toxicity, or other appropriate measure. The TMDL process provides for point versus nonpoint source trade-offs. (YY) *Use*. Any activity on the land other than development, including, but not limited to agriculture, horticulture, and silviculture.

(ZZ) *Virginia Stormwater Management Act*. Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia.

(AAA) *Virginia Stormwater BMP Clearinghouse [website](#)*. A website that contains detailed design standards and specifications for control measures that may be used in Virginia to comply with the requirements of the Virginia Stormwater Management Act and regulations.

(BBB) *Virginia Stormwater Management Program (VSMP)*. A program approved by the Virginia State Water Control Board that has been established by a locality to manage the quality and quantity of runoff resulting from land-disturbing activities and shall include such items as local ordinances, rules, permits, requirements, annual standards and specifications, policies and guidelines, technical materials, and requirements for plan review, inspection and enforcement, where authorized in this article, and evaluation consistent with the requirements

of this article and associated regulations.

(CCC) *VSMP authority.* An authority approved by the Virginia State Water Control Board to operate a VSMP. For the purposes of this article, the city is the VSMP authority.

(DDD) *Water body with perennial flow.* A body of water that flows in a natural or engineered channel year-round during a year of normal precipitation. This includes, but is not limited to streams, estuaries, and tidal embayments and may include drainage ditches or channels constructed in wetlands or from former natural drainage ways that convey perennial flow. Lakes and ponds, through which a perennial stream flows, are a part of the perennial stream. Generally, the water table is located above the streambed for most of the year and groundwater is the primary source for stream flow. The width of the perennial stream extends from top-of-bank to top-of-bank of the channel or to the limits of the normal water level for a pond or lake when there is no definable top-of-bank. Acceptable methodologies for establishing the presence of a water body with perennial flow will be provided by the director of T&ES pursuant to subsection 13-104(C).

(EEE) *Water-dependent facility.* A development of land that cannot exist outside of the resource protection area and must be located on the shoreline by reason of the intrinsic nature of its operation. These facilities include, but are not limited to:

- (i) Ports;
- (ii) The intake and outfall structures of power plants, water treatment plants, sewage treatment plants, and storm sewers;
- (iii) Marinas and other boat docking facilities;
- (iv) Beaches and other public water-oriented recreation areas; and
- (v) Fisheries or other marine resources facilities.

(FFF) *Watershed.* The total drainage area contributing runoff to a single point.

(GGG) *Wetlands.* Tidal and nontidal wetlands.

13-104 - Administration.

(A) *Responsibility for administration.* The director of T&ES, or his/her designee, is charged with responsibility for the administration of this Article XIII.

(B) *Duties and authority.* In the administration of this Article XIII the duties and authority of the director of T&ES shall include, without limitation:

- (1) Receiving applications for plan of development approval;
- (2) Reviewing applications to determine if they contain all information required and necessary for a determination of their merit;
- (3) Reviewing applications to determine their compliance with the provisions and intent of this Article XIII and their merit;

- (4) Docketing items for hearing before the planning commission and conferring with the city manager to schedule public hearings before the city council as necessary on applications;
 - (5) Preparing a staff report for each application;
 - (6) Interpreting the provisions of this Article XIII to ensure that its intent is carried out.
- (C) *Rules, regulations, and procedures.* The director of T&ES shall promulgate rules, regulations, and procedures for the administration and enforcement of this Article XIII and shall promulgate rules, regulations, and procedures for the processing of applications that ensure full review, comment, and recommendations on each application by the department of transportation and environmental services. The city manager shall promulgate rules and procedures for review by other departments of applications, where such review is determined to be necessary or desirable and such procedures may include the establishment of a development review committee composed of departments of the city whose expertise is necessary or desirable in the review of applications. All such rules, regulations, and procedures shall be transmitted to the city council at the time of issuance.
- (D) *Establishment of fees.* The director of T&ES shall by general rule approved by city council establish a schedule of fees required for each application under this Article XIII to be paid at the time an application is submitted. The schedule of fees shall include those authorized by 9VAC25-870-700 et seq. The schedule of fees is set per approved council docket.
- (E) *Responsibility for enforcement.* The director of T&ES shall have the authority and the responsibility of section 11-200 and section 13-126 to ensure that all buildings and structures and the use of all land complies with the provisions of this Article XIII.
- (F) The director of T&ES shall review, approve, disapprove, or approve with modifications or conditions or both the following elements of the plan of development:
- (1) The environmental site assessment, required pursuant to section 13-112
 - (2) The stormwater management plan, required pursuant to section 13-114 and approved in accordance with section 13-115
 - (3) The erosion and sediment control plan required pursuant to section 5-4-1
 - (4) The water quality impact assessment, if required, pursuant to section 13-117
 - (5) Compliance of the plan of development with section 13-106 through section 13-110
- (G) The director of T&ES shall have the authority and the responsibility to enforce the requirement that a permittee must develop, implement, and keep at the site for inspection a stormwater pollution prevention plan that meets the requirements set forth in section 13-113 and a pollution prevention plan that meets the requirements set forth in section 13-116.
- (G) Review and decision on applications for exceptions shall be as provided in section 13-119.
- (H) Review and decision on applications for modifications to noncomplying land uses and structures shall be as provided in section 13-122.

(I) Review and decision on applications for exemptions shall be as provided in section 13-123.

(J) Review and decision on the remaining elements of the plan of development shall be as provided in the regulations of this ordinance and the City Code applicable to each such element.

13-105 - Designation of Chesapeake Bay Preservation Area Overlay District.

(A) All land within the corporate limits of the city is designated as a Chesapeake Bay Preservation Area (CBPA). The CBPA is divided into resource protection areas and resource management areas. The regulations set forth in this Article XIII shall apply as an overlay district, and shall supersede any zoning, land use, or land development regulation of the City Code that is inconsistent with the provisions of this Article XIII.

(B) Resource protection areas (RPAs) consist of sensitive land that has either an intrinsic water quality value due to the ecological and biological processes such land performs or that is sensitive to uses or activities such that the use results in significant degradation to the quality of state waters. In their natural condition, these lands provide for the removal, reduction, or assimilation of nonpoint source pollution entering the bay and its tributaries. An area of land that includes any one of the following land types shall be considered to be within the RPA:

(1) Tidal wetlands;

(2) Tidal shores;

(3) Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;

(4) A buffer area of 100 feet (measured from top of bank) located adjacent to and landward of the components listed in paragraphs (1) through (3) above and along both sides of any water body with perennial flow. The full buffer area shall be designated as the landward component of the RPA notwithstanding the presence of permitted uses, encroachments, and vegetation clearing in compliance with this Article XIII.

(C) Resource management areas (RMAs) include land that, if improperly used or developed, has a potential for causing significant water quality degradation or for diminishing the functional value of the RPA. Therefore, all lands in the city, not included in the RPA, shall constitute the RMA since all such land drains through natural or manmade conveyances to the Potomac River and Chesapeake Bay.

13-106 - Establishment of CBPA boundaries.

(A) Chesapeake Bay Preservation Area boundaries are established by text, as provided in section 13-105. The city shall publish and update in a manner established by the director of T&ES pursuant to section 13-104(C) a general map depicting the location of identified CBPA features. However, in all cases it is the burden of the applicant to identify CBPA features and to delineate the appropriate RPA boundaries in accordance with the development review process required pursuant to section 13-111, or if no development review process is required, then through the environmental site assessment pursuant to section 13-112

(B) Any property owner wishing to change the depiction of an RPA feature on the general map may conduct an environmental site assessment in section 13-112 and submit it to the director of T&ES. The director of T&ES may accept, modify, or reject the RPA delineation based on the evidence presented by the property owner and in consideration of all other available information.

(C) In the event that a site-specific RPA boundary delineation is contested by an applicant or property owner, the applicant or property owner may request a meeting with the director of T&ES to review the decision. Requests for the meeting shall be made no more than 30 calendar days after notification of a modification or rejection of a proposed RPA delineation. The director of T&ES will preside over the meeting of the involved parties and reconsider the decision. The meeting participants will be notified by the director of T&ES within 30 calendar days after the meeting of the result of the reconsideration.

13-107 - Development, redevelopment, and uses permitted in RPAs.

The following criteria shall apply in RPAs unless the development, redevelopment, use, or land disturbing activity is exempted under section 13-123 or granted an exception pursuant to section 13-119. All development, redevelopment, and uses within the RPA must comply with the performance criteria provided in section 13-109.

(A) The following are permitted within the RPA provided they do not require development, redevelopment, structures, grading, fill, draining, or dredging:

- (1) Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife;
- (2) Passive recreational activities, including but not limited to fishing, bird watching, hiking, boating, horseback riding, swimming, and canoeing; and
- (3) Educational activities and scientific research.

(B) The following are permitted within the RPA if approved by the director of T&ES. A water quality impact assessment may be required by the director of T&ES in accordance with section 13-117 if the project is located within an environmentally sensitive area, or is of sufficient scale to affect water quality.

- (1) Repair and maintenance of existing piers, walkways, observation decks, wildlife management shelters, boathouses, and other similar water-related structures provided that there is no increase in structure footprint and that any required excavating and filling results in a land disturbing activity of 2,500 square feet or less;
- (2) Boardwalks, trails, and pathways;
- (3) Historic preservation and archeological activities; and
- (4) Repair and maintenance of existing flood control and stormwater management facilities.

(C) The following, if permitted in the underlying zone, are allowed within the RPA if approved by the director of T&ES and provided that a water quality impact assessment is performed and accepted by the director of T&ES as complete in accordance with section 13-117.

- (1) A new or expanded water-dependent facility may be allowed provided that the following

criteria are met:

- (a) It does not conflict with the city master plan;
- (b) Any non-water-dependent component is located outside of the RPA; and
- (c) Access to the water-dependent facility is provided with the minimum disturbance necessary, and where practical, a single point of access is provided.

(2) Redevelopment may be allowed provided that the following criteria are met:

- (a) There is no increase in impervious surface cover;
- (b) There is no further encroachment within the RPA; and,
- (c) The proposed redevelopment is consistent with the city master plan.

(3) Public flood control and stormwater management facilities that drain or treat water from multiple development projects or from a significant portion of a watershed, may be allowed provided that:

- (a) The director of T&ES has conclusively established that the location of the facility within the RPA is the optimum location;
- (b) The size of the facility is the minimum necessary for flood control or stormwater quality treatment, or both;
- (c) All applicable permits for construction in state or federal waters must be obtained from the appropriate state and federal agencies, such as the Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission; and
- (d) The facility is consistent with a city stormwater management program approved by the Virginia State Water Control Board.

(4) Stream restoration projects and shoreline erosion control and stabilization projects, including the removal of trees and woody vegetation, employment of necessary restoration, control, and stabilization techniques, and establishment of appropriate vegetation, may be allowed in accordance with the best available technical advice and applicable permit conditions or requirements if approved by the city arborist.

(D) In order to maintain the functional value of the RPA buffer area, existing vegetation may be removed if approved by the director of T&ES and only to provide for reasonable sight lines, access paths, general woodlot management, and best management practices to prevent upland erosion and concentrated flows of stormwater, as follows:

(1) Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that were removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff. Replacement vegetation shall require the approval of the director of T&ES, in consultation with the department of recreation, parks, and cultural activities and the department of planning and zoning.

(2) Any path shall be constructed and surfaced so as to effectively control erosion.

(3) Dead, diseased, or dying trees or shrubbery and noxious weeds (such as Johnson grass, kudzu, and multiflora rose) may be removed and thinning of trees may be conducted. The director of T&ES may approve a long term management plan for a specific RPA that complies with professionally recognized management practices.

(E) The following encroachments, if permitted in the underlying zone, are allowed to the RPA buffer area if approved by the director of T&ES and provided that a water quality impact assessment is performed and accepted by the director of T&ES as complete in accordance with section 13-117.

(1) When the application of the buffer area would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, encroachments into the buffer area may be approved by the director of T&ES in accordance with the following criteria:

(a) Encroachments into the buffer area shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities;

(b) Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment, and is equal to the area of encroachment into the buffer area shall be established elsewhere on the lot; and

(c) The encroachment may not extend into the seaward 50 feet of the buffer area.

(2) When the application of the buffer area would result in the loss of buildable area on a lot or parcel recorded between October 1, 1989 and March 1, 2002, encroachments into the buffer area may be approved by the director of T&ES in accordance with the following criteria:

(a) The lot or parcel was created as a result of a legal process conducted in conformity with the city's subdivision regulations;

(b) Any conditions or mitigation measures imposed through previously approved exceptions must be met;

(c) If a stormwater BMP was previously required, the BMP shall be evaluated to determine if it continues to function effectively, and, if necessary, the BMP shall be reestablished or repaired and maintained as required; and

(d) The criteria in (1) above of this section shall be met.

13-108 - Development and uses permitted in RMAs.

Development, redevelopment, and uses authorized by the underlying zone are permitted in the RMA provided such activity is carried out in accordance with all applicable criteria in this Article XIII. The director of T&ES may, due to the unique characteristics of a site or the intensity of the proposed development, redevelopment, or use require a water quality impact assessment as provided in subsections 13-117(C) and (D).

13-109 - General performance requirements for CBPAs.

The director of T&ES shall approve development, redevelopment, uses, or land disturbing

activities in the CBPA only if it is found that the activity is in compliance with this Article XIII and that the applicant has demonstrated, by a preponderance of the evidence, that the proposed development, redevelopment, use, or land disturbing activity meets or exceeds the following standards.

(A) No more land shall be disturbed than is necessary to provide for the proposed use, development, or redevelopment.

(B) Indigenous vegetation shall be preserved to the maximum extent practicable consistent with the use, development, or redevelopment proposed.

(C) Development or redevelopment shall minimize impervious cover consistent with the proposed use or development.

(D) The proposed development or redevelopment shall comply with section 5-4-1 et seq. of the City Code (erosion and sediment control).

(E) All development, redevelopment, and uses disturbing greater than 2,500 square feet shall meet the following storm water quality management performance requirements. For purposes of this section, the following shall be used to define the site area for determining water quality requirements: for projects disturbing less than 50% of the tax parcel (or if multiple parcels are involved, the land subject to the application), the disturbed area shall be used as the site area; for projects disturbing greater than or equal to 50% of the tax parcel (or if multiple parcels are involved, the land subject to the application), the entire tax parcel shall be used as the site area.

(1) The entire water quality volume from the site shall be treated. When the development, redevelopment, or use constitutes disturbing only a small portion of a tax map parcel greater than 5 acres in size, the director of T&ES may establish criteria for allowing the parcel to be divided into sub-basins.

(2) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures are exempt from (3) and (4) below. The Alexandria water quality volume default requirement in section (5) still applies.

(3) New development. The total phosphorus load of new development projects shall not exceed 0.41 pounds per acre per year, as calculated pursuant to this section.

(4) Development of prior developed lands:

(a) For land-disturbing activities disturbing greater than or equal to one acre that results in no net increase in impervious cover from the pre-development condition, the total phosphorus load shall be reduced at least 20% below the pre-development total phosphorus load.

(b) For regulated land-disturbing activities disturbing less than one acre that results in no net increase in impervious cover from the pre-development condition, the total phosphorus load shall be reduced at least 10% below the predevelopment total phosphorus load.

(c) For land-disturbing activities that result in a net increase in impervious cover over the pre-development conditions, the design criteria for new development shall be applied to the

increased impervious area. Depending on the area of disturbance, the criteria of subdivisions (a) or (b) above shall be applied to the remainder of the site.

(d) In lieu of subdivision (c), the total phosphorus load of a linear development project as defined in 9VAC25-870-10 occurring on prior developed lands shall be reduced 20% below the predevelopment total phosphorus load.

(e) The total phosphorus load shall not be required to be reduced below the applicable standard for new development unless standards applied by other parts of this article require a more stringent standard.

(5) For new development and development on prior developed lands in (3) and (4) above, the entire Alexandria water quality volume default from the site shall be treated, or the requirements must be met consistent with section 13-110.

(6) Compliance with sections (3) and (4) above shall be determined using the Runoff Reduction Method and through the use of stormwater BMPs established in 9VAC25-870-65 or found at the Virginia BMP Clearinghouse website, except as may be limited in accordance with policies established by the director of T&ES in accordance with 13-104(C).

(7) Compliance with sections (3) and (4) may be achieved by the applicant in accordance with off-site compliance options in 9VAC25-870-69 under the following circumstances:

(a) Less than five acres of land will be disturbed;

(b) The post-construction phosphorus control requirement is less than 10 pounds per year; or,

(c) At least 75% of the required phosphorus nutrient reductions are achieved on-site. If at least 75% of the required phosphorus nutrient reductions cannot be met on-site, and the operator can demonstrate to the satisfaction of the director of T&ES that (i) alternative site designs have been considered that may accommodate on-site best management practices, (ii) on-site best management practices have been considered in alternative site designs to the maximum extent practicable, (iii) appropriate on-site best management practices will be implemented, and (iv) full compliance with post-development nonpoint nutrient runoff compliance requirements cannot practicably be met on-site, then the required phosphorus nutrient reductions may be achieved, in whole or in part, through the use of off-site compliance options.

(8) When the requirements of sections (3) and (4) have otherwise been met, the requirement to treat the entire Alexandria water quality volume default in section (5) may be achieved in accordance with alternative stormwater management equivalency options presented in section 13-110.

(9) Notwithstanding those exemptions granted under section 13-123, all such land-disturbing activities shall be subject to the design storm and hydrologic methods set out in 9VAC25-870-72, linear development controls in 9VAC25-870-76, and criteria associated with stormwater impoundment structures in 9VAC25-870-85.

(10) Notwithstanding the above requirements, any site with (a) an intermittent stream contained within an existing natural channel, or (b) a non-tidal wetland that does not meet the criteria for designation as a Resource Protection Area in section 13-105(B), must meet the

following additional water quality performance criteria:

(a) Measures must be taken to protect these features from direct stormwater runoff from impervious surfaces and to preserve their water quality functions.

(b) A 50-foot wide vegetated area preserved where present, or established where not present, on the outward edge of these features shall be considered a sufficient BMP to meet this standard if the vegetated area is designed to prevent erosion and scouring.

(c) The BMP requirement in (b) above may alternatively be met through the use of a smaller vegetated area in combination with equivalent on-site stormwater treatment and/or equivalent off-site options presented in section 13-110 if approved by the director of T&ES.

(d) Development, redevelopment, uses, and land disturbing activities allowed in the vegetated area shall be the same as those allowed in RPAs as described in section 13-107. Delineation of the vegetated area shall be accomplished in the manner prescribed in section 13-106

(e) The director of T&ES may waive the requirements of (b) above if the non-tidal wetland is demonstrated to the director of T&ES's satisfaction that it qualifies as an isolated wetland of minimal ecological value defined in section 13-103(K).

(F) All development and redevelopment shall meet the following channel protection and flood protection requirements. Compliance with this section satisfies the stormwater management requirements of 5-4-7(c)(4) of the City Code (erosion and sediment control):

(1) Channel protection. Concentrated stormwater flow shall be released into a stormwater conveyance system and shall meet the criteria of this section, where applicable, from the point of discharge to a point within the limits of analysis in subsection (d).

(a) Manmade stormwater conveyance systems. When stormwater from a development is discharged to a manmade stormwater conveyance system, following the land disturbing activity, either:

(i) The manmade stormwater conveyance shall convey the post-development peak flow rate from the two-year 24-hour storm event without causing erosion of the system. Detention of stormwater or downstream improvements may be incorporated into the land-disturbing activity to meet this criterion, at the discretion of the director; or

(ii) The peak discharge requirements for concentrated stormwater flow to natural stormwater conveyance systems in subsection (c) shall be met.

(b) Restored stormwater conveyance systems. When stormwater from a development is discharged to a restored stormwater conveyance system that has been restored using natural design concepts, following the land disturbing activity, either:

(i) The development shall be consistent, in combination with other stormwater runoff, with the design parameters of the restored stormwater conveyance system that is functioning in accordance with the design objectives; or,

(ii) The peak discharge requirements for concentrated stormwater flow to natural stormwater conveyance systems in subsection (c) shall be met.

(c) Natural stormwater conveyance systems. When stormwater from a development is discharged to a natural stormwater conveyance system the maximum peak flow rate from the one-year 24-hour storm following the land-disturbing activity shall be calculated either:

(i) In accordance with the following methodology:

$$Q_{\text{Developed}} \leq \text{I.F.} * (Q_{\text{Pre-developed}} * RV_{\text{Pre-developed}}) / RV_{\text{Developed}}$$

Under no condition shall $Q_{\text{Developed}}$ be greater than $Q_{\text{Pre-developed}}$ nor shall $Q_{\text{Developed}}$ be required to be less than that calculated in the equation $(Q_{\text{Forest}} * RV_{\text{Forest}}) / RV_{\text{Developed}}$; where

I.F (Improvement Factor) equals 0.8 for sites > 1 acre or 0.9 for sites \leq 1 acre.

$Q_{\text{Developed}}$ = The allowable peak flow rate of runoff from the developed site.

$RV_{\text{Developed}}$ = The volume of runoff from the site in the developed condition.

$Q_{\text{Pre-developed}}$ = The peak flow rate of runoff from the site in the pre-developed condition.

$RV_{\text{Pre-developed}}$ = The volume of runoff from the site in pre-developed condition.

Q_{Forest} = The peak flow rate of runoff from the site in a forested condition.

RV_{Forest} = The volume of runoff from the site in a forested condition.

(d) Limits of analysis. Unless subsection (c) is utilized to show compliance with the channel protection criteria, stormwater conveyance systems shall be analyzed for compliance with channel protection criteria to a point where either:

(i) Based on land area, the site's contributing drainage area is less than or equal to 1.0% of the total watershed area; or,

(ii) Based on peak flow rate, the site's peak flow rate from the one-year 24-hour storm is less than or equal to 1.0% of the existing peak flow rate for the one-year 24-hour storm event prior to implementation of any stormwater quantity control measures.

(2) Flood protection. Concentrated stormwater flow shall be released into a stormwater conveyance system and shall meet one of the following criteria as demonstrated by the use of acceptable hydrologic and hydraulic methodologies:

(a) Concentrated stormwater flow to stormwater conveyance systems that currently do not experience localized flooding during the 10-year 24-hour storm event:

(i) The point of discharge releases stormwater into a stormwater conveyance system that, following the land disturbing activity, confines the post-development peak flow rate from the 10-year 24-hour storm event within the stormwater conveyance system, and. .

(ii) Unless waived under (iv), the post-development peak flow rate for the 10-year 24-hour storm event shall be less than the predevelopment peak flow rate from the 10-year 24-hour storm event.

(iii) Detention of stormwater or downstream improvements may be incorporated into the approved land-disturbing activity to meet (i) and (ii), at the discretion of the director of T&ES.

(iv) A waiver of the detention requirements and/or the downstream stormwater limits of analysis in section 2 (c) may be granted by the director based on factors including but not limited to the project's location in the watershed.

(b) Concentrated stormwater flow to stormwater conveyance systems that currently experience localized flooding during the 10-year 24-hour storm event: The point of discharge either:

(i) Confines the post-development peak flow rate from the 10-year 24-hour storm event within the stormwater conveyance system to avoid the localized flooding. Additional detention of stormwater or downstream improvements may be incorporated into the approved land-disturbing activity to meet this criterion, at the discretion of the director; or,

(ii) Releases a post-development peak flow rate for the 10-year 24-hour storm event that is less than the pre-development peak flow rate from the 10-year 24-hour storm event.

(iii) A waiver of the detention requirement may be granted by the director of T&ES based on factors including but not limited to the amount of stormwater runoff generated, the severity of flooding issues in the watershed and/or the lack of adequacy of the existing conveyance system.

(c) Limits of analysis. Stormwater conveyance systems shall be analyzed for compliance with flood protection criteria to a point where:

(i) The site's contributing drainage area is less than or equal to 1.0% of the total watershed area draining to a point of analysis in the downstream stormwater conveyance system;

(ii) Based on peak flow rate, the site's peak flow rate from the 10-year 24-hour storm even is less than or equal to 1.0% to the existing peak flow rate from the 10-year 24-hour storm event prior to the implementation of any stormwater quantity control measures; or,

(iii) The stormwater conveyance system enters a mapped floodplain or other flood-prone area adopted in accordance with section 6-300 et seq of the City Code.

(d) Alternative Limits of Analysis. If 109(F)(2)(a)(i and ii) or 109(F)(2)(b)(ii) are utilized to comply with the flood protection criteria the downstream limit of analysis shall extend to:

(i) A point that is at least 150 feet downstream of a point where the receiving pipe or channel is joined by another that has a drainage area that is at least 90 percent of the size of the first drainage area at the point of confluence; or

(ii) A point that is at least 150 feet downstream of a point where the drainage area is 360 acres or greater.

(3) Increased volumes of sheet flow resulting from pervious or disconnected impervious areas, or from physical spreading of concentrated flow through level spreaders, must be identified and evaluated for potential impacts on down-gradient properties or resources. Increased volumes of sheet flow that will cause or contribute to erosion, sedimentation, or flooding of down gradient properties or resources shall be diverted to a stormwater management facility or a stormwater conveyance system that conveys the runoff without causing down-gradient erosion, sedimentation, or flooding. If all runoff from the site is sheet

flow and the conditions of this subsection are met, no further water quantity controls are required.

(4) For the purposes of computing pre-development runoff, all pervious lands on the site shall be assumed to be in good hydrologic condition in accordance with the U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS) standards, regardless of conditions existing at the time of computation. Pre-development runoff calculations utilizing other hydrologic conditions may be utilized provided that it is demonstrated to and approved by the director of T&ES that actual site conditions warrant such considerations.

(5) Pre-development and post-development runoff characteristics and site hydrology shall be verified by site inspections, topographic surveys, available soil mapping or studies, and calculations consistent with good engineering practices. Guidance provided in the Virginia Stormwater Management Handbook and by the Virginia Stormwater BMP Clearinghouse shall be considered appropriate practices.

(6) The director of T&ES may waive these requirements provided in section (2) in cases where stormwater detention would conflict with the city's flood management programs. The waiver may be granted based on factors including, but not limited to, the project's location in the watershed and/or off-site improvement to upgrade the downstream conveyance systems.

(7) Post-development concentrated surface waters shall not be discharged on adjoining property, unless an easement expressly authorizing such discharge has been granted by the owner of the affected land.

(G) It shall be the responsibility of the owner of any stormwater quality or quantity management facility established to meet the requirements of (E) and (F) above to provide adequate maintenance for proper functioning of the system. The following requirements apply to all existing and future facilities constructed in the city:

(1) The owner shall enter into a stormwater BMP Maintenance Agreement (agreement) with the city that provides all necessary provisions to ensure compliance with this article, to include access for inspections. The agreement shall require the provision of long-term maintenance of stormwater BMPs and provide for inspections. Facility-specific inspection frequency and maintenance requirements shall be set by city policy and procedures. The BMP Maintenance Agreement shall be set forth in an instrument recorded in the city land records. The stormwater BMP maintenance agreement form will be provided by the director of T&ES in accordance with section 13-104(C).

(2) The owner shall prepare and submit inspection and maintenance reports to the city in accordance with city policies and procedures for the specific facility. Inspection and maintenance reports shall be signed by the owner of the facility or an individual acting on the owner's behalf, a registered professional, or a person who holds an appropriate certificate of competence from the board. Such certification shall state that the facility is being adequately maintained as designed.

(3) The owner shall provide the city with access to the facility to perform quality assurance inspections and follow up inspections to ensure adequate maintenance has been conducted a minimum of once every five years, or on a more frequent basis at the discretion of the director. If inadequate maintenance is observed by the city, the owner will be notified and an adequate

period specified for corrective action. If the corrective action is not performed within the specified time, the city may perform the necessary corrections and bill the property owner. In cases of repeated instances of failure to perform required maintenance, sanctions may be imposed as provided in section 13-126.

13-110 - Alexandria Water Quality Improvement Fund and alternative stormwater management equivalency options.

(A) The director of T&ES, in consultation with the director of planning and zoning and the director of recreation, parks, and cultural activities, as appropriate, shall establish equivalent stormwater management options that may be used to meet the requirements of section 13-109(E)(6) and section 13-109(E)(7)(c). Options shall include the following:

(1) Specific onsite and offsite improvements that have been determined by the director of T&ES to achieve a pollutant removal equal to or greater than what would have been achieved had a traditional BMP been required; and

(2) Monetary contributions to the Alexandria Water Quality Improvement Fund provided for in (C) below.

(B) Improvements may include, but not necessarily be limited to, stream restoration, stream daylighting, removal of existing RPA encroachments, RPA enhancement, street cleaning, combined sewer system separation, and permanent preservation of open space areas beyond the city's baseline open space preservation requirements.

(C) Monetary contributions to the Alexandria Water Quality Improvement Fund shall be calculated by the director of T&ES based on estimates of the cost of actually installing and maintaining onsite BMPs through their life cycle. These costs will be updated on a periodic basis by the director of T&ES as required.

(D) In determining whether to allow equivalent stormwater options, as well as the appropriate combination of onsite and offsite controls, the director of T&ES shall take into consideration the following:

(1) Whether there is an opportunity to control impervious surface cover that comes into routine contact with vehicles, including but not limited to parking areas, streets and roadways except for public roads exempt under section 13-109; loading docks; equipment, material, and waste storage areas; and vehicle fueling, washing, storage, maintenance, and repair areas.

(2) Whether other environmental and public benefits such as site design, open space, tree preservation, and landscaping can be achieved.

(3) Whether onsite stormwater detention would conflict with the city's flood management programs.

(4) Whether site-specific constraints would make onsite treatment difficult or impractical, especially when the site consists of a single-family residence separately built and not part of a subdivision.

(5) Whether there are opportunities readily available for offsite improvements within the general vicinity of the site that will provide greater water quality benefits than onsite

improvements;

(6) Whether there are opportunities to control specific pollutants of concern identified within the watershed or subwatershed, including but not limited to those identified by the department of environmental quality in its most recent 303(d) Total Maximum Daily Load (TMDL) Priority List;

(7) Whether there are opportunities to implement the Water Quality Management Supplement to the city master plan and the city's Virginia Stormwater Management Permit (VSMP) for its municipally owned separate storm sewer system discharges as issued by the Department of Environmental Quality; and

(8) Whether the cost of implementing available offsite improvements is reasonably equivalent to that of a monetary contribution.

(9) Single family residential development projects that are exempt from the water quality requirements of section 13-123(A) are considered eligible to contribute to the Alexandria Water Quality Improvement Fund in section 13-110(A)(2) to meet the Alexandria water quality volume default requirement in section 13-107(E)(3) with no further consideration of items (1) through (8) above.

(E) Final approval of equivalency options used for a particular site shall be made at the sole discretion of the director of T&ES.

(F) The city hereby establishes a dedicated fund known as the Alexandria Water Quality Improvement Fund to be used in conjunction with this Article XIII, the Water Quality Management Supplement to the city Master Plan, and the city's Municipal Separate Storm Sewer System (MS4) General Permit issued by the Virginia Department of Environmental Quality. The purpose of the fund is to reduce nonpoint source pollution and improve stream quality and habitat through appropriate activities including, but not limited to: new BMPs, retrofit of existing BMPs, riparian enhancements, stream bank stabilization and/or restoration, public education and outreach, demonstration projects, water quality monitoring and analysis, and other activities to meet TMDL requirements.

13-111 - Development review process.

(A) Any development, redevelopment, or use exceeding 2,500 square feet of land disturbance within the CBPA shall be subject to the development review process outlined in (C) below prior to any clearing of the site, or the issuance of any building, land use, or land development permit. However, any land-disturbing activity less than one acre within the CBPA shall not be required to complete a registration statement for coverage under the General VPDES Permit for Discharges of Stormwater from Construction Activities, but shall be subject to all aspects of the development review process, to include the water quality and quantity criteria in 13-109 (E) & (F).

(B) Notwithstanding (A) above, all development, redevelopment, or use in the RPA, or in the vegetated area established under section 13-109(E)(10), regardless of the amount of land disturbance, shall be subject to the review criteria established in section 13-107 prior to any clearing of the site or the issuance of any building, land use, or land development permit.

(C) The development review process application shall consist of the plans and studies

identified below, such application forms as the director of T&ES shall require and the appropriate fees, which together shall constitute the plan of development. The plans and studies identified in this section may be coordinated or combined with other required submission materials, as deemed appropriate by the director of T&ES. The plan of development shall contain the following elements:

- (1) A site plan in accordance with the provisions of section 11-400 of this ordinance or other applicable law and, if applicable, a subdivision plat in accordance with the provisions of chapter 5, title 7 of the City Code;
- (2) An environmental site assessment as detailed in section 13-112;
- (3) A landscape plan in accordance with the provisions of section 11-410(CC) of this ordinance certified by qualified design professionals practicing within their areas of competence;
- (4) A stormwater management plan as detailed in section 13-114 and approved in accordance with section 13-115; (5) An erosion and sediment control plan in accordance with the provisions of chapter 4, title 5 of the City Code;
- (6) Completion of the stormwater pollution prevention plan checklist referring to standard plan language included in the final plan; and,
- (7) For all land disturbance, development, or redevelopment within an RPA, or within an environmentally sensitive area as determined by the director of T&ES pursuant to section 13-117(C) or section 13-117(D), or for an exception under section 13-119, a water quality impact assessment as detailed in section 13-117.

(D) No development, redevelopment, uses, or land disturbing activities may commence until the director of T&ES has approved the final site plan and a state construction general permit has been issued.. The following shall be required for final site plan approval:

- (1) A General VPDES Permit for Discharges of Stormwater from Construction Activities application that includes a registration statement;
- (2) Approval by the director of T&ES of all requirements as outlined in section (C) above;
- (3) Payment of all applicable fees in accordance with section 113-104(D);
- (5) Demonstration to the satisfaction of the director of T&ES, through the review of the final site plan application and attendant materials and supporting documentation, that all land clearing, construction, disturbance, land development, and drainage will be done in accordance with this Article XIII.
- (6) Review of a signed standard maintenance and monitoring agreement for the long term maintenance of stormwater BMPs, and proof of recordation per section 13-109 (G).

(E) As a condition of final plan approval, any development, redevelopment, or land-disturbing activity of one acre or greater must develop prior to the land-disturbing activity, implement, and keep at the site for inspection a stormwater pollution prevention plan that meets the requirements set forth in section 13-113, which includes a pollution prevention plan

that meets the requirements set forth in section 13-116.

13-112 - Environmental site assessment.

(A) The environmental site assessment shall clearly delineate the individual components of the RPA as well as the total geographic extent of the RPA as defined in section 13-105(B) through a methodology approved by the director of T&ES under the authority of section 13-104(C).

(B) The environmental site assessment shall also clearly describe, map, or explain the following:

(1) Intermittent streams contained within a natural channel through a methodology approved by the director of T&ES under the authority of section 13-104(C).

(2) Highly erodible and highly permeable soils if available from existing public documents or documents available to the applicant;

(3) Steep slopes greater than 15 percent in grade;

(4) Known areas of contamination;

(5) Springs, seeps, and related features; and

(6) A listing of all wetlands permits required by law (evidence that such permits have been obtained shall be presented to the director of T&ES before permits will be issued to allow commencement of grading or other on-site activity).

(C) Wetlands delineations shall be performed consistent with current procedures promulgated by the U.S. Army Corps of Engineers and the Environmental Protection Agency.

(D) Site-specific evaluations or delineations of RPA boundaries shall be certified by a professional engineer, land surveyor, landscape architect, soil scientist, or wetland delineator certified or licensed to practice in the Commonwealth of Virginia.

(E) In the event that no part of the site plan area contains any elements described in (A) or (B) above, the applicant and the party responsible for the evaluation may, in lieu of providing an environmental site assessment plan, so certify the finding, in writing and under oath, to the director of T&ES. Any permit issued in reliance upon such a certification where said certification is factually inaccurate or incorrect shall be void ab initio. Such invalidity shall be in addition to any other penalties which may be imposed upon the makers of such certification.

(F) The environmental site assessment shall be drawn at the same scale as the preliminary site plan or subdivision plat, and shall be certified as complete and accurate by a professional engineer or a certified land surveyor. This requirement may be waived by the director of T&ES when the proposed use or development would result in less than 5,000 square feet of disturbed area.

13-113 - Stormwater pollution prevention plan.

(A) The stormwater pollution prevention plan (SWPPP) shall include the content specified in 9VAC25-870-54, which includes but is not limited to, an approved erosion and sediment

control plan, an approved stormwater management plan, a pollution prevention plan for regulated land disturbing activities, and a description of any additional control measures necessary to address a TMDL. The SWPPP must also comply with the requirements and general information set forth in 9VAC25-880-70 Section II of the General VPDES Permit for Discharges of Stormwater From Construction Activities (Construction General Permit).

(B) The SWPPP shall be amended by the operator whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to state waters that is not addressed in the existing SWPPP.

(C) The SWPPP must be maintained by the operator at a central location onsite. If an onsite location is not available, notice of the SWPPP's location must be posted near the main entrance at the construction site. Operators shall make the SWPPP available for public review in accordance with Section II of the general permit, either electronically or in hard copy.

13-114 - Stormwater management plan.

(A) The stormwater management plan must apply the stormwater technical requirements of section 13-109 to the entire site. Individual lots in new residential, commercial, or industrial developments shall not be considered separate land-disturbing activities. The plan shall consider all sources of surface runoff and all sources of subsurface and groundwater flows converted to surface runoff. The plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, explanations, calculations, and citations to supporting references as appropriate to communicate the information required by this Article XIII. At a minimum, the stormwater management plan must contain the following:

(1) Information on the type and location of stormwater discharges; information on the features to which stormwater is being discharged including surface waters, and the pre-development and post-development drainage areas;

(2) Contact information including the name, address, and telephone number of the owner and the tax reference and parcel number of the property or properties affected;

(3) A narrative that includes a description of current site conditions and final site conditions;

(4) A general description of the proposed stormwater management facilities and a maintenance agreement and inspection schedule in accordance with section 13-109(G) to ensure that the facilities will be operated and maintained after construction is complete;

(5) Information on the proposed stormwater management facilities, including:

(a) The type of facilities;

(b) Location, including geographic coordinates;

(c) Acres treated; and,

(d) The surface waters into which the facility will discharge.

(6) Hydrologic and hydraulic computations, including runoff characteristics.

(7) Documentation and calculations verifying compliance with the water quality and water

quantity requirements of section 13-109.

(8) A map or maps of the site that depicts the topography of the site and includes:

- (a) All contributing drainage areas;
- (b) Existing streams, ponds, culverts, ditches, wetlands, other water bodies, and floodplains;
- (c) Soil types, relevant geological formations, forest cover, and other vegetative areas;
- (d) Current land use including existing structures, roads, and locations of known utilities and easements;
- (e) Sufficient information on adjoining parcels to assess the impacts of stormwater from the site on these parcels;
- (f) The limits of clearing and grading, and the proposed drainage patterns on the site;
- (g) Proposed buildings, roads, parking areas, utilities, and stormwater management facilities; and,
- (h) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses, including but not limited to planned locations of utilities, roads, and easements.

(B) If an operator intends to meet the water quality requirements set forth in section 13-109(E) through the use of off-site credits in accordance with section 13-109(E)(7), then a letter of availability from the off-site provider must be included. Approved off-site options must achieve the necessary reductions prior to the commencement of the applicant's land-disturbing activity except as otherwise allowed by section 62.1-44.15:35 of the Code of Virginia.

(C) If the operator intends to utilize the alternative stormwater management equivalency options in section 13-110 to meet the Alexandria Water Quality Volume Default in section 13-109(E)(5) or the additional water quality performance criteria of section 13-109(E)(7), then the operator must submit a narrative and any required calculations.

(D) Site specific facilities for phased projects shall be designed for the ultimate development of the contributing project watershed based on zoning, comprehensive plans, local public facility master plans, or other similar planning documents.

(E) Elements of stormwater management plans that include activities regulated under Chapter 4 of Title 54.1 of the Code of Virginia be appropriately sealed and signed by professional registered in the Commonwealth of Virginia and performed in accordance with procedures, consistent with good engineering practice, established by the director of T&ES pursuant to section 13-104(C).

(F) All stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer registered in the Commonwealth of Virginia.

(G) An as-built drawing for permanent stormwater management facilities shall be submitted to the director of T&ES in accordance with section 13-114. The as-built drawing shall be appropriately sealed and signed by a professional registered in the Commonwealth of Virginia

certifying that the stormwater facilities have been constructed in accordance with the approved plan.

(H) The plan shall establish a long-term schedule for inspection and maintenance of stormwater management facilities that includes all maintenance requirements and persons responsible for performing maintenance. If the designated maintenance responsibility is with a party other than the City of Alexandria, then a maintenance agreement shall be executed between the responsible party and the city in accordance with section 13-109(G).

13-115 - Stormwater management plan review.

(A) The director of T&ES shall review stormwater management plans and shall approve or disapprove a stormwater management plan in accordance with the following:

(1) The director of T&ES shall determine the completeness of the plan in accordance with section 13-114 and shall notify the applicant, in writing, of such determination within 15 calendar days of receipt. If the plan is deemed incomplete, the above written notification shall contain the reasons the plan is deemed incomplete.

(2) The director of T&ES shall have an additional 60 calendar days from the date of the communication of completeness to review the plan, except that if a determination of completeness is not made within the time prescribed above, then the plan shall be deemed complete and the director of T&ES shall have 60 calendar days from the date of submission to review the plan.

(3) The director of T&ES shall review any plan that has been previously disapproved within 45 calendar days of the date of re-submission.

(4) During the review period, the plan shall be approved or disapproved and the decision communicated in writing to the person responsible for the land-disturbing activity or the designated agent. If the plan is not approved, the reasons for not approving the plan shall be provided in writing. Approval or denial shall be based on the plan's compliance with the requirements of this article.

(B) Approved stormwater management plans may be modified as follows:

(1) Modifications to an approved stormwater management plan shall be allowed only after review and written approval by the director of T&ES. The director of T&ES shall have 60 calendar days to respond in writing either approving or disapproving such request.

(2) The director of T&ES may require that an approved stormwater management plan be amended, within a time prescribed by the director of T&ES, to address any deficiencies noted during inspection.

(C) The director of T&ES shall require the submission of an as-built drawing for permanent stormwater facilities. The director of T&ES may elect not to require as-built drawings for stormwater management facilities for which recorded maintenance agreements are not required.

13-116 – Pollution prevention plan.

(A) The pollution prevention plan is required by 9VAC25-870-56 and shall be developed, implemented, and updated as necessary, and must detail the design, installation, implementation, and maintenance of effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

- (1) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
- (2) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and,
- (3) Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

(B) The pollution prevention plan shall include effective best management practices to prohibit the following discharges:

- (1) Wastewater from washout of concrete, unless managed by an appropriate control;
 - (2) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials;
 - (3) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, and,
 - (4) Soaps or solvents used in vehicle and equipment washing.
- (C) Discharges from dewatering activities, including discharges from dewatering of trenches or excavations, are prohibited unless managed by appropriate controls.

13-117 - Water quality impact assessment.

(A) The purpose of the water quality impact assessment is to:

- (1) Identify the impacts of a proposed use, development, or redevelopment on water quality and lands within an RPA;
- (2) Ensure that, where a use, development, or redevelopment does take place within an RPA, it will be located on those portions of the site and in a manner that will be least disruptive to the natural functions of the RPA;
- (3) Identify the impacts of a proposed use, development, or redevelopment within an RMA where the director of T&ES has determined that the proximity to an RPA, the environmentally sensitive characteristics of the site, or the proposed scale and intensity has the potential to affect water quality;
- (4) Specify mitigation that will address water quality protection under the foregoing circumstances or under an exception under section 13-116

(B) A water quality impact assessment is required for any proposed development or redevelopment in the RPA, except that at the discretion of the director of T&ES a water quality impact assessment may not be required if the activity is addressed under section 13-107(A), section 13-107(B), or section 13-107(D). There are two types of water quality impact assessments: water quality minor impact assessments and water quality major impact assessments.

(C) A water quality minor impact assessment is required for development or redevelopment within RPAs or under an exception which involves 5,000 or less square feet of land disturbance; or for any development or redevelopment within the RMA that involves 5,000 or less square feet of land disturbance adjacent to an RPA, if required by the director of T&ES due to the presence or proximity of wetlands, potential for harmful discharge of contaminants from the property, or slopes greater than 15 percent which are proposed to be disturbed. A minor assessment must demonstrate that the undisturbed buffer area, enhanced vegetative plantings, and any required BMPs will result in the removal of no less than 75 percent of sediments and 40 percent of nutrients from post-development stormwater runoff and that will retard runoff, prevent erosion, and filter nonpoint source pollution the equivalent of the full undisturbed buffer area. Such an assessment shall include a site plan that shows the following:

- (1) Location and description of the existing characteristics and conditions of the components of the RPA as identified in section 13-105(B) and delineated in the environmental site assessment required by section 13-112
- (2) Location and nature of the proposed encroachment into the buffer area, including: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;
- (3) Type and location of enhanced vegetation and/or proposed BMPs to mitigate the proposed encroachment;
- (4) Location of existing vegetation onsite, including the number and types of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and
- (5) Revegetation plan that supplements the existing buffer vegetation in a manner that provides for pollutant removal, erosion, and runoff control. The revegetation plan will incorporate native vegetation to the extent practicable.

(D) A water quality major impact assessment is required for development or redevelopment within RPAs or under an exception that involves more than 5,000 square feet of land disturbance; or for any development or redevelopment within the RMA which involves more than 5,000 square feet of land disturbance adjacent to an RPA, if required by the director of T&ES due to the presence or proximity of wetlands, potential for harmful discharge of contaminants from the property, or slopes greater than 15 percent which are proposed to be disturbed. The following elements shall be included in a water quality major impact assessment:

- (1) All of the information required in a water quality minor impact assessment as specified in (C) above;
- (2) A hydrogeological element that:

- (a) Describes the existing topography, soils, hydrology, and geology of the site;
- (b) Describes the impacts of the proposed development or redevelopment on topography, soils, hydrology, and geology on the site;
- (c) Indicates the following:
 - (i) Disturbance or reduction of wetlands and justification for such action;
 - (ii) Disruption or reductions in the supply of water to wetlands, streams, lakes, rivers, or other water bodies;
 - (iii) Disruptions to existing hydrology, including wetland and stream circulation patterns;
 - (iv) Source location and description of proposed fill material (may, at applicant's risk, be provided when the U.S. Army Corps of Engineers permit application is submitted);
 - (v) Location of dredge materials and location of dumping area for such materials (may, at applicant's risk, be provided when the U.S. Army Corps of Engineers permit application is submitted);
 - (vi) Locations of and impacts on adjacent shellfish beds, submerged aquatic vegetation, and fish spawning areas (may, at applicant's risk, be provided when the U.S. Army Corps of Engineers permit application is submitted);
 - (vii) The estimated pre- and post-development pollutant loads in runoff as delineated in the stormwater management plan required by section 13-113
 - (viii) Estimation of percent increase in impervious surface on the site and identification of the type(s) of surfacing materials to be used;
 - (ix) Percent of the site to be cleared for the project;
 - (x) Anticipated duration and phasing schedule of the construction period; and
 - (xi) Listing of all requisite permits from all applicable agencies necessary to develop the project.
- (d) Describes the proposed mitigation measures for the potential hydrogeological impacts. Potential mitigation measures include:
 - (i) Proposed erosion and sediment control measures, which may include minimizing the extent of the cleared area, perimeter controls, reduction of runoff velocities, measures to stabilize disturbed areas, schedule and personnel for site inspection;
 - (ii) Proposed stormwater management system;
 - (iii) Creation of wetlands to replace those lost; and
 - (iv) Minimizing cut and fill.
- (3) A supplement to the landscape plan that:

- (a) Identifies and delineates the location of all significant plant material, including all trees on site six inches or greater diameter breast height. Where there are groups of trees, stands shall be outlined.
- (b) Describes the impacts the development or use will have on the existing vegetation. Information should include:
 - (i) General limits of clearing based on all anticipated improvements, including buildings, drives, and utilities;
 - (ii) Clear delineation of all trees which will be removed; and
 - (iii) Description of plant species to be disturbed or removed.
- (c) Describes the potential measures for mitigation. Possible mitigation measures include:
 - (i) Replanting schedule for trees and other significant vegetation removed for construction, including a list of possible plants and trees to be used;
 - (ii) Demonstration that the proposed plan will preserve to the greatest extent possible any significant trees and vegetation on the site and will provide maximum erosion and overland flow benefits from such vegetation;
 - (iii) Demonstration that indigenous plants are to be used to the greatest extent possible; and
 - (iv) Identification of the natural processes and ecological relationships inherent at the site, and an assessment of the impact of the proposed use and development of the land, including mitigating measures proposed in the water quality impact assessment, on these processes and relationships.
- (E) A water quality minor impact assessment shall be certified as complete and accurate by a professional engineer or a certified land surveyor. The additional elements required in a water quality major impact assessment shall be certified as complete and accurate by a professional engineer and by a qualified environmental scientist.
- (F) For any water quality impact assessment to proceed, the director of T&ES must first approve it for completeness and compliance with this Article XIII. Upon receipt of any water quality major impact assessment application, the director of T&ES may determine if review by the department is warranted and may request the department to review the assessment and respond with written comments. Any comments by the department will be incorporated into the final review by the director of T&ES provided that such comments are provided by the department within 90 days of the request.
- (1) For a water quality minor impact assessment, the director of T&ES shall base this finding on the following criteria:
 - (a) The necessity of the proposed encroachment and the ability to place improvements elsewhere on the site to avoid disturbance of the buffer area;
 - (b) Impervious surface is minimized;
 - (c) Proposed BMPs, where required achieve the requisite reductions in pollutant loadings;

- (d) The development, as proposed, meets the purpose and intent of these regulations;
 - (e) The cumulative impact of the proposed development when considered in relation to other development within the RPA in the vicinity, both existing and proposed, will not result in a significant degradation of water quality.
- (2) For a water quality major impact assessment, the director of T&ES shall base this finding on the following criteria:
- (a) Within any RPA, the proposed development is water-dependent or constitutes redevelopment;
 - (b) The disturbance of wetlands shall comply with state and federal regulations;
 - (c) The development will not result in significant disruption of the hydrology of the site;
 - (d) The development will not result in significant degradation of water quality that could adversely affect aquatic vegetation or life;
 - (e) The development will not result in unnecessary destruction of plant material on site;
 - (f) Proposed erosion and sediment control measures are adequate to achieve the required reductions in runoff, and prevent off-site transport of sediment during and after construction;
 - (g) Proposed stormwater management measures are adequate to control the stormwater runoff to achieve the required standard for pollutant control; and
 - (h) Proposed revegetation of disturbed areas will provide adequate erosion and sediment control benefits, as determined by the director of T&ES.

13-118 - Final plans.

(A) Final site plans and subdivision plats subject to this Article XIII for all lands within the CBPA shall include the following additional information:

- (1) A copy showing issuance of all wetlands permits required by law; and
- (2) A BMP inspection schedule and maintenance agreement between the city and applicant as deemed necessary and appropriate by the director of T&ES to ensure proper maintenance of best management practices in order to assure their continued performance.

(B) The following installation and bonding requirements shall be met.

- (1) Where buffer areas, landscaping, stormwater management facilities or other specifications of an approved plan are required, no certificate of occupancy shall be issued until the installation of required plant materials or facilities is completed, in accordance with the approved site plan.
- (2) When the occupancy of a structure is desired prior to the completion of the required landscaping, stormwater management facilities, or other specifications of an approved plan, a certificate of occupancy may be issued only if the applicant provides to the city a surety bond or equivalent satisfactory to the director of T&ES in amount equal to the remaining plant

materials, related materials, and installation costs of the required landscaping or facilities and/or maintenance costs for any required stormwater management facilities during the construction period.

(3) Unless otherwise approved by the director of T&ES for a phased project, all required landscaping shall be installed and approved by the first planting season following issuance of a certificate of occupancy or the surety bond may be forfeited to the city.

(4) Unless otherwise approved by the director of T&ES for a phased project, all required stormwater management facilities or other specifications shall be installed and approved within 18 months of project commencement. Should the applicant fail, after proper notice, to initiate, complete or maintain appropriate actions required by the approved plan, the surety bond may be forfeited to the city. The city may collect from the applicant the amount by which the reasonable cost of required actions exceeds the amount of surety held.

(5) After all required actions of the approved site plan have been completed, the applicant must submit a written request for a final inspection. If the requirements of the approved plan have been completed to the satisfaction of the director of T&ES, such unexpended or unobligated portion of the surety bond held shall be refunded to the applicant or terminated within 60 days following the receipt of the applicant's request for final inspection. The director of T&ES may require a certificate of substantial completion from a professional engineer or licensed surveyor before making a final inspection.

13-119 - Exceptions.

(A) Unless otherwise provided in this Article XIII, a request for an exception to the requirements of this Article XIII shall be made pursuant to this section in writing to the director of T&ES. The request shall identify the impacts of the proposed exception on water quality and on lands within the RMA and RPA through the performance of a water quality impact assessment that complies with the provisions of section 13-117 to the extent applicable.

(B) For exceptions to the provisions of sections 13-109 and 13-124 other than those detailed in section 13-107, the director of T&ES shall review the request for an exception and the water quality impact assessment and may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of this Article XIII if the director of T&ES finds that the applicant has demonstrated by a preponderance of the evidence that:

(1) Granting the exception will not confer upon the applicant any special privileges that are denied to other property owners in the CBPA overlay district;

(2) The exception is not based upon conditions or circumstances that are self-created or self-imposed, nor does the exception arise from conditions or circumstances either permitted or noncomplying that are related to adjacent parcels;

(3) The exception is the minimum necessary to afford relief;

(4) The exception will be consistent with the purpose and intent of the overlay district, and not injurious to water quality, the neighborhood or otherwise detrimental to the public welfare;

(5) Reasonable and appropriate conditions are imposed, as warranted, to prevent the allowed activity from causing degradation of water quality.

(C) Economic hardship alone is not sufficient reason to grant an exception from the requirements of this Article XIII.

(D) Under no circumstances shall the city allow an exception to the requirement that a qualified land-disturbing activity obtain the required construction general permit or other state permits.

(E) Under no circumstances shall the city allow the use of a BMP not found on the Virginia Stormwater BMP Clearinghouse website, or as applicable for projects subject to 9VAC25-870 Part II. C. Notwithstanding, this shall not preclude the director of T&ES from placing reasonable limitations on a BMP on the Virginia Stormwater BMP Clearinghouse website.

(F) Exceptions to the requirements for phosphorus reductions required under section 13-109(E)(3) and (4) will not be allowed unless offsite options available through 9VAC25-870-69 have been considered and found not available.

(G) Exceptions to section 13-107 shall be heard and determined by the planning commission after hearing and notice pursuant to section 11-300. The schedule for reviewing the exception shall be made by the director of T&ES and the director of planning and zoning. The schedule shall provide, in a manner approved by the city manager, reasonable opportunity for review and action by the environmental policy commission prior to any formal action by the planning commission so that any recommendation of support, denial, or modification can be considered as part of the planning commission's deliberations.

(H) A record of all exceptions granted shall be maintained by the director of T&ES.

(I) Any person aggrieved by a decision of the director of T&ES or planning commission under this section may appeal as provided in section 13-120.

13-120 - Appeals.

(A) Any person aggrieved by a final case decision of the director of T&ES in the administration, interpretation or enforcement of this Article XIII or on any application hereunder may appeal such decision to the planning commission, by filing a notice of appeal, in writing, stating the grounds of appeal, with the secretary of the planning commission within 14 days of the issuance of such decision; provided, that any person aggrieved, who had no actual knowledge of the issuance of such decision, may file an appeal within 14 days of the last day on which notice provided in section 11-300 or section 11-408 of this ordinance is given for any element of the plan of development. A notice of appeal shall be accompanied by a filing fee of \$100.00.

(B) The planning commission shall conduct a public hearing on any appeal filed pursuant to section 13-120(A), notice for which shall be provided in accordance with the applicable provisions of section 11-300 of this ordinance. Following the conclusion of the hearing, the planning commission may affirm, reverse or modify the decision of the director of T&ES, or vacate the decision and remand the matter to the director of T&ES for further consideration.

(C) Any person aggrieved by a decision of the planning commission issued pursuant to section 13-119(D) or section 13-120(B), or the city manager, may appeal the decision to the city council, by filing a notice of appeal, in writing, stating the grounds of appeal, with the city clerk within 14 days of the issuance of the decision.

(D) The city council shall conduct a public hearing on any appeal filed pursuant to subsection (C), notice for which shall be provided in accordance with the applicable provisions of section 11-300 of this ordinance. Following the conclusion of the hearing, the council may affirm, reverse or modify the decision of the commission, or vacate the decision and remand the matter to the planning commission or the director of T&ES for further consideration.

(E) Notwithstanding the provisions of subsections (A) through (D) above, an applicant or any aggrieved party who elects to appeal shall appeal the director of T&ES's decision of approval or disapproval of a stormwater management plan application by filing a notice of appeal with the director of T&ES within 30 days after service of such decision. The filing of such notice, and proceedings thereafter, shall be governed by part 2A of the Rules of the Supreme Court of Virginia, and judicial review shall be had in the Circuit Court of the City of Alexandria on the record previously established, and shall otherwise be in accordance with the Administrative Process Act, Virginia Code sections 9-6.14:1 et seq.

13-121 - Hearings.

(A) Any applicant, permittee, or person subject to this article aggrieved by any action of the city taken without a formal hearing, or by inaction of the city, may demand in writing a formal hearing by the planning commission, provided a petition requesting such hearing is filed with the director of T&ES within 30 days after notice of such action is given by the director of T&ES.

(B) The hearings held under this section shall be conducted by the planning commission at a regular or special meeting of the planning commission or by at least one member of the planning commission designated by the planning commission to conduct such hearings on behalf of the planning commission at any other time and place authorized by the planning commission.

(C) A verbatim record of the proceedings of such hearing shall be taken and filed with the planning commission. Depositions may be taken and read as in actions at law.

(D) The planning commission or its designated member, as the case may be, shall have power to issue subpoenas and subpoenas duces tecum, and at the request of any party shall issue such subpoenas. The failure of a witness without legal excuse to appear or testify or to produce documents shall be acted upon by the city whose action may include the procurement of an order of enforcement from the circuit court. Witnesses who are subpoenaed shall receive the same fees and reimbursements for mileage as in civil actions.

13-122 - Noncomplying land uses and structures.

(A) Any land use or structure lawfully existing on January 28, 1992, or any land use or structure that exists at the time of any amendment to this Article XIII that does not comply as a result of the amendment, shall be deemed noncomplying.

(B) Any proposed land use or structure for which an applicant has a an approved preliminary site plan, building permit, subdivision plan, plot plan, or special use permit on or before February 23, 2004 that would not comply under proposed amendments to Article XIII pursuant to the December 10, 2001 amendments to 9VAC10-20-10 et seq may be constructed in accordance with the provisions of this Article XIII in effect at the time of submittal, except that the proposed land use or structure shall comply with any new requirements to the maximum

extent practicable. Upon completion, the land use or structure shall be deemed noncomplying.

(C) Any application for a proposed land use or structure that is not exempt pursuant to (A) or (B) above shall comply with amendments to Article XIII adopted pursuant to the December 10, 2001 amendments to 9VAC10-20-10 et seq.

(D) Nothing in this Article XIII shall prevent the reconstruction of noncomplying structures destroyed by any casualty unless the reconstruction is otherwise restricted by this ordinance or other portions of the City Code. Such reconstruction shall occur within two years after the destruction or damage and there shall be no increase in the amount of impervious area and no further encroachment in the RPA, to the extent possible by sound engineering practices.

(E) Any noncomplying land use or structure may continue and be maintained, including renovation, remodeling, and other cosmetic alterations provided that the activity does not result in land disturbance and that there is no net increase in nonpoint source pollutant load.

(F) A request to enlarge or expand a principal noncomplying structure within an RPA buffer area may be approved by the director of T&ES through an administrative process provided that:

(a) The principal structure remains intact and the modification is compatible in bulk and scale to those in the surrounding neighborhood area, as determined by the director of planning and zoning. If these criteria are not met, the modification shall be subject to the exception request process requirements of section 13-119.

(b) There will be no increase in nonpoint source pollution load.

(c) Any development or land disturbance exceeding an area of 2,500 square feet complies with section 5-4-1 et seq. of the City Code (erosion and sediment control).

(d) The director of T&ES finds that the request is consistent with the criteria provided in section 13-116(B).

(G) A request to construct or modify a non-attached noncomplying accessory structure, or a request to modify or expand a noncomplying land use (e.g., a parking area, boat storage area, active recreation fields, etc.), shall only be approved through the exceptions process outlined in section 13-119.

13-123 - Exemptions.

(A) The following uses, which may involve structures, fill, flooding, draining, dredging, or excavating, shall be exempted from section 13-107, to the extent specifically enumerated in these regulations and not prohibited by any other provision of the City Code or applicable law and subject to the director of T&ES review and approval of design and construction plans for compliance with this Article XIII:

(1) Construction, installation, operation and maintenance of electric, natural gas, fiber-optic, and telephone lines, railroads and public roads constructed by VDOT or by or for the City of Alexandria in accordance with VDOT standards (built separately from development projects regulated under section 13-106), and their appurtenant structures. The exemption of public roads is further conditioned on the alignments being designed to prevent or otherwise minimize

the encroachment in the RPA buffer and to minimize adverse effects on water quality.

(2) Construction, installation, and maintenance of water, sewer, natural gas, underground telecommunications and cable television lines owned or permitted by the City of Alexandria or a service authority shall be exempt from the requirements of section 13-107 provided that:

- (a) To the degree possible, the location of such utilities and facilities shall be outside RPAs;
- (b) No more land shall be disturbed than is necessary to provide for the proposed utility installation; and,
- (c) All such construction, installation, and maintenance of such utilities and facilities shall be in compliance with all applicable state and federal requirements and permits, and designed and conducted in a manner that protects water quality.

(B) Notwithstanding any other provisions of this article, the following uses, which may involve structures, fill, flooding, draining, dredging, or excavating, shall be exempt from this article:.

(1) Land disturbing activities less than 2,500 square feet not part of a larger common plan of development or sale, except as may be required in 13-107 for CPBA,

(2) Land disturbances associated with permitted surface or deep mining operations and projects, or oil and gas operations and projects conducted under the provisions of Title 45.1 of the Code of Virginia;

(3) Routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original construction of a project. The paving of existing road with a compacted or impervious surface and re-establishment of existing ditches and shoulders is deemed routine maintenance if performed in accordance with this subsection;

(4) Conducting land-disturbing activities in response to a public emergency where the related work requires immediate authorization to avoid imminent endangerment to human health or the environment. In such situations, the director of T&ES shall be advised of the disturbance within seven days of commencing the land-disturbing activity and compliance with this Article XIII shall be required within 30 days of commencing the land-disturbing activity;

(5) Land clearing for agricultural or silvicultural purposes, and related activities, in accordance with section 62.1-44.15:34.C.2 of the Code of Virginia; and,

(6) Activities under a state or federal reclamation program to return an abandoned property to an agricultural or open land use.

(C) Discharges to a sanitary sewer or a combined sewer shall be exempt from section 13-113 (stormwater pollution prevention plan), section 13-116 (pollution prevention plan), and the requirement to obtain a VSMP construction general permit unless otherwise required by City Code or state or federal law . All other applicable portions of this article shall continue to apply.

(D) Single-family residences separately built and disturbing less than one acre and not part of a larger common plan of development or sale, including additions or modifications to existing single-family detached residential structures are exempt from the water quality requirements of

sections 109(E)(3) and (E)(4) except the Alexandria water quality volume default requirement in section 109(E)(5) still applies.

13-124 – Time limits on applicability of design criteria and Grandfathering.

(A) The time limits on applicability of design criteria shall apply provided:

(1) Land-disturbing activities that obtain an initial state permit or commence land disturbance prior to July 1, 2014 shall be conducted in accordance with the technical criteria in 9VAC-25-870-93 through 9VAC25-870-99. Such projects shall remain subject to these technical criteria for two additional state construction general permit cycles. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the board.

(2) Land-disturbing activities that obtain an initial state construction general permit on or after July 1, 2014 shall be conducted in accordance with the technical criteria in sections 109 (E) and (F), except for as provided in (B) below, and shall remain subject to this technical criteria for two additional state permit cycles. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the board.

(3) Nothing in this section shall preclude an operator from constructing to a more stringent standard at his/her discretion.

(B) Grandfathering provisions established in 9VAC25-870-48 shall apply to this article as applicable. Any land disturbing activity shall be considered grandfathered by the VSMP authority and shall be subject to the technical criteria of 9VAC25-870-93 through 9VAC25-870-99, provided:

(1) A proffered or conditional zoning plan, zoning with a plan of development, preliminary or final subdivision plat, preliminary or final site plan, or any document determined by the locality to be equivalent thereto (i) was approved by the locality prior to July 1, 2012, (ii) provided a layout as defined in 9VAC25-870-10, (iii) will comply with the technical criteria of 9VAC25-870-93 through 99, (iv) has not been subsequently modified or amended in a manner resulting in an increase in the amount of phosphorus leaving each point of discharge, and such that there is no increase in the volume or rate of runoff;

(2) A state permit has not been issued prior to July 1, 2014; and

(3) Land disturbance did not commence prior to July 1, 2014.

(C) Locality, state and federal projects shall be considered grandfathered and shall be subject to the technical criteria in 9VAC25-870-93 through 9VAC25-870-99 provided:

(1) There has been an obligation of locality, state or federal funding, in whole or in part, prior to July 1, 2012, or the department has approved a stormwater management plan prior to July 1, 2012;

(2) A state permit has not been issued prior to July 1, 2014; and

(3) Land disturbance did not commence prior to July 1, 2014.

(D) Land disturbing activities grandfathered under subsections A and B of this section shall

remain subject to 9VAC25-870-93 through 99 technical criteria for one additional state permit cycle. After such time, portions of the project not under construction shall become subject to any new technical criteria adopted by the board.

(E) In cases where governmental bonding or public debt financing has been issued for a project prior to July 1, 2012, such project shall be subject to the technical criteria of 9VAC25-870-93 through 99.

(F) Nothing in this section shall preclude an operator from constructing to a more stringent standard at his discretion.

(G) However, these applicable land-disturbing activities are also subject to more stringent City criteria effective prior to July 1, 2014. This includes the definition of "site", treating the entire Alexandria water quality volume in 13-109(E), the pre/post-development peak flow rate requirement for the 10-year 24-hour storm event in 13-109(F)(2), the requirements in 13-109(F)(3), and the requirements in 13-109(F)(7).

13-125 – Monitoring and inspections.

(A) The director of T&ES shall inspect the land disturbing activity during construction for compliance with this Article XIII, including but not limited to compliance with the approved erosion and sediment control plan, compliance with the approved stormwater management plan, development, updating, and implementation of the pollution prevention plan, and development and implementation of any additional control measures necessary to address a TMDL.

(B) The director of T&ES may, at reasonable times and under reasonable circumstances, enter any establishment or upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations necessary in the enforcement of the provisions of this Article XIII.

(C) In accordance with a performance bond with surety, cash escrow, letter of credit, any combination thereof, or such other legal arrangement or instrument, the director of T&ES may also enter any establishment or upon any property, public or private, for the purpose of initiating or maintaining appropriate actions that are required by the permit conditions associated with a land-disturbing activity when a permittee, after proper notice, has failed to take acceptable action within a time specified.

(D) Pursuant to section 62.1-44.15:40 of the Code of Virginia, the director of T&ES may require every permit applicant or permittee, or any such person subject to the requirements of this Article XIII to furnish when requested such application materials, plans, specifications, and other pertinent information as may be necessary to determine the effect of the discharge on the quality of state waters, or such other information as may be necessary to accomplish the purpose of this Article XIII.

(E) Post-construction inspections of stormwater management facilities required by the provisions of this Article XIII shall be conducted by the director of T&ES pursuant to section 13-109(G).

13-126 - Penalties.

(A) Under the authority of 9VAC25-870-116 the director of T&ES shall have the following authority to enforce provisions of this Article XIII required or authorized under section 62.1-44.15:24 et seq of the Code of Virginia (the Virginia Stormwater Management Act) and its attendant regulations:

(1) If the director determines that there is a failure to comply with the VSMP authority permit conditions or determines there is an unauthorized discharge, notice shall be served upon the permittee or person responsible for carrying out the permit conditions by any of the following: verbal warnings and inspection reports, notices of corrective action, consent special orders, and notices to comply. Written notices shall be served by registered or certified mail to the address specified in the permit application or by delivery at the site of the development activities to the agent or employee supervising such activities.

(a) The notice shall specify the measures needed to comply with the permit conditions and shall specify the time within which such measures shall be completed. Upon failure to comply within the time specified, a stop work order may be issued in accordance with Subsection (b) or the permit may be revoked by the director of T&ES.

(b) If a permittee fails to comply with a notice issued in accordance with this Section within the time specified, the director of T&ES may issue an order requiring the owner, permittee, person responsible for carrying out an approved plan, or the person conducting the land-disturbing activities without an approved plan or required permit to cease all land-disturbing activities until the violation of the permit has ceased, or an approved plan and required permits are obtained, and specified corrective measures have been completed.

Such orders shall be issued in accordance with local procedures. Such orders shall become effective upon service on the person by certified mail, return receipt requested, sent to his address specified in the land records of the locality, or by personal delivery by an agent of the director of T&ES. However, if the director of T&ES finds that any such violation is grossly affecting or presents an imminent and substantial danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth or otherwise substantially impacting water quality, it may issue, without advance notice or hearing, an emergency order directing such person to cease immediately all land-disturbing activities on the site and shall provide an opportunity for a hearing, after reasonable notice as to the time and place thereof, to such person, to affirm, modify, amend, or cancel such emergency order. If a person who has been issued an order is not complying with the terms thereof, the director of T&ES may institute a proceeding for an injunction, mandamus, or other appropriate remedy in accordance with (3) below.

(2) In addition to any other remedy provided by this article, if the director of T&ES or his designee determines that there is a failure to comply with the provisions of this article, they may initiate such informal and/or formal administrative enforcement procedures in a manner that is consistent with local public facilities/engineering manuals and/or specific policy.

(3) Any person violating or failing, neglecting, or refusing to obey any rule, regulation, ordinance, order, approved standard or specification, or any permit condition issued by the director of T&ES may be compelled in a proceeding instituted in the appropriate local court by the Locality to obey same and to comply therewith by injunction, mandamus or other appropriate remedy.

(4) Any person who violates any provision of this article or who fails, neglects, or refuses to comply with any order of the director of T&ES, shall be subject to a civil penalty not to exceed \$32,500 for each violation within the discretion of the court. Each day of violation of each requirement shall constitute a separate offense.

(a) Violations for which a penalty may be imposed under this subsection shall include but not be limited to the following:

- (i) No state permit registration;
- (ii) No SWPPP;
- (iii) Incomplete SWPPP;
- (iv) SWPPP not available for review;
- (v) No approved erosion and sediment control plan;
- (vi) Failure to install stormwater BMPs or erosion and sediment controls;
- (vii) Stormwater BMPs or erosion and sediment controls improperly installed or maintained;
- (viii) Operational deficiencies;
- (ix) Failure to conduct required inspections;
- (x) Incomplete, improper, or missed inspections; and,
- (xi) Discharges not in compliance with the requirements of 4FAC50-60-1170 of the general permit.

(b) The director of T&ES may issue a summons for collection of the civil penalty and the action may be prosecuted in the appropriate court.

(c) In imposing a civil penalty pursuant to this Subsection, the court may consider the degree of harm caused by the violation and also the economic benefit to the violator from noncompliance.

(d) Any civil penalties assessed by a court as a result of a summons issued by the city shall be paid into the treasury of the city and specifically placed into the Alexandria Water Quality Improvement Fund established in section 13-110 and used for the purpose of minimizing, preventing, managing, or mitigating pollution of the waters of the city and abating environmental pollution therein in such manner as the court may, by order, direct.

(5) Notwithstanding any other civil or equitable remedy provided by this section or by law, any person who willfully or negligently violates any provision of this article, any order of the director of T&ES, any condition of a permit, or any order of a court shall, be guilty of a misdemeanor punishable by confinement in jail for not more than 12 months or a fine of not less than \$2,500 nor more than \$32,500, or both.

(B) Under the authority of 62.1-44.15:74 of the Code of Virginia the director of T&ES shall have the following authority to enforce provisions of this Article XIII required or authorized

under section 62.1-44.15:73 of the Code of Virginia (the Chesapeake Bay Preservation Act) and its attendant regulations:

(1) Any person who: (i) violates any provision of this ordinance or (ii) violates or fails, neglects, or refuses to obey any final notice, order, rule, regulation, or variance or permit condition authorized under this ordinance shall, upon such finding by an appropriate circuit court, be assessed a civil penalty not to exceed \$5,000.00 for each day of violation. Such civil penalties may, at the discretion of the court assessing them, be directed to be paid into the Alexandria Water Quality Improvement Fund for the purpose of abating environmental damage to or restoring Chesapeake Bay Preservation Areas therein, in such a manner as the court may direct by order, except that where the violator is the city itself or its agent, the court shall direct the penalty to be paid into the state treasury.

(2) With the consent of any person who: (i) violates any provision of this ordinance related to the protection of water quality in Chesapeake Bay Preservation Areas or (ii) violates or fails, neglects, or refuses to obey any notice, order, rule, regulation, or variance or permit condition authorized under this ordinance, the city may provide for the issuance of an order against such person for the one-time payment of civil charges for each violation in specific sums, not to exceed \$10,000.00 for each violation. Such civil charges shall be paid into the city water quality improvement fund for the purpose of abating environmental damage to or restoring Chesapeake Bay Preservation Areas therein, except that where the violator is the city itself or its agent, the civil charges shall be paid into the state treasury. Civil charges shall be in lieu of any appropriate civil penalty that could be imposed under (A) above. Civil charges may be in addition to the cost of any restoration required or ordered by the city.

(C) In addition to (A) and (B) above, the director of T&ES shall have the enforcement provisions available in section 11-200 of this ordinance.

Section 2. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 3. That Article XIII, as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

Section 4. That this ordinance shall become effective on July 1, 2014, 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.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

DEFERRAL/WITHDRAWAL CONSENT CALENDAR

Planning Commission (continued)

None.

THERE BEING NO FURTHER BUSINESS TO CONSIDERED, upon motion by Vice Mayor Silberberg, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the public hearing meeting of March 15, 2014 at 6:00 p.m. The vote was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

APPROVED BY:

WILLIAM D. EUILLE Mayor

ATTEST:

Gloria Sitton, CMC

Deputy City Clerk

**City of Alexandria
Meeting Minutes
Tuesday, March 25, 2014
7:00 P.M.
Council Chambers**

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

Absent: None.

Also Present: Mr. Young, City Manager; Mr. Banks, City Attorney; Mr. Fletcher, Special Assistant to the City Manager; Mr. Jinks, Deputy City Manager; Ms. Evans, Deputy City Manager; Mr. Gates, Deputy City Manager; Ms. Collins, Deputy City Manager; Police Captain Wemple; Mr. Spengler, Director, Recreation, Parks and Cultural Activities; Mr. Browand, Recreation, Parks and Cultural Activities; Ms. Bryan, Information Technology Services; and Mr. Lloyd.

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

* * * * *

6:00 P.M. - Work Session with DASH and the Annual Meeting of the Stockholders of the Alexandria Transit Company.

City Council held the work session with DASH and had the Annual Meeting of the Stockholders of the Alexandria Transit Company.

* * * * *

1. Calling the Roll.

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

2. Moment of Silence and Pledge of Allegiance.

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

* * * * *

Mayor Euille announced that members of City Council are all wearing blue for Stop Child Abuse Now (SCAN) where they will be promoting Wear Blue For Kids Day.

* * * * *

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

The Special Public Hearing Meeting Minutes of March 10, 2014; and
The Regular Meeting Minutes of March 11, 2014.

WHEREUPON, upon motion by Councilman Wilson, seconded by Vice Mayor Silberberg and carried unanimously, City Council approved the special public hearing meeting minutes of March 10, 2014 (noting the correction given to City Council earlier by the City Clerk) and the regular meeting minutes of March 11, 2014. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None.

PROCLAMATIONS

None.

* * * * *

Mayor Euille noted that tomorrow is National Walk and Bike to School Day and he will be participating at several school sites earlier in the morning.

* * * * *

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (4-7)

(Resignations and Uncontested Appointments)

4. Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Citizen Corps Council
Tara Hicks

(b) Commission for the Arts
Cynthia Clauson

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 3/25/14, and is incorporated as part of this record by reference.)

5. Uncontested Appointments to Members of Boards, Commissions and Committees:

(a) Alexandria Marketing Committee
2 Members with Experience or Expertise in the Following Areas:

Marketing/Communications, Advertising Agency/Public Relations, Media Buyer, Graphic Design/Production and or Media Relations/Media Outlet

(b) Citizen Corps Council

1 Citizen Member Designated by the Alexandria School Board

(c) Community Criminal Justice Board

1 Representative of a Non-profit Organization Recommended by the Alexandria United Way

(d) Park and Recreation Commission

2 Members from Planning District III

1 Member from Among the High School Youth of the City

(A copy of the above uncontested appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 3/25/14, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

6. Consideration and Approval of the License Agreement Between the City of Alexandria and the Potomac Riverboat Company, LLC to Provide Water Taxi Service from the City Marina.

(A copy of the City Manager's memorandum dated March 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 3/25/14, and is incorporated as part of this record by reference.)

7. Consideration of a Grant Application to the Virginia Department of Health for the United States Department of Agriculture (USDA) Summer Food Service Program for Children.

(A copy of the City Manager's memorandum dated March 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 3/25/14, and is incorporated as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilman Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adopted the consent calendar, with the removal of item #6, which was considered under separate motion, as follows:

4. City Council received the following resignations with regret: (a) Tara Hicks, Citizen Corps Council; and (b) Cynthia Clauson, Commission for the Arts.

5. City Council made the following appointments to boards, commissions and committees: (a) appointed James Dillon and reappointed William Shaw as the two members with experience or expertise in the following areas: marketing/communications, advertising agency/public relations, media buyer, graphic design/production and or media relations/media outlet to the Alexandria Marketing Committee; (b) appointed Anthony Barone as the one citizen member designated by the Alexandria School Board to the Citizen Corps Council; (c)

reappointed Alexis Stackhouse as the one representative of a non-profit organization recommended by the Alexandria United Way to the Community Criminal Justice Board; and (d) reappointed Judith Coleman and Richard Brune as the two members from Planning District III and appointed Alexis Browand as the one member from among the high school youth of the City to the Park and Recreation Commission.

7. City Council authorized staff to: 1. submit the grant application (due April 25, 2014) to the Virginia Department of Health for United States Department of Agriculture for continued funding and an estimated reimbursement amount of \$112,000 for program expenses; 2. affirmed that there are no funds available in the City budget to continue these activities once the grant funds are expended; and 3. executed all necessary documents that may be required.

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

6. Consideration and Approval of the License Agreement Between the City of Alexandria and the Potomac Riverboat Company, LLC to Provide Water Taxi Service from the City Marina.

(A copy of the City Manager's memorandum dated March 19, 2014, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 3/25/14, and is incorporated as part of this record by reference.)

Mr. Browand, Parks, Recreation and Cultural Activities, responded to questions of City Council concerning the agreement.

WHEREUPON, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved and authorized the City Manager to execute the three-year and nine month agreement (April 1, 2014 through December 31, 2017) with the Potomac Riverboat Company allowing them to continue to operate a water taxi service from the City Marina using the Commander Jacques, Lady Josephine and Miss Sophie. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

CONTESTED APPOINTMENTS

8. Alexandria Gang Prevention Community Task Force
1 Citizen Member

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

NAME:

ENDORSED BY:

Marie Muscella
Thomas Walczykowski

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 3/25/2014, and is incorporated as

part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council reappointed Thomas Walczykowski as the one citizen member to the Alexandria Gang Prevention Community Task Force. The voting was as follows:

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

9. Budget and Fiscal Affairs Advisory Committee
1 Citizen Member

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

NAME: ENDORSED BY:

Brent Simer
Robert Uyttebroek

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 3/25/2014, and is incorporated as part of this record by reference.)

WHEREUPON, ballots were distributed, tellers were appointed and ballots tallied with following results: City Council appointed Brent Simer as the one citizen member to the Budget and Fiscal Affairs Advisory Committee. The voting was as follows:

Euille	-	Simer
Silberberg	-	Simer
Chapman	-	Simer
Lovain	-	Uyttebroek
Pepper	-	Simer
Smedberg	-	Simer
Wilson	-	Simer

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

None.

REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES

ORAL REPORTS BY MEMBERS OF CITY COUNCIL

and

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Mayor Euille said the Old Dominion Boat Club (ODBC) concluded its voting by the membership on two options that were part of negotiations that concluded March 18 involving the ODBC and the City of Alexandria relative to the City's desire to open the foot of King Street for a public use and space. After 40 plus years of negotiations and discussions, that has now been put behind them. Mayor Euille said thanks and congratulations to both sides of the negotiating teams for the process. The members of the ODBC voted with a 68 percent majority to support one of the options, which was the relocation of the Boat Club and its parking lot off of the foot of King Street, to be relocated on the waterfront in Old Town where it would get a new building and facilities and \$5 million to assist with the redevelopment of the new facilities. He said the details will be completed in the next 30 days and will then come to Council for formal approval.

Mr. Banks, City Attorney, said the next step is to complete a formal settlement agreement. Once that is finished, it will most likely be executed by the City Manager.

2. Mayor Euille said he prepared a letter that was sent to the Governor relative to the on-going discussion in Richmond in the legislature on the budget adoption process and the expanded Medicare healthcare initiative. The letter expressed the City's support for the expansion of Medicare but additionally asking that both sides come together and ratify a process to include a budget adoption but to also include Medicaid expansion.

3. Councilman Chapman said he and Councilmember Lovain wish to report that the Children, Youth and Families Collaborative Commission recently passed the youth master plan. There will be more discussion of the youth master plan within the community, but that plan is going to make its way to City Council.

Councilman Wilson said there will be a joint work session with the School Board and City Council on May 3, and the concept is that the members of the School Board and the City Council, in advance of the work session, circulate their input, ideas and concepts for modifications to the plan so that when it gets to the May 3 meeting, it is not just brain-storming but is looking at suggestions that individual members have made. The assumption is that it would come to Council for receipt in later May and Council would docket it for public hearing in June and passage before summer recess.

4. Councilman Wilson said there was a discussion at the recent City/Schools Subcommittee meeting about trying to get ahead of the FY2016 budget and the timing issues and the process questions. At the next meeting, the Schools will bring a draft they have been working on and they will discuss it at that time.

Mayor Euille said he will request of the City Manager to docket the report to Council at the next legislative meeting to be received and colleagues are asked to review and read it in advance of the joint work session.

5. Councilmember Lovain said he is a member of the board of directors of Stop Child Abuse Now in Northern Virginia, and he thanked Council for agreeing to the picture for SCAN, as they do wonderful work in prevention, the courts and parenting classes.

6. Councilmember Lovain said he will be at the Walk and Bike to Walk Day at George Washington Middle School, and he thanked his aide, Wendy Donahue, who was very

instrumental in putting it all together.

7. Councilmember Lovain said the chair of the board of WMATA wrote to the executive director of the Council of Governments urging a collaboration to try to increase accessibility of the transit systems in the region for people with disabilities. It would also reduce the budget pressures on the Metro Access program. Another critical problem is bus stop accessibility, where hundreds of bus stops are not accessible. Councilmember Lovain said he is the chair of the Human Services Transportation Committee, and they agree that they would take up the effort and would consider grants to help with the challenge but to also convene a regional forum for local jurisdictions, probably sometime in the summer, to talk about what each jurisdiction is doing and plans to do to help make the bus stops more accessible, as well as other initiatives to help increase accessibility for people with disabilities. He said he has talked with City staff about getting the City's bus stops more accessible as part of the capital program.

8. Vice Mayor Silberberg commended SCAN for doing Wear Blue day, and it is all across Virginia to raise awareness about child abuse and prevention. She said this is to reach out to kids who are having issues, and SCAN has been a part of that process for over 25 years.

9. Vice Mayor Silberberg said she, Mayor Euille and Councilman Chapman were at an event over the weekend to honor and pay tribute to the Shiloh Baptist Church's 150th anniversary. She said the church was founded by 50 former slaves and it was a very moving evening and was incredibly inspiring.

10. Vice Mayor Silberberg said the Northern Virginia Community Foundation issued a report on aging. She said it is worth reading about raising awareness about not just unmet social needs across Northern Virginia but the specific report was about aging in Northern Virginia. The population of seniors in Alexandria over the coming years will increase by 76 percent.

11. Councilman Smedberg said that at the VRE meeting this past Friday, final papers were put in and agreements were struck with AMTRAK for the King Street tunnel.

12. Mayor Euille said there are six days left to get covered for the National Affordable Care Act - March 31st is the deadline, and to date more than 5 million people have signed up nationally.

ORAL REPORT FROM THE CITY MANAGER

None.

ORDINANCES AND RESOLUTIONS

None.

OTHER

10. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated March 19, 2014, is on file in the

Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 3/25/14, and is incorporated as part of this record by reference.)

Councilman Smedberg said he will be out of town and will not be able to make the proposed May 3 City Council/School Board work session.

WHEREUPON, upon motion by Councilman Silberberg, seconded by Councilwoman Pepper and carried unanimously, City Council: 1. received the revised Council Calendar which includes: The Art in City Hall reception which is scheduled for Tuesday, March 25 from 5:30 p.m. to 7:00 p.m. in the Chet and Sabra Avery Conference Room; the Alexandria Neighborhood Health Services, Inc. (ANHSI) reception for Mobile Health Van which is scheduled for Wednesday, April 9 from 5:30 p.m. to 7:30 p.m. at Patrick Henry Elementary School, 4643 Taney Avenue; and the movement of the Tuesday, June 10 City Council meeting to Wednesday June 11 due to the Congressional elections for the democratic primary; and 2. approved the calendar. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg and Councilman Wilson; Opposed, none.

11. Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

City Council did not go into closed meeting.

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Wilson, seconded by Councilman Chapman and carried unanimously, City Council adjourned the regular meeting of March 25, 2014, at 7:45 p.m. The voting was as follows: In favor, Mayor Euille, Vice Mayor Silberberg, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, Councilman Smedberg, and Councilman Wilson; Opposed, None.

APPROVED BY:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson
City Clerk and Clerk of Council



Legislation Details (With Text)

File #: 14-2583 **Name:**

Type: Proclamation **Status:** Agenda Ready

File created: 3/20/2014 **In control:** City Council Legislative Meeting

On agenda: 4/8/2014 **Final action:**

Title: Recognition of the Winners of the George Washington Middle School Everyone Walks and Bikes to School Day Poster Contest.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Recognition of the Winners of the George Washington Middle School Everyone Walks and Bikes to School Day Poster Contest.



Legislation Details (With Text)

File #:	14-2477	Name:	Earth Day Proclamation
Type:	Proclamation	Status:	Agenda Ready
File created:	2/21/2014	In control:	City Council Legislative Meeting
On agenda:	4/8/2014	Final action:	
Title:	Presentation of a Proclamation Declaring April 26, 2014 as Alexandria Earth Day and Arbor Day in the City of Alexandria.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2477 Earth Day Proclamation.pdf		

Date	Ver.	Action By	Action	Result
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Presentation of a Proclamation Declaring April 26, 2014 as Alexandria Earth Day and Arbor Day in the City of Alexandria.

P R O C L A M A T I O N

WHEREAS, the City of Alexandria recognizes its natural environment is irreplaceable and fragile and must be preserved for future generations; and

WHEREAS, Earth Day is a national event to increase people's understanding of their environment and mobilize support for its protection and was first celebrated 44 years ago, namely March 1970; and

WHEREAS, the Environmental Policy Commission was formed 44 years ago, in January 1970, to advise the City Council on all matters environmental; and

WHEREAS, the Environmental Protection Agency was created 44 years ago, in December 1970, to protect the environment and public health; and

WHEREAS, the National Arbor Day Foundation has recognized the City of Alexandria as a Tree City USA every year since 1983 and by planting a tree every year on Alexandria Earth Day, the City demonstrates the importance of trees as the backbone of our urban habitat and its commitment to the natural environment; and

WHEREAS, the Alexandria Earth Day Committee, in partnership with the Environmental Policy Commission, the Department of Recreation, Parks and Cultural Activities, and the Department of Transportation and Environmental Services, sponsors the twentieth annual Earth Day Celebration at Ben Brenman Park; and

WHEREAS, Alexandria City Public Schools has appointed an Environmental Steward for every school and, working closely with City officials, Environmental Policy Commission members, parents, teachers and ACPS officials, the Superintendent's Environmental Stewardship Committee has prepared an Action Plan for all concerned but especially the children; and

WHEREAS, because of the generous support of Alexandria's business community, non-profit organizations, and our civic leaders' commitment to the values of environmental stewardship, Earth Day has become Alexandria's premier environmental celebration; and

WHEREAS, the City of Alexandria recognizes the important role that water plays in our environment and in our daily lives, and that positively impacting the future of this planet is in the hands of the entire Alexandria community, so this year's Earth Day theme will be "Water: Every Drop Counts!"; and

WHEREAS, the City of Alexandria, as a signatory to the US Mayor's Climate Protection Agreement and similar agreements, has, with aid of the Environmental Policy Commission, adopted in June 2008 the Environmental Charter and, in June 2009, an Environmental Action Plan to lead the city through to 2030.

NOW, THEREFORE, I, WILLIAM D. EUILLE, Mayor of the City of Alexandria, Virginia, and on behalf of the Alexandria City Council, do hereby proclaim April 19, 2014, as:

"ALEXANDRIA EARTH DAY AND ARBOR DAY"

in the City of Alexandria and hereby commend all persons who are committed to and work towards preserving our environment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Alexandria to be affixed this 8th day of April, 2014.

WILLIAM D. EUILLE MAYOR

On behalf of the City Council
of Alexandria, Virginia

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Legislation Details (With Text)

File #: 14-2636 **Name:** Resignations
Type: Appointment **Status:** Agenda Ready
File created: 4/1/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Emergency Medical Services Council
Anthony (Tony) Barone

(b) Environmental Policy Commission
Katie Mike

(c) Historical Restoration and Preservation Commission
Herbert Wayne Warner

Sponsors:

Indexes:

Code sections:

Attachments: [14-2636 Board Resignations](#)

Date	Ver.	Action By	Action	Result
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Receipt of the Following Resignations from Members of Boards, Commissions and Committees:

(a) Emergency Medical Services Council
Anthony (Tony) Barone

(b) Environmental Policy Commission
Katie Mike

(c) Historical Restoration and Preservation Commission
Herbert Wayne Warner

April 1, 2014

Receipt of the following resignations from Members of Boards, Commissions and Committees:

- (a) Emergency Medical Services Council
Anthony (Tony) Barone (*effective March 26, 2014*)
- (b) Environmental Policy Commission
Katie Mika (*effective March 22, 2014*)
- (c) Historical Restoration and Preservation Commission
Herbert Wayne Warner (*effective March 21, 2014*)

These resignations are for information only.



Legislation Details (With Text)

File #:	14-2637	Name:	uncontested appointments
Type:	Appointment	Status:	Agenda Ready
File created:	4/1/2014	In control:	City Council Legislative Meeting
On agenda:	4/8/2014	Final action:	
Title:	Uncontested Appointments to Boards, Commissions and Committees:		
	(a) Affordable Housing Advisory Committee		
	1 Real Estate Professional with Knowledge and Experience in Residential Real Estate		
	1 Landlord of Residential Property in the City		
	(b) Alexandria Redevelopment and Housing Authority		
	1 Citizen Member		
	(c) Citizen Corps Council		
	1 Citizen Member		
	(d) Commission on Aging		
	1 Citizen Member		
	(e) Commission on Employment		
	1 Business Representative from Among Recognized Area Businesses Including Minority-Owned and Small Businesses		
	(f) Emergency Medical Services Council		
	1 Citizen Member		
	1 Representative of Nursing Homes Located in the City		
	(g) Environmental Policy Commission		
	1 Member from the Alexandria Business Community		

Sponsors:**Indexes:****Code sections:****Attachments:** [14-2637 Uncontested Appointments](#)

Date	Ver.	Action By	Action	Result
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Uncontested Appointments to Boards, Commissions and Committees:

- (a) Affordable Housing Advisory Committee
1 Real Estate Professional with Knowledge and Experience in Residential Real Estate
1 Landlord of Residential Property in the City
- (b) Alexandria Redevelopment and Housing Authority
1 Citizen Member
- (c) Citizen Corps Council

1 Citizen Member

(d) Commission on Aging

1 Citizen Member

(e) Commission on Employment

1 Business Representative from Among Recognized Area Businesses Including Minority-Owned and Small Businesses

(f) Emergency Medical Services Council

1 Citizen Member

1 Representative of Nursing Homes Located in the City

(g) Environmental Policy Commission

1 Member from the Alexandria Business Community

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Affordable Housing Advisory Committee

(3-year term)

1 real estate professional with knowledge and experience in residential real estate

_____ Elizabeth Luccesi

1 landlord of residential property in the City

_____ Nathaniel Ouellette

Alexandria Redevelopment and Housing Authority

(4-year term)

1 citizen member

_____ Merrick Malone *

Citizen Corps Council

(3-year term)

1 citizen member

_____ Samuel Salinas

Commission on Aging

(3-year term)

1 citizen member

_____ Sean Dunbar

Commission on Employment

(2-year term)

1 business representative from among recognized area businesses including minority-owned and small businesses

_____ Linda Klinger

* incumbent

Name of Council Member

Endorsement

UNCONTESTED APPOINTMENTS

Emergency Medical Services Council

(2-year term)

1 citizen member

_____ Scooter Slade *

1 representative of nursing homes located in the City

_____ Robert Callahan *
(residency waiver required)

Environmental Policy Commission

(2-year term)

1 member from the Alexandria business community

_____ Ryan Wojtanowski *

* incumbent



Legislation Details (With Text)

File #: 14-2238 **Name:** Monthly Financial Report - February
Type: **Status:** Agenda Ready
File created: 12/13/2013 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Consideration of the Monthly Financial Report for the Period Ending February 28, 2014.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2238 Attachment 1 Revenues](#)
[14-2238 Attachment 2 Expenditures](#)
[14-2238 Attachment 3 Contingent Reserves](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of the Monthly Financial Report for the Period Ending February 28, 2014.

ISSUE: Receipt of the City's Monthly Financial Report for the period ending February 28, 2014

RECOMMENDATION: That City Council receives the Monthly Financial Report for the period ending February 28, 2014.

ECONOMIC HIGHLIGHTS: Through the month of February, tax revenue from sources other than real estate and personal property continue to lag relative to this date last fiscal year. Part of this is due to the timing of payments, but part is due to the economy continuing to grow at a slower pace than anticipated. On the expenditure side, the unusually high number of snow storms this winter has led to costs exceeding the budget in that area. To date (including March storms), the City has spent an estimated \$1.6 million on snow clearance and emergency operations as compared to the budget of \$0.8 million. Staff is closely monitoring revenues and

expenditures and will provide continued updates on their status.

In December, The District of Columbia's Office of Revenue Analysis issued its annual publication "Tax Rates and Tax Burdens: Washington Metropolitan Area 2012." The publication compiles the average tax burden for a family of three among local jurisdictions at different levels of income. Among the six jurisdictions reviewed, which includes the District of Columbia, Montgomery County, Prince George's County, Alexandria, Arlington, and Fairfax, Alexandria had the second highest tax burden among families with a \$25,000 income level, the third highest tax burden among families with a \$50,000 and \$75,000 income level, and the fourth highest tax burden among families with a \$100,000 or \$150,000 income level. Among Virginia jurisdictions, at all five income levels, Alexandria's ranking fell between Arlington County, which had the highest tax burden, and Fairfax County, which had the lowest tax burden. A full copy of the report is available online at:

http://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/2012%20Tax%20Rates%20and%20Tax%20Burdens_METRO.pdf.

Updated economic tables are now posted online at the City's web site:

<http://www.alexandriava.gov/FinancialReports>.

REVENUE HIGHLIGHTS:

Year-to-Date Revenues: The revenue picture has not improved since last month's report. As of February 28, 2014, actual General Fund revenues totaled \$337.2 million, which is approximately \$11.3 million or 3.3 percent less than the report for the same period last year. The decrease was due to a refinance of \$19.3 million in City bonds to a lower interest rate in FY 2013. The bond proceeds are recognized as revenue at the time of the refinance and thus added to the FY 2013 revenue number. There is an offsetting bond payment on the expenditure side. The interest savings will be realized in future years. After adjusting for the bond refinance, through February, total revenues in FY 2014 increased by 2.4 percent or \$7.9 million compared to FY 2013. The increase is due to higher real property tax collections from real estate tax rate increases (\$10.4 million) and personal property tax rate increases (\$3.5 million) and a \$6.0 million decline in all other sources of revenue.

The City has set aside \$1 million in fund balance to compensate for potential short-term revenue reductions related to sequestration. City departments continue to actively monitor expenditures; however, if revenues continue to fall short of estimates, it may be necessary to make up any additional shortfalls with expenditure reductions. Current revenue estimates have been taken into consideration when building the revenue estimates for the FY 2015 Proposed Budget.

Below is additional detail for revenues that are showing variance compared to last year's collections:

- **Consumer Utility Taxes:** Year-to-date Consumer Utility Tax collections through February decreased by approximately 13.1 percent compared to last year. There was no change in utility collections between January and February. While normally the utility companies pay their tax liability in the month after the end of the billing month, utility companies have 45 days to pay the tax due after the end of a billing month, and in this case, the City did not receive any payments for the month of January until after the month of February ended.
- **Business License Taxes:** Year-to-date Business License Tax collections through February decreased by 23.2 percent compared to the previous year. Because Business License Taxes are not due until March 1, it is not yet possible to project Business License Tax revenues for FY 2014. The fact that fewer business filed returns as of the end of February may be due in part to the inclement weather in

February.

- **Transient Lodging Taxes:** Year-to-date Transient Lodging Tax collections decreased by approximately 17 percent compared to the previous fiscal year. This is due to decreased rates of occupancy and lower room rates across the City. According to Smith Travel Research, via ACVA, in the fiscal year through February, Alexandria's occupancy rate decreased from 63.8 percent in FY 2013 to 62.4 percent in FY 2014, while the average daily room rate decreased from approximately \$138 in FY 2013 to around \$128 in FY 2014 or about 7 percent. The decreases have affected all Northern Virginia jurisdictions and are probably related to sequestration, the government shutdown in October, and a very cold winter that has made people less likely to travel. In addition, the Hawthorne Suites Hotel, which contained 185 rooms, or around 4 percent of the City's total hotel rooms, closed in October.
- **Cigarette (Tobacco) Tax:** The 13.9 percent increase in Cigarette Tax collections is related to the increase in the tobacco tax from 80 cents to \$1 per pack. Historically, this has had the impact of increasing revenues but reducing sales, and this trend was accounted for in the FY 2014 revenue assumptions. The FY 2014 budget anticipated an increase of approximately \$600,000 or 23 percent above budgeted FY 2013 revenues, so it appears as if the impact on sales of the increase in the Cigarette Tax was greater than assumed.
- **Recordation Tax:** Recordation Tax collections have fallen by approximately 22 percent compared to last year's collections. Since the number and average value of residential property sales have increased, the decrease is primarily attributable to the commercial portion of Alexandria's real estate market. The FY 2014 budget anticipated an increase of \$500,000, or 10.2 percent, above budgeted FY 2013 revenues.
- **Admissions Tax:** Year-to-date Admissions Taxes have decreased by 13 percent, or \$.08 million. This is partly due to a strong movie season that resulted in high box office receipts during fall of 2012 and is probably also related to the cold and snowy weather in recent months which kept potential moviegoers at home.
- **Revenue from Federal Government:** Revenues from the Federal Government have decreased by 21 percent, or \$1.0 million, relative to this time last year. This is due largely to \$750,000 in reimbursements due from the Department of Defense for WMATA 7M subsidies provided by the City for service between the Pentagon and the Mark Center Transit Center. As of February, the City has not received reimbursement for the bus service. The Department of Transportation and Environmental Services is working with the Department of Defense in order to obtain the reimbursement.

EXPENDITURE HIGHLIGHTS:

Year-to-Date Expenditures: As of February 28, 2014, actual General Fund expenditures totaled \$374.1 million, an increase of \$17.7 million, or approximately 5.0 percent, compared to expenditures for the same period last year. General Fund expenditures are budgeted to grow by 6.3 percent from FY 2013 to the FY 2014 Approved Budget. Citywide, expenditures appear to be tracking with the budget.

A few of the largest variances are explained below:

- **Position vacancies filled:** The increase in year-to-date expenditures in Management and Budget, Human Resources, and the Department of Code Administration reflect the filling of budgeted positions that were vacant for some period of time in FY 2013.
- **Transit Subsidies:** The increase in expenditures is mostly due to the timing of the payments to WMATA. A mix of funding sources is used to pay for the WMATA contribution. This year, the General Fund contribution was used prior to the other funding sources, most notably the Northern Virginia Transportation Commission.
- **Non-Departmental:** The decrease in Non-Departmental expenditures is mostly due to a planned reduction in the use of fund balance for payments for other post-employee retirement benefits (OPEB). The remaining funding for OPEB is included in departmental budgets. This is the sixth year in a multi-year plan to gradually increase the funding for OPEB to the actuarially required contribution. Also, in FY 2013, there was approximately \$500,000 in FY 2013 expenditures to deal with Hurricane Sandy. Through the end of February, the City has expended approximately \$440,000 of \$836,000 budgeted in non-departmental funds to deal with snow emergencies. This amount does not include additional expenditures incurred within the T&ES, RPCA or General Services budgets or overtime paid to public safety and other employees during City closures. This amount does not include any March storm expenditures.
- **Cash Capital:** The increase is due to the budgeted amount of cash capital which increased from \$7.0 million in FY 2013 to \$17.8 million in FY 2014. At this point in the both fiscal years, the full amount of budgeted cash capital had been transferred to capital projects.
- **Cash Match (Transportation/DCHS/and Transfers to the Special Revenue/Capital Projects Funds):** As part of the City's Memorandum of Agreement with the NVTa for receiving 30percent of the new transportation revenues received by the Authority, the City has established a new fund for transportation and deposited \$11.6 million into that fund.

Contingent Reserves

- City Council approved the release of \$6,750 from FY 2014 contingent reserves to keep the tree lights on King Street on through the end of June. Detailed information regarding the status of all Contingent Reserves for FY 2014 is available in Attachment 3.

The report is also available online at: <http://www.alexandriava.gov/FinancialReports>

ATTACHMENTS:

Attachment 1 Revenue

Attachment 2 Expenditures

Attachment 3 Contingent Reserves

STAFF:

Laura Triggs, Chief Financial Officer

Nelsie L. Smith, Director, Office of Management & Budget

Morgan Routt, Assistant Director, Office of Management & Budget

Eric Eisinger, Budget Analyst

Berenice Harris, Finance Department

CITY OF ALEXANDRIA, VIRGINIA

COMPARATIVE STATEMENT OF REVENUES
GENERAL FUND

FOR THE PERIODS ENDING FEBRUARY 28, 2014 AND FEBRUARY 28, 2013

	B	B2	C	D=C/B	E	F=(C-E)/E
	FY2014 REVISED BUDGET	FY 2014 PROJECTED REVENUE	FY2014 REVENUES THRU 02/28/14	% OF BUDGET	FY2013 REVENUES THRU 02/28/13	% CHANGE
General Property Taxes						
Real Property Taxes.....	\$ 357,840,032	\$ 358,400,000	\$ 174,278,582	48.7%	\$ 163,846,515	6.4%
Personal Property Taxes.....	41,340,000	41,700,000	41,381,589	100.1%	37,882,678	9.2%
Penalties and Interest.....	2,375,000	2,375,000	547,075	23.0%	1,187,695	-53.9%
Total General Property Taxes	\$ 401,555,032	\$ 402,475,000	\$ 216,207,246	53.8%	\$ 202,916,888	6.5%
Other Local Taxes						
Local Sales and Use Taxes.....	\$ 27,340,000	\$ 25,900,000	\$ 12,813,398	46.9%	\$ 12,963,518	-1.2%
Consumer Utility Taxes.....	11,400,000	11,600,000	5,472,238	48.0%	6,295,604	-13.1%
Communication Sales and Use Taxes.....	11,300,000	11,100,000	5,475,091	48.5%	5,625,188	-2.7%
Business License Taxes.....	33,000,000	33,000,000	11,864,443	36.0%	15,453,333	-23.2%
Transient Lodging Taxes.....	12,510,000	11,500,000	5,373,002	42.9%	6,472,108	-17.0%
Restaurant Meals Tax.....	17,550,000	17,300,000	9,470,334	54.0%	9,350,810	1.3%
Tobacco Taxes.....	3,234,000	3,234,000	1,753,537	54.2%	1,539,690	13.9%
Motor Vehicle License Tax.....	3,400,000	3,400,000	3,145,734	92.5%	3,066,928	2.6%
Real Estate Recordation.....	5,400,000	5,200,000	2,503,848	46.4%	3,200,408	-21.8%
Admissions Tax.....	1,000,000	1,000,000	563,963	56.4%	650,623	-13.3%
Other Local Taxes.....	3,380,000	3,490,000	449,152	13.3%	461,385	-2.7%
Total Other Local Taxes	\$ 129,514,000	\$ 126,724,000	\$ 58,884,739	45.5%	\$ 65,079,595	-9.5%
Intergovernmental Revenues						
Revenue from the Fed. Government.....	\$ 10,047,576	\$ 9,512,197	\$ 3,884,472	38.7%	\$ 4,930,535	-21.2%
Personal Property Tax Relief from the Commonwealth.....	23,578,531	23,578,531	23,106,960	98.0%	23,106,960	0.0%
Revenue from the Commonwealth.....	21,617,691	22,606,733	12,375,906	57.2%	12,223,344	1.2%
Total Intergovernmental Revenues	\$ 55,243,798	\$ 55,697,461	\$ 39,367,338	71.3%	\$ 40,260,839	-2.2%
Other Governmental Revenues And Transfers In						
Fines and Forfeitures.....	\$ 5,322,000	\$ 5,322,000	\$ 3,469,803	65.2%	\$ 3,224,997	7.6%
Licenses and Permits.....	2,519,975	2,519,975	1,603,629	63.6%	1,512,323	6.0%
Charges for City Services.....	16,694,959	16,609,959	10,228,894	61.3%	10,224,363	0.0%
Revenue from Use of Money & Prop.....	3,995,000	4,643,000	3,108,924	77.8%	3,032,520	2.5%
Other Revenue.....	782,000	782,000	1,275,188	163.1%	906,292	40.7%
Transfer from Other Funds.....	3,044,329	3,136,329	3,044,329	100.0%	2,104,502	0.0%
Total Other Governmental Revenues	\$ 32,358,263	\$ 33,013,263	\$ 22,730,768	70.2%	\$ 21,004,997	8.2%
TOTAL REVENUE	\$ 618,671,093	\$ 617,909,724	\$ 337,190,091	54.5%	\$ 329,262,319	2.4%
Appropriated Fund Balance						
General Fund.....	6,429,631	6,429,631			19,256,545	
Reappropriation of FY 2013 Encumbrances And Other Supplemental Appropriations and Projections.....	7,021,971	7,783,340				
TOTAL	\$ 632,122,695	\$ 632,122,695	\$ 337,190,091	53.3%	\$ 348,518,864	-3.3%

COMPARATIVE STATEMENT OF EXPENDITURES & TRANSFERS BY FUNCTION
GENERAL FUND
FOR THE PERIODS ENDING FEBRUARY 28, 2014 AND FEBRUARY 28, 2013

	B	C	D=C/B	E	F=(C-E)/E
	FY2014	FY2014	%	FY2013	
	REVISED	EXPENDITURES	OF BUDGET	EXPENDITURES	
FUNCTION	BUDGET	THRU 02/28/14	EXPENDED	THRU 02/28/13	%
					CHANGE
Legislative & Executive.....	\$ 7,602,174	\$ 4,473,765	58.8%	\$ 4,151,011	8%
Judicial Administration.....	\$ 42,159,312	\$ 27,769,530	65.9%	\$ 27,757,807	0%
Staff Agencies					
Information Technology Services.....	\$ 8,573,292	\$ 5,238,399	61.1%	\$ 5,219,983	0.4%
Management & Budget.....	1,277,825	797,257	62.4%	617,602	29.1%
Finance.....	12,006,815	6,829,458	56.9%	6,737,324	1.4%
Real Estate Assessment.....	1,856,591	908,434	48.9%	970,992	-6.4%
Human Resources.....	3,398,860	2,230,107	65.6%	1,987,540	12.2%
Planning & Zoning.....	6,023,816	3,953,995	65.6%	3,981,971	-0.7%
Economic Development Activities.....	5,202,474	3,866,569	74.3%	3,564,590	8.5%
City Attorney.....	2,734,638	1,712,561	62.6%	1,683,512	1.7%
Registrar.....	1,215,161	797,799	65.7%	1,035,088	-22.9%
General Services.....	12,805,748	7,919,251	61.8%	7,880,830	0.5%
Total Staff Agencies	\$ 55,095,220	\$ 34,253,831	62.2%	\$ 33,679,432	1.7%
Operating Agencies					
Transportation & Environmental Services.....	\$ 29,162,517	\$ 19,050,603	65.3%	\$ 18,630,455	2.3%
Fire.....	42,556,115	28,794,263	67.7%	27,420,486	5.0%
Police.....	55,116,636	36,800,013	66.8%	36,125,383	1.9%
Emergency Communications.....	7,231,733	4,320,803	59.7%	4,075,455	6.0%
Code.....	841,632	582,005	69.2%	502,630	15.8%
Transit Subsidies.....	9,584,748	8,202,168	85.6%	5,330,812	53.9%
Community and Human Services.....	14,646,363	9,437,319	64.4%	9,891,515	-4.6%
Health.....	8,651,731	5,960,817	68.9%	5,742,215	3.8%
Historic Resources.....	2,708,556	1,825,015	67.4%	1,895,828	-3.7%
Recreation.....	21,848,062	13,746,697	62.9%	13,707,761	0.3%
Total Operating Agencies	\$ 192,348,093	\$ 128,719,703	66.9%	\$ 123,322,540	4.4%
Education					
Schools.....	\$ 185,611,472	\$ 101,356,905	54.6%	\$ 100,544,658	0.8%
Other Educational Activities.....	11,785	8,839	75.0%	8,791	0.5%
Total Education	\$ 185,623,257	\$ 101,365,744	54.6%	\$ 100,553,449	0.8%
Capital, Debt Service and Miscellaneous					
Debt Service.....	\$ 55,779,933	\$ 34,218,307	61.3%	\$ 31,851,134	7.4%
Non-Departmental.....	10,689,385	6,236,029	58.3%	7,133,737	-12.6%
General Cash Capital.....	17,757,911	17,697,911	99.7%	6,955,483	154.4%
Contingent Reserves.....	864,660	-		-	
Total Capital, Debt Service and Miscellaneous	\$ 85,091,889	\$ 58,152,247	68.3%	\$ 45,940,354	26.6%
TOTAL EXPENDITURES	\$ 567,919,945	\$ 354,734,820	62%	\$ 335,404,593	6%
Cash Match (Transportation/DCHS/ and Transfers to the Special Revenue /Capital Projects Funds	\$ 43,453,976	\$ 5,885,856	13.5%	\$ 7,606,871	-22.6%
Transfer to Housing.....	2,313,228	1,125,011	48.6%	1,042,304	7.9%
Transfer to Library.....	6,849,914	4,589,442	67.0%	4,580,857	0.2%
Transfer to DASH.....	11,585,632	7,762,373	67.0%	7,770,660	-0.1%
TOTAL EXPENDITURES & TRANSFERS	\$ 632,122,695	\$ 374,097,503	59.2%	\$ 356,405,285	5.0%
Total Expenditures by Category					
Salaries and Benefits.....	\$ 207,296,690	\$ 135,664,829	65.4%	\$ 133,251,182	1.8%
Non Personnel (includes all school funds)	424,826,005	238,432,674	56.1%	223,154,103	6.8%
Total Expenditures	\$ 632,122,695	\$ 374,097,503	59.2%	\$ 356,405,285	5.0%

Attachment 3

In February, City Council approved the release of \$6,750 from FY 2014 contingent reserves to the Recreation Department to fund King Street Lights through the end of June.

Information regarding the status of FY 2014 Contingent Reserves is included in the table below.

FY 2014 Contingent Reserves

Item	Budget	Balance	Action	Action Date
Urban Forestry initiatives (from FY 13)	80,000	-	Released to Recreation for Urban Forestry Initiatives	November
Fire Safety Improvements (from FY 13)	222,696	222,696		
Sister Cities improvements (from FY 13)	4,160	4,160		
Childcare Fee Subsidy Waiting List	950,000	400,669	Released to DCHS to fund the Childcare Fee Subsidy Waiting List, a social worker position, and replace Sequestration cuts to Head Start. The remaining balance will be carried forward to FY 2015 to help offset early childhood needs.	June
Affordable Housing Initiatives	174,235	174,235	Released to T&ES for recycling initiatives, including "Recycling on the Go" and the Pilot Food Composting Program, among others.	September
Recycling Initiatives	210,000	-		
King Street Lights	6,750	-	Released to Economic Development to keep the King Street Lights on through the end of June.	February
Car Seat Installation	10,000	-	Released to the Sheriff's office to fund operations of the Child Safety Seat Installation Program.	January
Smoking Cessation Program	35,000	-	Released for smoking cessation and secondhand smoke reduction project at ARHA.	October
Community Engagement	20,000	20,000	Released in June for a Senior Mental Health Therapist position in DCHS for the Detention Center. Due to the City's current revenue climate, the position will not be filled and the funds were returned to the Non-D budget as part of the December 2013 Supplemental Appropriation Ordinance.	June
Senior Mental Health Therapist	42,900	42,900		

updated for the February Monthly Financial Report



Legislation Details (With Text)

File #: 14-2533 **Name:**
Type: **Status:** Agenda Ready
File created: 3/7/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Consideration of a Grant Application to the United States Department of Transportation (USDOT) TIGER Discretionary Grants Program.
Sponsors:
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of a Grant Application to the United States Department of Transportation (USDOT) TIGER Discretionary Grants Program.

ISSUE: Consideration of a resolution and grant application for United States Department of Transportation (USDOT) TIGER Discretionary Grants funding for construction of the Potomac Yard Metrorail station.

RECOMMENDATION: That the City Council authorize the City Manager to:

1. Submit the grant application and the resolution to USDOT for funding in the amount of \$25 million for the Potomac Yard Metrorail Station. Applications are due on April 28, 2014.
2. Execute all necessary documents that may be required under this program.

BACKGROUND: On March 3, 2014, the USDOT issued a Notice of Funding Availability for discretionary funds for National Infrastructure Investments (TIGER). Funds are to be awarded on a highly competitive basis

for projects that will have a significant impact on the nation, a region, or a metropolitan area. The FY 2014 Appropriations Act appropriated \$600 million to be awarded for the program, which is a small fraction of what it will take to fill the nation's unmet transportation infrastructure needs. It is highly likely that submitted TIGER grant applications will be over-subscribed with a large number of qualifying, viable projects not selected for TIGER funding. The federal government plans for the TIGER program to have an annual appropriation, so if the City is not successful in the 2014 period of funding, it can reapply in subsequent years.

The TIGER program is a competitive grant program. Eligible projects include highway, bridge, transit, pedestrian, passenger and freight rail, port infrastructure, and intermodal projects. The USDOT has indicated that priority will be given to projects that use federal funds to complete an overall financing package. Projects can increase their competitiveness by demonstrating significant non-federal financial contributions. As described in the Notice of Funding Availability, the five primary selection criteria, which are based on the priorities in the USDOT's Strategic Plan, are:

- State of Good Repair: "improving the condition of existing transportation facilities and systems, with particular emphasis on projects that minimize life-cycle costs and improve resilience."
- Economic Competitiveness: "contributing to the economic competitiveness of the United States over the medium- to long-term, and creating and preserving jobs."
- Quality of Life: "increasing transportation choices and access to transportation services."
- Environmental Sustainability: "improving energy efficiency, reducing dependence on oil, reducing greenhouse gas emissions, addressing stormwater through natural means, avoiding and mitigating environmental impacts and otherwise benefitting the environment."
- Safety: "improving the safety of US transportation facilities and systems for all modes of transportation and users."

Secondary selection criteria are the use of innovative strategies with respect to both technology and financing, and partnership, which can include collaboration with local and regional partners, integration of transportation with other public service efforts, or showing that a project is the result of a robust planning process.

Projects must also demonstrate "project readiness." The evaluation of project readiness will include technical and financial feasibility and evidence that all pre-construction activities will be complete to allow grant funding to be obligated by September 30, 2016 and expended by September 30, 2021. Based on the current Potomac Yard Metrorail project schedule, if a Build alternative is selected, the City anticipates award of a design-build contract by WMATA by June 2016 and construction completion by the end of 2018, in advance of both statutory deadlines.

DISCUSSION: The Potomac Yard Metrorail Station is a key transit project outlined in the City's 2008 Transportation Master Plan and is vital to the full redevelopment of Potomac Yard. The project will help maintain Alexandria's position as an attractive location in the region and contribute to economic competitiveness. It will improve quality of life by increasing transportation choices and access to transit, and will help to reduce reliance on automobiles, thereby enhancing environmental sustainability. In addition, the project makes use of innovative technology and demonstrates the City's commitment to robust planning and collaboration with regional partners. The financing package for the project makes use of significant non-federal sources, such as real estate taxes from Potomac Yard tax base growth, special tax district real estate tax revenue, and developer contributions, which will increase its competitiveness according to the federal guidance. This project is therefore well-qualified to receive federal funding through the TIGER program, but competition will determine if TIGER funding is granted.

Staff is recommending that the City request an additional \$25 million capital grant for the Potomac Yard Metrorail Station. The \$25 million capital grant would be used for design and construction of the Potomac Yard Metrorail Station, which is expected to start construction in 2016.

FISCAL IMPACT: The current financing plan for the Potomac Yard Metrorail Station assumes that the bulk of the capital cost will be paid for using new Potomac Yard-generated tax revenues and developer contributions. The FY2015 CIP also assumes \$69.5 million in Northern Virginia Transportation Authority (NVTA)-granted 70% funds. NVTA has not yet considered the City's request. A \$25 million TIGER capital grant would help ensure that there are sufficient funds to finance the Metrorail station's costs. These Metrorail station costs are currently being updated and the financial models being re-run. When the most recent Potomac Yard Metrorail station financing plan was completed in 2010, although no federal or state funding was assumed (because it couldn't be assured), it was agreed that federal and state funds would be sought as opportunities arose.

STAFF:

Mark Jinks, Deputy City Manager

Richard J. Baier, P.E., LEED AP, Director, T&ES

Jerome Fletcher, Special Assistant to the City Manager

Christopher Bever, Acting Assistant Director, Office of Management and Budget

Sandra Marks, Acting Deputy Director, T&ES

Antonio Baxter, Division Chief, Strategic Management Services, T&ES

Marti Reinfeld, Division Chief, Transit Services, T&ES

Lee Farmer, Principal Transportation Planner, T&ES



Legislation Details (With Text)

File #: 14-2534 **Name:**

Type: Resolution **Status:** Agenda Ready

File created: 3/7/2014 **In control:** City Council Legislative Meeting

On agenda: 4/8/2014 **Final action:**

Title: Consideration of a Partnership with Arlington County to Jointly Procure Fare Collection Equipment for the Crystal City Potomac Yard Transitway.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2534 Attachment 1 Fare Collection Joint Procurement Agreement](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Consideration of a Partnership with Arlington County to Jointly Procure Fare Collection Equipment for the Crystal City Potomac Yard Transitway.

ISSUE: Consideration of a proposal to pursue a joint procurement with Arlington County for off-board fare collection equipment to be utilized on the Crystal City Potomac Yard Transitway.

RECOMMENDATION: That City Council authorize the City Manager to sign a Memorandum of Understanding substantially in the form attached with Arlington County to jointly procure off-board fare collection equipment.

BACKGROUND: The Crystal City Potomac Yard Transitway is the first segment in a five-mile high-capacity transit corridor connecting Pentagon City and Braddock Road Metrorail stations. Service is expected to start in summer 2014. Much of the service will operate in dedicated transit lanes, providing residents, workers, and visitors with a fast, convenient, and comfortable connection to the regional Metrorail network, the emerging

Potomac Yard developments, and key employment nodes.

The initial segment of the corridor is under construction along Route 1 between Potomac Avenue and East Glebe Road. Transit vehicles will operate in an exclusive right-of-way along this segment. The project includes enhanced stations, off-board fare collection, transit signal priority, and real-time information signage. The Washington Metropolitan Area Transit Authority (WMATA) will operate new premium transit service under the brand *Metroway*.

Off-board fare collection is a key component of the new service. It will allow passengers to pay their fare before boarding vehicles and board at any door, reducing the time it takes to load and unload passengers, and enhancing the speed and reliability of the service overall.

DISCUSSION: The Crystal City Potomac Yard Transitway will be the first corridor in the region to use off-board fare collection. Because one of the goals of the system is to enhance connectivity to the regional transit network, it is imperative that the fare collection be compatible with the regional SmarTrip system. SmarTrip, which has been implemented throughout the region by WMATA, DASH, and other local transit providers, is a proprietary technology owned by Cubic Transportation Systems. The City and Arlington County have worked with Cubic and WMATA to identify the most appropriate technology to accept fares at station platforms. The strategy agreed upon by all parties includes the installation of both Cubic equipment as well as a multi-space parking meter at each station platform. The Cubic equipment will accept payment via SmarTrip cards and produce a receipt as proof of payment. The multispace parking meter will accept coins and credit cards for riders that do not have a SmarTrip card. A similar approach has been implemented along New York City's Select Bus Service corridor and the Cubic equipment has been proven there.

In the initial phase of the transitway, 63 Cubic machines (Alexandria 32 machines, Arlington 31 machines) are eventually needed for the length of the corridor. If either the City or the County moved forward with the procurement on their own, the equipment purchase would be half as large and the cost per machine would likely increase. The City and Arlington County staff are proposing a joint procurement with the goal of receiving a better price from the vendor.

FISCAL IMPACT: Staff expects that given Cubic's proprietary technology this will be a sole source procurement and will develop sole source justification documentation in partnership with County staff to meet local jurisdiction and Federal Transit Administration requirements. Both the City and County currently have funding for fare collection equipment accounted for in their project budgets. Alexandria has \$1.3 million in federal and state funds budgeted for fare collection equipment, including the multi-space parking meters that will be repurposed for cash fare payment. No additional funding is projected to be needed at this time. Maintenance of the machines may either be done by City and County forces or by contract, dependent on cost comparison. Ongoing maintenance costs have been incorporated in the transitway operating budget, which will be funded by planned NVT 30% funds.

ATTACHMENT:

Attachment 1:

Memorandum of Understanding Fare Collection Machine Procurement

STAFF:

Mark Jinks, Deputy City Manager

Richard J. Baier, P.E., LEED AP, Director, T&ES

Sandra Marks, Acting Deputy Director of Transportation, T&ES

Jerome Fletcher, Special Assistant to the City Manager

Antonio Baxter, Division Chief of Strategic Management Services, T&ES

Marti Ann Reinfeld, Division Chief of Transit Services, T&ES

Lee Farmer, Principal Planner, T&ES

**MEMORANDUM OF UNDERSTANDING
FARE COLLECTION MACHINE PROCUREMENT**

THIS MEMORANDUM OF UNDERSTANDING (the “**Memorandum**”) is made this ____ day of _____, 2014, by and between the **COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA** (“**Arlington County**”) and the **CITY COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA** (“**City of Alexandria**”). Arlington County and the City of Alexandria are referred to herein individually as a “**Party**” and collectively as the “**Parties**”.

RECITALS

WHEREAS, the Crystal City/Potomac Yard Transitway Project extends from the Braddock Road Metrorail Station in the City of Alexandria to the Pentagon City Metrorail Station in Arlington County; and

WHEREAS, the Parties have been working on the Crystal City/ Potomac Yard Transitway Project together for over 10 years, including developing the fare collection strategy; and

WHEREAS, an important facet of the project is off-vehicle fare collection, which will allow all-door boarding on the transit vehicles to speed boarding time; and

WHEREAS, off-vehicle fare collection must be compatible with the existing regional SmarTrip system, which is a proprietary technology by Cubic Transportation Systems; and

WHEREAS, the off-vehicle fare collection system will function with future fare collection structures adopted by the region and for future transit vehicle technologies, such as streetcar;

NOW THEREFORE, in consideration of the above recitals and the terms and conditions hereinafter set forth, the Parties hereby agree to the following:

1. The Parties shall jointly develop specifications for off-vehicle fare collection machines to be employed as part of the Crystal City/Potomac Yard Transitway Project.
2. The City of Alexandria shall lead the procurement and serve as the contracting entity with the prevailing vendor for the fare collection machines that are SmarTrip compatible.
3. The Parties shall jointly negotiate the contract budget, scope of services, schedule, and terms and conditions associated with the contract with the prevailing vendor for the fare collection machines (the “Contract”). . The Contract, including the price, scope of services, and terms and conditions, shall be subject to mutual approval by the Parties and an authorization of funding by each Party for their respective share of the costs of the Contract. No changes may be made to the Contract, including the contract budget, scope of services, schedule, and terms and conditions, without a written amendment mutually agreed to by the Parties and executed by the City of Alexandria and the prevailing vendor.
4. The Parties expect that this will be a sole source procurement and shall jointly develop sole source justification documentation as needed to meet local jurisdiction and Federal Transit Administration requirements. Each Party has an FTA grant and is providing the local match respectively for the fare collection equipment.

5. The City of Alexandria plans to seek pricing for a minimum of sixty-three (63) fare collection machines, including those required by Arlington County, as well as necessary accompanying spare parts. This procurement is subject to authorization of funding by the City Council of Alexandria, Virginia, and the agreement set forth herein by Arlington County, subject to appropriation of funds, to pay its share of the costs for Arlington County's fare collection machines.
6. The Parties shall jointly perform inspection and acceptance testing for the fare collection machines as such inspection and acceptance testing is set forth in the Contract. Should inspection and acceptance testing involve the participation of the Washington Metropolitan Area Transit Authority (WMATA), the Parties shall jointly enter into an agreement with WMATA for its services and shall proportionally share costs reimbursable to WMATA, if any, equal to the proportional number of fare collection machines purchased by each Party .
7. Arlington County plans to obtain a minimum of twenty-seven (27) fare collection machines, including accompanying spare parts, at the unit price set forth in the Contract with the prevailing vendor, and shall reimburse the City of Alexandria for the costs thereof. This reimbursement is subject to authorization of funding by the County Board of Arlington County. The City of Alexandria shall provide Arlington County with copies of invoice(s) received from the prevailing vendor and Arlington County shall diligently process payment thereof.
8. The Parties shall require that the fare collection machines and spare parts purchased on behalf of Arlington County shall be delivered by the prevailing vendor to Arlington County at the location specified by Arlington County. Arlington County shall provide the City of Alexandria documentation of the receipt and acceptance of fare collection machines and spare parts delivered to Arlington County.
9. The Parties shall require that the warranty(ies) and maintenance terms of the Contract with the prevailing vendor shall be transferable to Arlington County for the equipment and parts procured on Arlington County's behalf.
10. The Parties each shall individually procure multi-space parking meters under their own existing contracts and have those parking meters retrofitted to dispense fare media for the Crystal City/Potomac Yard Transitway Project. Each Party will install one of the "parking meter" style fare machines on each platform next to the SmarTrip machine. The "parking meter" style fare machines will be used to collect fares paid by coin or credit card. The Parties shall work jointly to develop graphics to be applied to both the SmarTrip-compatible fare machines and the "parking meter" style fare machines. The graphics will communicate to passengers how to pay their fares.
11. The Parties each shall identify a Project Manager who shall be the representative for their respective appointing Party in all matters related to this Memorandum. The Parties hereby appoint the following individuals as their respective Project Manager, which individual may be changed upon written notice to the other Party:

Arlington County

City of Alexandria

12. GENERAL

- A. Incorporation of the Recitals. The recitals set forth above are incorporated herein by this reference to the same extent and with the same force and effect as if fully hereinafter set forth.
- B. Authority. Each Party to this Memorandum represents and warrants to the other Party that it has the full and unrestricted lawful power and authority to enter into and carry out the terms of this Memorandum and the execution, delivery and performance of this Memorandum.
- C. Applicable Law. This Memorandum, and the rights and obligations of the Parties under this Memorandum, shall be governed by the laws of the Commonwealth of Virginia without regard to principles of conflicts of laws.
- D. Amendments; Waivers. Amendments, modifications, or supplements to this Memorandum shall be in writing, signed by all Parties. Waivers under this Memorandum shall be in writing, signed by the Party to be charged with the waiver. In the absence of a signed waiver, no act, or failure to act by any Party shall constitute or be construed as an estoppel or waiver with respect to that Party's rights.
- E. Severability. Each provision of this Memorandum is intended to be severable. If any term or provision of this Memorandum shall be determined by a court of competent jurisdiction to be illegal or invalid for any reason whatsoever, such provision shall be severed from the Memorandum and shall not affect the validity of the remainder of this Memorandum, unless to do so would cause this Memorandum to fail of its essential purposes.
- F. Relationship of the Parties. This Memorandum does not create any partnership, joint venture agency or other similar relationship among the Parties, but is merely a means to perform certain tasks benefitting the Parties.
- G. Binding Effect. This Memorandum shall be binding upon and inure to the benefit of the Parties, and their successors and assigns.
- H. No Third Party Beneficiary. Nothing contained in this Memorandum shall be deemed to create rights or obligations accruing to the benefit of, or enforceable by, any entity or person not a party to this Memorandum, including, without limitation, any contractors, subcontractors or other parties providing labor, services, or materials in connection with the Project.
- I. Reasonable Approval Standard. Except as otherwise specifically provided in this Memorandum, where any Party's approval is required under this Memorandum, such approval shall be in writing. The Parties agree and understand that the Project Managers are hereby authorized to approve actions within the approved Contract. Any change to the Contract will require authorization from the Arlington County Board and the Alexandria City Council.
- J. Entire Memorandum; Amendment. This Memorandum and its attachments, contain the entire agreement between the Parties with respect to the subject hereof, and all other prior communications and agreements, whether written or oral, are superseded hereby. This Memorandum may be amended or modified only by an instrument in writing executed by the Parties.

- K. Dispute Resolution. Any dispute arising under this Memorandum may be disposed of by written agreement between the Parties. The Project Managers shall attempt to resolve any dispute and, to the extent such resolution cannot be achieved, shall refer the matter to the County Manager for Arlington County and the City Manager for the City of Alexandria for resolution. If such a dispute cannot be resolved by the Parties within ten (10) business days, then the disputing party may, but shall not be required to, request that such dispute be considered and resolved by a mediator(s) mutually agreed upon by the Parties. If the Parties agree to resolve the dispute by mediation, then the mediator(s) shall provide a written recommendation to resolve the dispute. The Parties agree to make a good faith effort to accept such a recommendation. Nothing herein is intended to limit the rights of either of the Parties to resolve disputes through any other means not described or provided for in this Memorandum.
- L. Monetary Obligations Limited To Appropriated Encumbered Funds. Notwithstanding any other provision of this Memorandum to the contrary, as to either Party, any monetary obligations arising under this Memorandum are further strictly limited and subject to the amount of funds approved and appropriated by the Arlington County Board and the Alexandria City Council. The Parties shall not otherwise be liable under this Memorandum to commit to or to expend or to incur liability for any expenditure of funds or payment of money in excess of the amount so approved and appropriated for this Memorandum by the Arlington County Board and the Alexandria City Council. There shall not be any recourse against either Party for any such expenditure, commitment to expend funds, or payment thereof, which has not been so approved and appropriated.
- M. Personal Liability. Nothing in this Memorandum shall be construed as creating any personal liability on the part of any officer, employee, or agent of the parties, nor shall it be construed as giving any rights or benefits to anyone other than the Parties hereto.
- N. No Waiver of Sovereign Immunity. Nothing in this Memorandum shall be construed as a waiver of the Parties' sovereign immunity.
- O. Termination. This Memorandum may be terminated by either party upon sixty (60) days advance written notice. Upon termination, both Parties shall retain ownership of plans, specifications and project materials produced as of the date of termination, as applicable under law, unless otherwise mutually agreed upon in writing.
- P. Headings. Headings are intended only as a matter of convenience and for reference and in no way define, limit, or describe the scope or intent of this Memorandum.
- Q. Notices. Any notice or communication required under this Memorandum shall be effective upon receipt and shall be sent by personal delivery or by overnight air courier service with evidence of receipt to the following:

If to Arlington County,
Dennis Leach, Director
Division of Transportation
Department of Environmental Services
2100 Clarendon Blvd., Suite 900
Arlington, VA 22201

With copies to:

Stephen A. MacIsaac, County Attorney
2100 Clarendon Blvd. Ste 403
Arlington, Virginia 22201

If to City of Alexandria,
Richard Baier, Director
Department of Transportation and Environmental Services
301 King Street, Room 4100
Alexandria, Virginia 22314

With copies to:
James L. Banks, City Attorney
301 King Street, Room 1300
Alexandria, Virginia 22314

IN WITNESS WHEREOF, the Parties hereto have caused this Memorandum of Understanding to be executed under seal as of the date first above written.

COUNTY BOARD OF ARLINGTON COUNTY, VIRGINIA

**CITY COUNCIL OF
CITY OF ALEXANDRIA,
VIRGINIA**

By: _____
Name: Barbara M. Donnellan
Title: County Manager

By: _____
Name: Rashad M. Young
Title: City Manager

List of fare machines

City of Alexandria (24 machines)

Braddock Road Metrorail Station – 2
Fayette & First northbound – 2
Potomac & Route 1 northbound – 2
Potomac & Route 1 southbound – 2
Custis & Route 1 northbound – 2
Custis & Route 1 southbound – 2
Swann & Route 1 northbound – 2
Swann & Route 1 southbound – 2
East Glebe & Route 1 northbound – 2
East Glebe & Route 1 southbound – 2
Reed & Potomac northbound – 2
Reed & Potomac southbound – 2

Future (8 machines)

Potomac & East Glebe northbound – 2
Potomac & East Glebe southbound – 2
Four Mile Run & Potomac northbound – 2
Four Mile Run & Potomac southbound – 2

Arlington County (27 machines)

Segment D:

South Glebe Station northbound platform – 2
South Glebe Station southbound platform – 2
33rd/Crystal Station northbound platform – 2
33rd/Crystal Station southbound platform – 2
27th/Crystal Station northbound platform – 2
27th/Crystal Station southbound platform – 2

Segment E:

23rd/Crystal Station northbound platform – 2
18th/Crystal Station northbound platform – 2
Crystal City Metro station southbound platform – 2
23rd/Clark Station southbound platform – 2
26th/Clark Station southbound platform – 2

Segment F:

Fern/15th Station northbound platform – 1
Pentagon City Metro station northbound platform – 2
14th/Fern Station southbound platform – 1
Eads/15th Station southbound platform – 1

Future (4 machines)

Clark/12th northbound platform – 2
12th/Clark southbound platform – 2



Legislation Details (With Text)

File #: 14-2537 **Name:**
Type: **Status:** Agenda Ready
File created: 3/10/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Consideration of the Draft Fiscal Year 2015 Action Plan for Housing and Community Development.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2537 Attachment 1-Draft FY 2015 Action Plan Citizen Summary.pdf](#)
[14-2537 Attachment 2 - Tables B and C \(CDBG and HOME\).pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:
Consideration of the Draft Fiscal Year 2015 Action Plan for Housing and Community Development.

ISSUE: Receipt by Council and Consideration of the City's Draft FY 2015 Action Plan for Housing and Community Development.

RECOMMENDATION: That the City Council:

1. Set for public hearing on April 12 the Draft FY 2015 Action Plan for Housing and Community Development, which includes the City's application for Federal Fiscal Year (FFY) 2014 funding of \$722,919 in Community Development Block Grant (CDBG) monies and \$388,225 in Home Investment Partnerships Program (HOME) monies;
2. Docket the Draft FY 2015 Action Plan for Housing and Community Development for final Council approval on May 13, 2014;

3. Authorize the City Manager to make adjustments as needed to the FY 2015 Action Plan and grant application based on the approved FY 2015 Budget after it is adopted by City Council and any changes in grant figures received from the U.S. Department of Housing and Urban Development; and
4. Authorize the City Manager to execute all necessary documents.

DISCUSSION: The City's Draft FY 2015 Action Plan for Housing and Community Development has been prepared in accordance with regulations set forth by the U.S. Department of Housing and Urban Development (HUD). These regulations require that participants in certain HUD programs, including but not limited to the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs, develop and submit a one-year update to their Five-Year Consolidated Plan for Housing and Community Development. The City's current Consolidated Plan, which defines the City's strategy for addressing housing and community development needs from FY 2011 through 2015, was approved by Council on May 11, 2010.

A Citizen Summary of the Draft Action Plan (Attachment 1) describes activities proposed to be undertaken to address the City's priorities for affordable housing, homeless services, and community development, along with proposed funding levels for FY 2015, the fifth year of the current five-year Consolidated Plan period. The Draft Citizen Summary provides an estimate of the federal, state, local, and private resources that are expected in the City's FY 2015 Proposed Budget to be available, and which may be expended, during FY 2015, as well as the number of persons and/or households to be assisted with these funds. These items are discussed in detail in the Draft FY 2015 Action Plan. The Draft FY 2015 Action Plan also contains the City's applications for \$722,919 in CDBG funds and \$388,225 in HOME Program funds. Since the release of the proposed budget, HUD has released the City's final grant numbers. In comparison to the Proposed FY 2015 Budget, which assumed no change from the final FY 2014 grant allocation levels, HOME increased by \$22,328, all of which has been allocated to the Housing Opportunities Fund for rental development. CDBG decreased by \$11,452, which has reduced the Home Rehabilitation Loan Program loan funds by this amount.

Activities to be supported with CDBG Program funds have been developed to meet the national objective of benefiting low- and moderate-income persons. Activities to be supported with HOME Program funds have been developed to be consistent with the HOME Program objective of expanding the supply of decent, safe, sanitary and affordable housing. CDBG Program activities will continue the City's ongoing efforts to provide housing rehabilitation assistance to income-eligible homeowners; transitional housing aid and winter emergency shelter to homeless families, as well as to identify and eliminate illegal housing discrimination and otherwise address the housing needs of its low- and moderate-income residents. HOME Program activities will also continue the City's efforts to provide affordable housing opportunities for low- and moderate-income residents. In addition to CDBG- and HOME-funded activities, the Draft FY 2015 Action Plan describes other affordable housing and community development activities to be undertaken by the City during this period, including the development and preservation of affordable housing.

In developing the City's FY 2015 Proposed Budget for the Office of Housing, emphasis was placed on allocating funds for affordable rental housing development. This resulted in the reallocation of \$800,000 in Housing Trust Fund carryover funds previously budgeted in the Flexible Homeownership Assistance Program to affordable multifamily rental housing development. In FY 2015, it is projected that the City will be able to fund with new and carryover funds an estimated 92 units of rental development citywide along with 66 units within the Beauregard Plan. The other Office of Housing program activity levels were kept at similar levels to FY 2014.

The Draft Citizen Summary was distributed to interested parties via email and mailed on March 28, 2014. This

document is a concise summary of the objectives and outcomes in the FY 2015 Draft Action Plan. Both the Draft Citizen Summary and the Draft FY 2015 Action Plan are posted on the City's website at www.alexandriava.gov/Housing, and hard copies are being distributed upon request and are available at City of Alexandria's libraries.

Following the federal government mandated public hearing for these grant programs, staff will update the Draft FY 2015 Action Plan to reflect and address the comments received at the public hearing, any direction received from City Council at the public hearing, any subsequent written comments received through the end of the public comment period on April 28, any changes resulting from the City's budget process, and any necessary technical corrections. The final FY 2015 Action Plan will be submitted to HUD no later than May 15.

FISCAL IMPACT: Upon HUD approval of the Action Plan, HUD will appropriate an estimated total of \$1,111,144 in federal funding to the City for FY 2015, including \$722,919 in CDBG funds and \$388,225 in HOME Program funds.

ATTACHMENTS:

- Attachment 1. Draft FY 2015 Citizen Summary of the Draft Action Plan for Housing and
Community Development
- Attachment 2. Tables B and C (CDBG and HOME)

STAFF:

Mildrilyn Stephens Davis, Director, Office of Housing
Eric Keeler, Division Chief for Program Administration, Office of Housing
Lucinda Metcalf, Housing Analyst, Office of Housing

City of Alexandria, VA

Citizen Summary

Draft FY 2015 Action Plan
for Housing and Community Development
July 1, 2014 to June 30, 2015



City of Alexandria, Office of Housing, 421 King Street, Suite 200, Alexandria, VA 22314; Tel: 703.746.4990; Website: alexandriava.gov/Housing

What is the Annual Action Plan?

The City of Alexandria's Annual Action Plan for the period July 1, 2014 to June 30, 2015 describes activities to be undertaken to promote the City's Consolidated Plan goals. The Plan also describes how federal, state, City, and private funds are allocated during the Plan period to address the housing and community development needs of the City's low- and moderate-income populations, and homeless and special needs populations during the one-year period.

The U.S. Department of Housing and Urban Development (HUD) requires localities receiving federal funds, including the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA), to complete and submit the Action Plan each year as a condition of receipt of funds. The FY 2015 Action Plan will serve as the City's application for the Federal Fiscal Year (FFY) 2014 allocations of CDBG and HOME funds at \$722,919 and \$388,225 respectively.

The City of Alexandria is an entitlement grantee under the CDBG and HOME programs, but not under the ESG and HOPWA programs. However, the City and local nonprofits receive ESG funds through the state's allocation. HOPWA funds from a HUD allocation to the entire Washington, DC Metropolitan area may be used in Alexandria.

Citizen Participation in the Development of the Plan

The Office of Housing is the lead agency for overseeing the development of the City's Consolidated Plan, Action Plan, and Consolidated Annual Performance Evaluation Report (CAPER).

Throughout the development of the Action Plan the City consults with public and private housing, health services, and social services agencies, which provide one year goals and objectives and federal, state and local resources expected to be available, to address priority needs as identified in the Consolidated Plan.

Included in this consultation are The Partnership to Prevent Homelessness, whose member organizations' clientele

include persons with disabilities, elderly persons, children, homeless persons and persons threatened with homelessness, persons with HIV/AIDS and their families, persons affected by mental illness, intellectual disabilities and substance use disorders; the Alexandria Redevelopment and Housing Authority; and the City's Planning and Zoning Department. The full list of major public and private agencies responsible for administering programs are listed in the Action Plan. As required by HUD, the City is providing 30 days for citizens to comment on the Draft Action Plan and will be conducting a public hearing in the spring on April 12, 2014 before the Alexandria City Council to obtain citizen input prior to the Plan's finalization and

submission to HUD. A public hearing was also conducted in the fall on Wednesday, September 9, 2013 by City staff. Notices of the Draft Action Plan, public hearings, and 30-day comment period are published in the local newspapers with general circulation in the City. The notices are printed in English- and Spanish- language newspapers, and the Draft Action Plan is made available for public review in Alexandria libraries and on the Office of Housing website at alexandriava.gov/Housing. See **page vi for public notices of the Draft Action Plan.**

Inside the Summary

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City of Alexandria Housing Master Plan Affordable Housing Initiative

On December 14, 2013, the Alexandria City Council approved the City's first Housing Master Plan (HMP). The City has established a target of providing, preserving, or assisting 2,000 units from FY 2014 through FY 2025 through the implementation of the goals, strategies, and tools contained in this Housing Master Plan.

HUD Performance Measure

Provide and preserve decent housing with improved affordability

James Bland Redevelopment Project (Old Town Commons)

The construction of Blocks D and F is scheduled to be completed in 2015. These two blocks constitute the final phase of the redevelopment plan. The blocks were awarded tax credits by Virginia Housing Development Authority (VHDA) in the spring of 2012 and consist of 54 ARHA units, 32 market rate condominiums, and 62 market rate townhomes. When this final phase is completed, 134 affordable units will have been developed on-site.



AHC, Inc. Jackson Crossing Construction Project

Construction of the Jackson Crossing 78-unit affordable housing project is scheduled to begin at the end of FY 2014 and be completed in FY 2015. The property is located at the corner of East Reed Avenue and Jefferson Davis Hwy. The Project, which was awarded housing tax credits in June 2013, will include one-, two-, and three- bedroom units. The City provided \$2.5M in loan funds along with land to the project.



Affordable Housing Needs

Renters

Goal: Preserve and maintain the existing supply of affordable housing and achieve a net increase.

The City's primary objective for affordable rental units is to maintain the supply of a minimum of 1,150 subsidized (publicly-assisted) rental units, as required by Resolution 830. The Old Town Commons (James Bland redevelopment) effort addresses this objective.

Over the remaining year of the Consolidated Plan, 619 units in assisted properties will face potential loss of subsidy as private entities that own and operate these units become eligible to remove units from the City's assisted rental housing stock. The City's five-year objective involving privately-owned rental units with project based assistance is to preserve and maintain approximately 2,560 units, and to achieve a net increase in this number.

The objective of developing or preserving 158 rental units relies primarily on nonfederal funding sources, including Housing Trust Fund

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Preserve and maintain the existing supply of 1,150 public housing and replacement units in the City;
- Preserve and maintain the current supply of approximately 2,566 privately owned rental units with project-based assistance available to households at or below HUD's moderate-income limits;
- Provide 1,500 tenant-based rental housing vouchers, based on existing funding levels, to households that are at or below HUD's moderate-income limits; and
- Secure pledges of affordable set-aside rental units in new development projects;
- Provide 2 loans to private developers for the development or preservation of affordable rental housing units;
- Develop or preserve 158 rental units affordable to households at 60% AMI.

monies to be transferred from the Flexible Homeownership Program.



Homebuyers and Homeowners

Goals: Provide education, training and affordable homeownership

opportunities to City residents and employees working within the City with incomes at or below the HUD moderate-income limits; and improve living conditions and maintain affordability for existing homeowners within HUD's moderate-income limits.

The City will continue to provide assistance to Alexandria homebuyers and homeowners with incomes at or below HUD's moderate-income limits. The following programs will be provided during FY 2015:

Flexible Homeownership Assistance

Program— Provides deferred-payment second trust loans of up to \$50,000 for down payment and closing cost assistance to income qualified first- time homebuyer households, specifically for resale of previously assisted resale restricted units and special projects.

Home Rehabilitation Loan Program—

Provides no-interest deferred payment loans to low-and moderate-income homeowners for home rehabilitation activities that include energy efficiency improvements.

Alexandria Neighborhood Stabilization

Program— Provides funding to Rebuilding

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Assist up to 9 households meeting income and other eligibility criteria to secure ownership housing;
- Provide 9 no-interest rehabilitation loans to homeowner households with incomes at or below HUD's moderate – income limits;
- In collaboration with private agencies, provide modest, free repairs or renovations to 125 owner-occupied housing units for households at or below HUD's moderate-income limits; and
- Assist 9 first-time low- to moderate-income homebuyers with the purchase of a home rehabilitated under the Alexandria Neighborhood Stabilization Program (ANSP) or a previously assisted resale-restricted unit.

rehabilitate and sell housing units. Funding will also be provided to assist first-time low-to moderate- income homebuyers with the purchase of these units.

Homeless Persons and Persons Threatened with Homelessness

Goals: *Provide programs and services to prevent homelessness; coordinate programs and services to address the individual needs of homeless individuals and families; provide emergency shelter facilities and transitional housing; and provide transitional and permanent supportive housing for homeless families and individuals.*

To meet the needs of Alexandrians, the City's public and private homeless service providers offer a comprehensive array of services and facilities through a continuum of care system designed to address the needs of persons in the City who are homeless or threatened with homelessness. The goal is to promote successful placement in permanent, affordable housing without recurring episodes of homelessness.

Each year, The Partnership to Prevent and End Homelessness in the City of Alexandria (The Partnership) members participate in a HUD Continuum of Care (CoC) Program competition to obtain grant funding for projects that

provide housing and services to individuals and families experiencing or at-risk of homelessness. This grant opportunity allows the submission of a collaborative application for the funding of programs that fit within specific eligibility guidelines. The state has also adopted this process for ESG funding.

The City Council-adopted 10-Year Plan to End Homelessness, including Chronic Homelessness, incorporates the Opening Doors federal strategic plan goals to prevent and end homelessness.

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Provide 162 beds for emergency shelter;
- Provide 67 beds for Winter Shelter;
- Provide 19 units in facility-based transitional/permanent housing;
- Provide transitional housing and supportive services to 34 homeless households;
- Provide 12 permanent supportive housing beds for chronic homeless households and individuals; and
- Provide security deposit and rental assistance to 45 at-risk homeless households.

HUD Performance Measure
Provide decent housing with improved affordability and/or accessibility



Plan to End Homelessness

The January 25, 2013 count identified 289 persons experiencing homelessness.

Activities to end homelessness and chronic homelessness will be undertaken during the Action Plan period as described in the 10-Year Plan to End Homelessness and in the Continuum of Care application.

City Council Strategic Plan

Goal #7, Objective #1 of the City Council Strategic Plan is to promote a continuum of affordable housing opportunities for all residents, especially those most in need. The City's HMP incorporates this objective.

Elderly Persons and Persons with Disabilities

Goals: *Promote housing stability for elderly renters and homeowners and enable elderly persons to age successfully in place; and promote housing stability for disabled renters.*

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Relieve the housing cost burden for 1,037 income-eligible elderly and/or disabled homeowners under the Real Property Tax Relief Program;
- Relieve the housing cost burden for 101 income eligible and/or disabled renters under the Rent Relief Program; and
- Provide modifications for 3 privately-owned rental housing units occupied by disabled renters with incomes at or below HUD's moderate-income limits.

The City promotes housing affordability and stability for lower-income elderly and frail elderly persons, and disabled renters and homeowners. The City offers the following targeted programs:

Rent Relief Program- Provides rent assistance to income eligible elderly and/or disabled renters who are not paying income-based rents under a federal or state assistance program.

Rental Accessibility Modification Program (RAMP)- Offered to disabled renter households with incomes at or below HUD's moderate-income limits who are living in privately owned rental properties and require accessibility modifications.

Property Tax Relief Program- Provides forgiveness or deferral of real property taxes for income eligible elderly homeowners who are over age 65 and/or who are permanently disabled, and whose homes are valued at less than \$500,000. Other guidelines may apply.



HUD Performance Measure
Provide decent housing with improved affordability and/or accessibility

Persons Affected by Mental Illness, Intellectual Disabilities and Substance Use Disorders

Goal: *Deliver compassionate best-practice services that measurably improve the quality of life for Alexandrians affected by mental illness, intellectual disabilities and substance use disorders.*

Alexandria Community Services Board (ACSB) and Sheltered Homes of Alexandria operate permanent supportive housing programs for eligible persons in 9 group homes and 33 supervised apartments with a combined capacity of 132 beds.

Another 33 transitional and permanent supportive housing beds are available through programs that specifically target homeless persons in 19 supervised apartments, including 3 units for families.

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Continue to provide a continuum of residential services to individuals with mental illness, intellectual disabilities and substance use disorders; and
- Continue to manage up to 50 tenant-based Section 8 Housing Choice Vouchers to ACSB clients per year.

Persons with HIV/AIDS

Goal: *The City's general goal for persons living with HIV/AIDS is to continue to address the housing and supportive service needs of such persons and their families.*

Northern Virginia Family Services (NVFS) under the HOPWA program offers long-term tenant-based rental assistance to persons living with HIV/AIDS. This program provides vouchers to eligible households living in the City of Alexandria. NVFS also offers short-term housing

assistance and other housing services, including housing and financial counseling and emergency utility assistance, which are provided on a regional basis and are available to Alexandrians living with HIV/AIDS.

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Maintain tenant-based rental housing vouchers to provide rent subsidies to income eligible persons living with HIV/AIDS and their families, including providing Tenant Based Rental Assistance Vouchers to an estimated 9 Alexandria households, short-term rental housing assistance to 11 Alexandria households, and short-term security deposit assistance to 5 Alexandria households.



A Before and After RAMP Renovation

Persons with Physical and Sensory Disabilities

Goal: *Promote housing stability and accessibility for disabled renters and homeowners with incomes at or below HUD's moderate-income limits.*

The City's objectives involving the use of resources to rehabilitate existing ownership and rental housing for accessibility purposes are intended to increase the supply of accessible housing and to improve quality of life without creating undue financial burden for persons

with disabilities whose incomes are at or below HUD's moderate-income limits. The City's Rental Accessibility Modification Program (RAMP) provides grants to assist with the costs associated with retrofitting rental units.

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Support accessibility modifications in 3 existing privately owned rental housing units occupied by disabled renters with incomes at or below HUD's moderate-income limits.

Non-Housing Community Development

Goal: Improve Alexandria's economy and create jobs through a variety of economic development activities.

The City provides the infrastructure, services and other economic development incentives to attract businesses that will create jobs in low-income neighborhoods. As indicated in the 2011-2015 Consolidated Plan, it is anticipated that job training will be provided to over 4,250 residents per year. The City's economic development efforts are directed toward building a stable economy and a diversified business base capable of supporting job growth, commercial development, professional and retail trades and tourism activities that contribute to an expanded tax base.

FY 2015 Annual Objectives and Outcomes (all subject to available resources)

- Provide job training to 1,100 residents, including persons with incomes at or below HUD's moderate-income limits; and
- Continue to support Mt. Vernon and Northern Route 1 Corridor to transform underused properties to their highest and best uses, pursue the completion of park expansion efforts, provide recreational and cultural activities in the new community building, support transportation and pedestrian improvements, and collaborate with a citizen stakeholder group to implement recommendations of a 2003 neighborhood plan.

**HUD
Performance
Measure**
Provide economic
opportunity



EVALUATION OF PAST PERFORMANCE

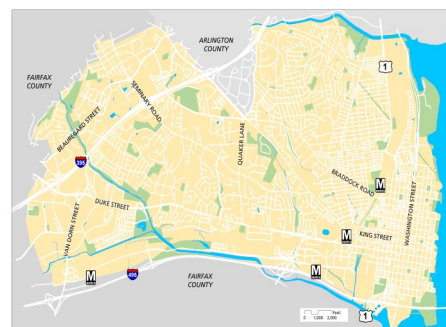


The City of Alexandria's FY 2013 program performance and cumulative progress toward its FY 2011-FY 2015 goals are shown below. In some instances, funding reductions after adoption of the five-year goals have resulted in less program activity than originally anticipated. Performance details for these and other programs are in the City's FY 2013 Consolidated Annual Performance and Evaluation Report (CAPER).

Programs and Services	2013 Program Performance	2013 % Achieved	3 Year Cumulative	5-Year Cumulative % Achieved
<i>Flexible Home Assistance Program</i> Low-and Moderate- Income Homebuyers	Assisted 1 Household 2013 Goal: 2	50%	59	39% (5-Year:150)
<i>Home Rehabilitation Loan Program</i> Low-and Moderate-Income Homeowners	Assisted 7 Households 2013 Goal: 9	78%	23	46% (5-Year: 50)
<i>Transitional Assistance Program</i> Homeless and Persons Threatened with Homelessness	Assisted 29 Households 2013 Goal: 30	97%	95	32% (5-Year: 300)
<i>Eviction Assistance and Furniture Storage</i> Homeless and Persons Threatened with Homelessness	Assisted 15 Households 2013 Goal: 0	N/A	136	48% (5-Year: 280)
<i>Winter Shelter</i> Homeless and Persons Threatened with Homelessness	Provided 67 Beds 2013 Goal: 67	100%	100	100% (67 Beds Annually)
<i>Rental Accessibility and Modifications Program</i> Persons with Physical and Sensory Disabilities	Assisted 1 Household 2013 Goal: 1	100%	4	27% (5-Year: 15)

CDBG and HOME Geographic Distribution

The geographic area to be served by programs supported with CDBG and HOME funds during City FY 2015 will be the entire city, which includes areas of minority concentration.



Program	Proposed FY 2015 Federal Funding	FY 2015 Performance Measure
Affordable Housing Development/Preservation Assistance (HOF)	\$1,092,874 (New HOME—\$356,307; HOME Program Income— \$36,000; HOME Carry-over—\$464,000; HOME Match—\$30,665; HOME Match Carryover—\$205,902)	1 Project
Home Rehabilitation Loan Program	\$939,348 (CDBG—\$433,148; CDBG Carryover - \$381,200; CDBG Program Income - \$125,000)	9 Households
Flex Homeownership Assistance Program (FHAP)	\$90,000 (CDBG Program Income— \$50,000; HOME Program Income—\$40,000)	2 Households (7 households assisted with non-federal funding)
Alexandria Neighborhood Stabilization Program	HOME funding revolves within the program.	9 Households
Rental Accessibility Modification Program	\$57,500 (New CDBG)	1 Household (2 households assisted with non-federal funding)
Eviction Assistance and Furniture Storage Program	\$5,800 (CDBG Carryover)	15 Households
Transitional Assistance Program	\$52,000 (New CDBG)	45 Households
Winter Shelter	\$20,000 (New CDBG)	67 Beds
Fair Housing Testing	\$20,960 (New CDBG—\$15,960 Carryover-\$5,000)	One Round of Testing
Program Administration	\$173,299 (New CDBG— \$ 141,311; New HOME - \$31,918)	n/a

Other Major Federally Funded Housing Programs

Program	Projected FY 2015 Federal Funding	FY 2015 Performance Measure
Public and Replacement Housing	\$6.5 Million	1,150 Units
Housing Choice Voucher Program	\$20.9 Million	1,500, from voucher allocation of 1,926
Privately Owned Subsidized Rental Units	LIHTC, Tax-Exempt Bonds, Section 8 Project Based	2,566 Units
Emergency Solutions	\$300,000	80 Beds
Continuum of Care (COC)	\$709,557	50 Households
HOPWA (Long-term Tenant Based)	\$77,104	9 Vouchers
Ryan White Comprehensive AIDS Response Emergency (CARE)	\$422,169	342 Persons

Public Notice of the Action Plan

The Draft FY 2015 Action Plan is made for public comment from Friday, March 28, 2014 through Monday, April 28, 2014. A public hearing will be held on Saturday, April 12, 2014, in the City Council Chambers, located on the second floor of Alexandria City Hall, 301 King Street, Alexandria, Virginia, beginning at 9:30 a.m. Copies of the Draft FY 2015 Action Plan are available at the Office of Housing, 421 King Street, Suite 200, from 8 a.m. to 5 p.m., Monday through Friday.

The FY 2015 Action Plan is also available on the City's website at alexandriava.gov/Housing and for review at the following City libraries:

BEATLEY CENTRAL LIBRARY: 5005 Duke Street, Alexandria
 BARRETT BRANCH LIBRARY: 717 Queen Street, Alexandria
 BURKE BRANCH LIBRARY: 4701 Seminary Road, Alexandria
 DUNCAN BRANCH LIBRARY: 2501 Commonwealth Avenue, Alexandria

The Draft FY 2015 Action Plan is in a format accessible to persons with disabilities, upon request. For more information about the Plan or housing programs email Cindy Metcalf at cindy.metcalf@alexandriava.gov or call 703-746-4990.

Table B
Community Development Block Grant (CDBG) 40th Year Proposed Budget

PROGRAM	Projected 40th Year Grant	Projected Carryover Funds	Anticipated Unbudgeted Program Income*	Total Estimated Funds Available	Percent of Budget
CDBG Program Administration (OH)	\$141,311			\$141,311	11.0%
Submissions & Applications for Federal Program/Public Information (OH)	\$3,000			\$3,000	0.2%
Fair Housing Testing (OH)	\$15,960	\$5,000		\$20,960	1.6%
Homeownership Assistance Program** (OH)			\$50,000	\$50,000	3.9%
Home Rehabilitation Loan Program** (OH)	\$433,148	\$381,200	\$125,000	\$939,348	72.8%
Rental Accessibility Modification Program** (OH)	\$57,500			\$57,500	4.5%
Eviction Assistance & Furniture Storage** (DCHS)		\$5,800		\$5,800	0.4%
Transitional Assistance Program** (DCHS)	\$52,000			\$52,000	4.0%
Winter Shelter** (DCHS)	\$20,000			\$20,000	1.6%
TOTALS	\$722,919	\$392,000	\$175,000	\$1,289,919	100.0%

These monies are unscheduled and cannot be predicted with certainty. They are not included in City's budget until they are received.

** These programs benefit low- and moderate-income persons. Funds for these programs constitute 100% of the non-administrative program budget. (Carryover funds for the RAMP Program include \$57,500 in reprogrammed carryover funds from Program Administration.) General administrative costs are presumed to benefit low- and moderate-income persons in the same proportion.

OH-Office of Housing; DCHS – Depart of Community and Human Services

Table C
Federal FY 2014 Home Investment Partnerships (HOME) Program Proposed Budget
July 1, 2014 – June 30, 2015

PROGRAM	Projected FFY 2014 Grant	Projected Carryover Funds	City General Fund Match	Housing Trust Fund Match	Anticipated Unbudgeted Program Income*	Total Estimated Available Budget	Percent of Budget
HOME Administration	\$31,918					\$31,918	2.7%
HOME Homeownership					\$40,000	\$40,000	3.4%
HOME Housing Opportunities Fund	\$356,307	\$464,000	\$30,665	\$205,902	\$36,000	\$1,092,874	93.8%
TOTAL	\$388,225	\$464,000	\$30,665	\$205,902	\$76,000	\$1,164,792	100.0%

*These monies are unscheduled and cannot be predicted with certainty. They are not included in City's budget until they are received.



Legislation Details (With Text)

File #: 14-2605 **Name:**

Type: Ordinance **Status:** Agenda Ready

File created: 3/26/2014 **In control:** City Council Legislative Meeting

On agenda: 4/8/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-416 (Modifications) of Section 11-400 (Site Plans) of Division B (Development Approvals) 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. 14-0001. (Implementation Ordinance for the Text Amendment to the modification section of the Zoning Ordinance approved by City Council on March 15, 2014.)

Sponsors:

Indexes:

Code sections:

Attachments: [14-2605 information sheet](#)
[14-2605 ordinance](#)

Date	Ver.	Action By	Action	Result
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Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to amend and reordain Section 11-416 (Modifications) of Section 11-400 (Site Plans) of Division B (Development Approvals) 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. 14-0001. (Implementation Ordinance for the Text Amendment to the modification section of the Zoning Ordinance approved by City Council on March 15, 2014.)

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Section 11-416 (Modifications) of Section 11-400 (Site Plans) of Division B (Development Approvals) 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. 14-0001.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2014-0001, 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 4, 2014 of a text amendment to the Zoning Ordinance to revise section 11-416 of the zoning ordinance to clarify that modifications can be requested with applications for special use permits and to revise the standard for approval of modifications of minimum landscape regulations, which recommendation was approved by the City Council at public hearing on March 15, 2014;

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 11-416 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:

11-416 *Modifications.*

(A) *Modification of zoning regulations.*

(1) In approving a site plan under the provisions of this section 11-400, the planning commission may modify the minimum frontage, yard, open and usable space, zone transition setback or other minimum requirements imposed by this ordinance for the zone or zones applicable to the land depicted in the site plan, or the requirements of Section 11-410(CC), if the planning commission determines that such modification is necessary or desirable to good site development, that specific and identified features of the site design make up for those impacts otherwise protected by the regulations for which modification is sought and that such modification will not be detrimental to neighboring property or to the public health, safety and welfare. For modifications of the requirements of Section 11-410(CC) the planning commission must also determine that the modification will not violate the intention of section 11-410 (CC) to require a reasonable amount of landscaping.

1 (2) Nothing in this section 11-416 shall be deemed to authorize the planning commission to approve
2 a site plan under the provisions of this section 11-400 when the building or structure would exceed the
3 maximum floor area ratio, maximum density or maximum height regulations of the zone or zones in
4 which such development is located, or the maximum floor area ratio, density or height regulations
5 otherwise provided in this ordinance. Rather, it is the intent of this section 11-416 to allow regulations
6 expressed as minimums such as yard dimensions to be relaxed in the proper case but not to allow
7 regulations expressed as maximums such as density to be increased. Where the distinction between
8 minimum and maximum is unclear, such as in the case of density expressed in terms of both minimum lot
9 area and maximum floor area ratio or units per acre, then no modification shall be allowed.

10
11 ~~(B) *Modification of minimum landscaping provisions.* Upon application filed simultaneously with a~~
12 ~~site plan, modifications from the requirements of section 11-410 (CC) may be granted by the planning~~
13 ~~commission if it finds that strict application of the requirements will effectively prohibit or unreasonably~~
14 ~~restrict the use of the property, that a modification of those requirements will not be of substantial~~
15 ~~detriment to adjacent property, and that the modification will not violate the intention of section 11-410~~
16 ~~(CC) to require a reasonable amount of landscaping~~

17
18 ~~(CB) *Exclusive remedy.* Relief from the zoning ordinance available from the planning commission under~~
19 ~~this section 11-416 may not be the subject of an application for a variance from the board of zoning~~
20 ~~appeals with regard to development or construction that is, or is required to be, the subject of an approved~~
21 ~~site plan or that is a condition of a site plan approval.~~

22
23 ~~(DC) *Applicability to SUP applications.* In addition to the above provisions, a modification under this~~
24 ~~section 11-416 may be approved in the case of a special use permit application under section 11-500,~~
25 ~~whether or not a site plan is required or included in the application. In such case, all restrictions and~~
26 ~~requirements for site plan modifications in sections 11-406(C)(16) and 11-416 (A) (1) and (2) apply, but~~
27 ~~final action will be by the city council and not the planning commission.~~

28
29 Section 2. That the director of planning and zoning be, and hereby is, directed to
30 record the foregoing text amendment.

31
32 Section 3. That Section 11-416, as amended pursuant to Section 1 of this ordinance,
33 be, and the same hereby is, reordained as part of the City of Alexandria Zoning Ordinance.

34
35 Section 4. That this ordinance shall become effective on the date and at the time of
36 its final passage, and shall apply to all applications for land use, land development or subdivision
37 approval provided for under the City of Alexandria Zoning Ordinance which may be filed after
38 such date, and shall apply to all other facts and circumstances subject to the provisions of the
39 City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning
40 Ordinance.

41
42 WILLIAM D. EUILLE
43 Mayor
44

- 1 Introduction: April 8, 2014
- 2 First Reading: April 8, 2014
- 3 Publication:
- 4 Public Hearing: April 12, 2014
- 5 Second Reading: April 12, 2014
- 6 Final Passage: April 12, 2014



Legislation Details (With Text)

File #: 14-2438 **Name:**
Type: Ordinance **Status:** Agenda Ready
File created: 2/11/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2014.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2438 Att 1 - april supp app ord cover sheet](#)
[14-2438 Att 2 - April 2014 supp app ordinance](#)
[14-2438 Att 3 - April 2014 grant attachment](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of a Supplemental Appropriation Ordinance for the Support of the City Government for FY 2014.

ISSUE: Consideration of a Supplemental Appropriation Ordinance for the support of the City government for FY 2014.

RECOMMENDATION: That City Council pass this proposed Ordinance (Attachment 1) on first reading and schedule it for public hearing, second reading, and final passage on Saturday April 12, 2014.

DISCUSSION: This Ordinance includes the appropriation of City Grants and Capital Funds; the transfer of General Fund appropriations between various departments and the appropriation of Affordable Housing Funds.

- (1) Appropriation of grant revenues authorized and adjusted but not appropriated in Fiscal Year 2014. The appropriation of \$1,664,158 of grant revenue accepted or adjusted by the City in FY 2014, for specific programs, but not yet appropriated.
- (2) Transfer of budget authority between various departments. The transfer of budget authority between various City departments establishes budget authority in the department in which the expense is incurred or the program or activity is carried out. This appropriation includes the transfer of \$165,000 from a Non-Departmental account to Housing which represents real estate tax revenue dedicated to affordable housing initiatives. Of the \$2.0 million generated from the \$.006 real property tax dedication, \$1.6 million is used for debt service. In FY 2014, \$165,000 was set aside for future debt service and budgeted in a Non-Departmental account. It is anticipated that additional debt will be issued for affordable housing related to the Beauregard Small Area Plan and \$165,000 will be used for debt service in future years. The Office of Housing FY 2014 Approved Budget includes \$0.5 million of dedicated revenue for affordable housing initiatives.
- (3) Appropriation of General Fund Revenues. This appropriation totaling \$252,500, includes \$150,000 of General Fund revenues to the Office of Communications. These funds are grant revenues currently budgeted in the Capital Improvement Program that are being transferred to the operating budget to fund video and closed captioning support of legislative meetings. In addition, the appropriation includes \$102,500 of Year End Settlement money received from the Virginia Health Department to reimburse the City for a portion of its share that exceeded the required amount based on State spending. The appropriation will fund facility-related improvements to Health Department facilities at 4480 King Street and 1200 North Howard Street (Casey Clinic).
- (4) Appropriation of General Fund Balance to the Registrar of Voters. This appropriation provides \$55,000 to fund the Virginia Primary Election in June 2014.
- (5) Appropriation of Budget Authority the Housing Fund. This appropriation provides budget authority to recognize a Transfer from the General Fund of \$165,000 (currently budgeted in a general fund Non-Departmental account) to the Housing Fund for affordable housing initiatives.
- (6) Appropriation of Budget Authority to the Northern Virginia Transportation Authority Fund. This appropriation recognizes budget authority in the Northern Virginia Transportation Authority Fund by transferring current General Fund expenditures to this new Fund. As part of the agreement with NVTA for the City to receive its share of the funding it is necessary to show, in a separate fund, that the City has appropriated the equivalent of a 12.5 cent commercial add-on tax, dedicated to transportation. This transfer of \$11,585,632 of budget authority meets that requirement.
- (7) Appropriation of Other Special Revenues. This appropriation of \$744,165 includes other special revenues received but not appropriated in the FY 2014 Operating Budget. Developer Contributions have been provided in accordance with a Memorandum of Understanding to provide services and staff support related to the Oakville Triangle development project, including \$162,165 to the Department of Planning and Zoning to support a limited term Urban Planner position from April 2014 through September 2015, \$25,000 for a Retail Consultant and \$30,000 for a Developer Contributions Analysis Consultant. The Oakville Triangle Memorandum of Understanding also includes \$60,000 for the Department of Transportation and Environmental Services for a Transportation Consultant. This appropriation also includes \$440,000 in Developer Contributions in accordance with a Memorandum of Understanding to provide \$360,000 to the Department of Planning and Zoning and \$80,000 to the Department of Transportation and Environmental Services to prepare a draft small area plan for

Eisenhower West. Other Special Revenues also include fee-supported operations. This appropriation includes an additional \$20,000 in fee revenue for the Department of Community and Human Services for psychiatrist hours at the jail, funded by the Office of the Sheriff. In addition, \$7,000 in revenues from sales at Gadsby's Tavern is included in this appropriation.

- (8) Appropriation of Other Special Revenues. This appropriation of \$871,089 includes other special revenues received but not appropriated in the FY 2014 Operating Budget. Several of the City's Public Safety and Justice Agencies receive funds in the form of Seized Assets. These funds are not allowed to be budgeted annually as part of a regular operating budget, and there are restrictions as to their utilization. This appropriation includes \$12,750 in seized assets for the Sheriff's Office to fund overtime costs associated with the Regional Fugitive Task Force based on a Memorandum of Understanding with the United States Marshals Service. Also included in this appropriation is \$823,156, received from the Virginia Department of Criminal Justice Services and several federal criminal justice agencies, as a result of asset forfeiture, which will be used by the Police Department for training and equipment for police officers. In addition, the Commonwealth's Attorney has received \$35,183 funds from State Seized Assets that will be used to purchase furniture and computer equipment.
- (9) Appropriation of Donations. This appropriation establishes \$83,826 in budget authority for various donation accounts in which the city has received funds for a specific purpose and the amount received is either greater than the amount in the current approved budget or it was not included. In FY 2014, the City has received \$1,654 in donations to maintain the Rocky Versace Memorial and \$14,172 in donations for Earth Day activities. Both of these are recommended for appropriation to the Department of Recreation, Parks and Cultural Activities. In addition, in the Department of Community and Human Services donations are being appropriated in the amount of \$5,000 to cover operating expenses not funded by the federal Substance Abuse Prevention Coalition of Alexandria (SAPCA) Grant. This appropriation also includes \$63,000 in donations to support various organizations within Office of Historic Alexandria, including \$30,000 for the Stabler-Leadbeater Apothecary, \$8,000 in donations to support Fort Ward and \$25,000 for Archaeology.
- (10) Appropriation of Grant Proceeds to the DASH Fund. This appropriation of \$43,013 in state grant funds provides budget authority to the Alexandria Transit Company to host the 2014 Virginia State Bus Roadeo here in Alexandria, Virginia.
- (11) Appropriation of General Obligation Bond Proceeds. This appropriation includes \$18,635,000 in bond proceeds from the recent bond refinancing approved by City Council in February 2014.

FISCAL IMPACT: The eleven sections of the ordinance appropriate a total of \$34,099,383 as follows:

Section 1.	Appropriation of grant revenues authorized and adjusted but not appropriated in Fiscal Year 2014.	\$1,664,158
Section 2.	Transfer of budget authority between various departments.	\$0
Section 3	Appropriation of General Fund Revenue	\$252,500
Section 4.	Appropriation of General Fund Balance for previously unbudgeted expenditures.	\$55,000
Section 5	Appropriation of budget authority to the Housing Fund	\$165,000
Section 6	Appropriation of budget authority to the Northern Virginia Transportation Authority Fund	\$11,585,632
Section 7	Appropriation of Other Special Revenues - Developer Contributions and Fees	\$744,165

Section 8	Appropriation of Other Special Revenues - Seized Assets	\$871,089
Section 9	Appropriation of Donations Received Appropriation of grants	\$83,826
Section 10	proceeds to DASH Fund Appropriation of General Obligation	\$43,013
Section 11	Bond Proceeds	\$18,635,000

ATTACHMENTS:

Attachment 1 - Cover Page of Ordinance to Amend Year 2014 Appropriations

Attachment 2 - Ordinance to Amend Fiscal Year 2014 Appropriations

Attachment 3 - Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments

STAFF:

Laura Triggs, Chief Financial Officer

Nelsie Smith, Director, Management and Budget

Kendel Taylor, Financial Operations Engineer

1 Introduction and first reading: 04/08/14
2 Public hearing: 04/12/14
3 Second reading and enactment: 04/12/14
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6 INFORMATION ON PROPOSED ORDINANCE
7

8 Title
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10 AN ORDINANCE making supplemental appropriations for the support of the government of the
11 City of Alexandria, Virginia, for fiscal year 2014.
12

13 Summary
14

15 The proposed ordinance accomplishes the adoption of supplemental appropriations for the
16 operation of the city government in fiscal year 2014.
17

18 Sponsor
19

20 Laura B. Triggs, Chief Financial Officer
21

22 Staff
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24 Laura B. Triggs, Chief Financial Officer
25 Christina Zechman Brown, Assistant City Attorney
26 Nelsie L. Smith, Director, Management and Budget
27

28 Authority
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30 § 2.02(c), Alexandria City Charter
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32 Estimated Costs of Implementation
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34 None
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36 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
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38 None
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ORDINANCE NO. _____

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia for fiscal year 2014.

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 2014 the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2013 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Police	325,509
Housing	2,640,851
Fire	170,780
Health	62,720
Community and Human Services	(1,535,702)
Total Estimated Revenue	<u>\$ 1,664,158</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Police	325,509
Housing	2,640,851
Fire	170,780
Health	62,720
Community and Human Services	(1,535,702)
Total Appropriation	<u>\$ 1,664,158</u>

Section 2. 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

APPROPRIATION:

Non-Departmental	\$ (165,000)
Office of Housing	<u>165,000</u>
Total Appropriation	<u>\$ 0</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 2014 the source of such amount being General Fund Revenues for which the proceeds were received after July 1, 2013 but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

GENERAL FUND

ESTIMATED REVENUE:

General Fund Revenues	\$ 252,500
Total Estimate Revenues	<u>\$ 252,500</u>

GENERAL FUND

APPROPRIATION:

Communications	\$ 150,000
Alexandria Health Department	<u>102,500</u>
Total Appropriation	<u>\$ 252,500</u>

Section 4. That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2014 the source of such amount being undesignated General Fund Balance, and further that the Council does hereby allot the amount so appropriated to the several city departments, as follows:

GENERAL FUND

ESTIMATED REVENUE:

Spendable General Fund Balance	\$ 55,000
Total Estimated Revenue	<u>\$ 55,000</u>

APPROPRIATION:

Registrar of Voters	\$ 55,000
Total Appropriation	<u>\$ 55,000</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 2014, the source of such amount being Transfers in from the General Fund in support of the Housing Fund, that the Council does hereby allot the amount so appropriated for fiscal year 2014 as follows:

AFFORDABLE HOUSING FUND

ESTIMATED REVENUE:

Transfers in from General Fund	\$ 165,000
Total Estimated Revenue	<u>\$ 165,000</u>

APPROPRIATION:

Affordable Housing Fund	<u>\$ 165,000</u>
Total Appropriation	<u>\$ 165,000</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 2014, the source of such amount being Transfers in from the General Fund in support of the Northern Virginia Transportation Authority Fund, that the Council does hereby allot the amount so appropriated for fiscal year 2014 as follows:

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY FUND

ESTIMATED REVENUE:

Transfers in from General Fund	<u>\$11,585,632</u>
Total Estimated Revenue	<u>\$11,585,632</u>

APPROPRIATION:

Northern Virginia Transportation Authority Fund	<u>\$ 11,585,632</u>
Total Appropriation	<u>\$ 11,585,632</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 and liabilities of the city in fiscal year 2014 the source of such amount being other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Planning and Zoning	577,165
Transportation and Environmental Services	140,000
Community and Human Services	20,000
Historic Alexandria	7,000
Total Estimated Revenue	<u>\$ 744,165</u>

SPECIAL REVENUE FUND

APPROPRIATION:

Planning and Zoning	577,165
Transportation and Environmental Services	140,000
Community and Human Services	20,000
Historic Alexandria	7,000
Total Appropriation	<u>\$ 744,165</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 in fiscal year 2014 the source of such amount being other special revenues, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2014, as follows:

SPECIAL REVENUE FUND

ESTIMATED REVENUE:

Office of the Sheriff	\$ 12,750
Police Department	823,156
Commonwealth's Attorney	35,183
Total Estimated Revenue	<u>\$ 871,089</u>

1
2 SPECIAL REVENUE FUND
3

4 APPROPRIATION:
5

6	Office of the Sheriff	\$ 12,750
7	Police Department	823,156
8	Commonwealth's Attorney	<u>35,183</u>
9	Total Appropriation	<u>\$ 871,089</u>

10
11
12 Section 9. That the Council of the City of Alexandria, Virginia, does hereby make
13 provision for and appropriate to the fund hereafter named the amount hereafter stated that is
14 required to defray certain expenditures and liabilities of the city in fiscal year 2014 the source of
15 such amount being donations and other activities, and further that the council does hereby allot
16 the amount so appropriated to the several city departments for fiscal year 2014, as follows:
17

18 SPECIAL REVENUE FUND
19

20 ESTIMATED REVENUE:
21

22	Recreation	\$ 15,826
23	Community and Human Services	5,000
24	Historic Alexandria	<u>63,000</u>
25	Total Estimated Revenue	<u>\$ 83,826</u>

26
27 SPECIAL REVENUE FUND
28

29 APPROPRIATION:
30

31	Recreation	\$ 15,826
32	Community and Human Services	5,000
33	Historic Alexandria	<u>63,000</u>
34	Total Appropriation	<u>\$ 83,826</u>

35
36
37 Section 10. That the Council of the City of Alexandria, Virginia does hereby make
38 provision for and appropriate to the fund hereafter named the amount hereafter stated that is
39 required to defray certain expenditures and liabilities of the city in fiscal year 2014, the source of
40 such amount being external grant awards in support of the Alexandria Transit Company, that the
41 Council does hereby allot the amount so appropriated for fiscal year 2014 as follows:
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- 1 First Reading: 4/08/14
- 2 Publication: 4/08/14
- 3 Public Hearing: 4/12/14
- 4 Second Reading: 4/12/14
- 5 Final Passage: 4/12/14

Supplemental Appropriations Ordinance
 Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
 April 2014

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
<u>POLICE</u>							
Commonwealth of Virginia Office of Attorney General Grant for Police Equipment and Training - 20552300	Commonwealth of Virginia Office of Attorney General	These funds are from a state grant to be used to for the purchase of Police equipment and training The grant was approved by City Council on September 10, 2013, docket 14-1759.	\$ -	\$ 325,509			\$ 325,509
		Subtotal Police	\$ -	\$ 325,509	\$ -	\$ -	\$ 325,509

Supplemental Appropriations Ordinance
Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
April 2014

Attachment III, Page 2

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
OFFICE OF HOUSING							
CDBG HAP Loans- 20601027	Program Income	Actual unbudgeted program income received form loan repayments.	\$ 22,030	\$ -	\$ -	\$ -	\$ 22,030
CDBG Rehabilitation 0% - 21601040	Program Income	Actual unbudgeted program income received from loan repayments. The additional program income will be used for home rehabilitation loans.	\$ 67,195	\$ -	\$ -	\$ -	\$ 67,195
Neighborhood Stabilization Fund - 20600883			\$ -	\$ 364,489	\$ -	\$ -	\$ 364,489
HOME HAP Loans - 21601031	Program Income	Actual unbudgeted program income received from loan repayments. The additional program income will be used for homeownership assistance loans.	\$ 61,887	\$ -	\$ -	\$ -	\$ 61,887
Moderate Income Homeownership - 20600889	Program Income	Actual unbudgeted program income received. The additional program income will be used for homeownership loans. The source of the funding is the Housing Trust Fund.	\$ -	\$ -	\$ 57,698	\$ -	\$ 57,698
Employee Homeownership Incentive Program - 20600886	Program Income	Actual unbudgeted program income received. The additional program income will be used for homeownership loans. The source of the funding is the Housing Trust Fund.	\$ -	\$ -	\$ 5,470	\$ -	\$ 5,470

Supplemental Appropriations Ordinance
Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
April 2014

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
Housing Trust Fund - 20600872	Program Income	The program income in the next column reflects actual developer contributions and interest received. Funds will be used for Housing Trust Fund programs. The source of the funding is the Housing Trust Fund.	\$ -	\$ -	\$ 721,193	\$ -	\$ 721,193
Housing Trust Fund Braddock Area - 20602129	Program Income	The program income in the next column reflects actual developer contributions and interest received. Funds will be used for Housing Trust Fund programs. The source of the funding is the Housing Trust Fund.	\$ -	\$ -	\$ 339,889	\$ -	\$ 339,889
Beauregard - 20602237	Housing Trust Fund	This appropriation of Housing Trust Funds will be used to fund units in the Beauregard Small Area Plan.	\$ -	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000
Rebuilding Together Alexandria - 20600891	Program Income	Annual appropriation to Rebuilding Together Alexandria to support annual programming. Beginning in FY 2015 this will be included in the Approved Operating Budget for the Office of Housing.	\$ -	\$ -	\$ 1,000	\$ -	\$ 1,000
		Subtotal Housing	\$ 151,112	\$ 364,489	\$2,125,250	\$ -	\$ 2,640,851

Supplemental Appropriations Ordinance
Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
April 2014

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
FIRE							
2013 SHSP Grant	Commonwealth of Virginia, Department of Emergency Management	2013 State Homeland Security Program (SHSP) grant through the Virginia Department of Emergency Management (VDEM) for equipment that would be used in response to chemical, biological, radiological, nuclear and explosive (CBRNE) incidents in the City or surrounding region.	\$ 52,992	\$ -			\$ 52,992
2014 RSAF Grant	Commonwealth of Virginia, Virginia Department of Health	As part of the Computer Aided Dispatch (CAD) project within the City, the need for improved Emergency Medical Dispatch (EMD) has been identified to aid in improving our EMS system. PowerPhone is an integrated 911 call handling system for enhanced 911 call dispatch. The City Match listed will come from the CAD project account.		\$ 52,250		\$ 52,250	\$ 104,500
AEMER Grant 20512301	Virginia Alliance for Emergency Medical Education and Research	The purpose of the grant is to "furnish new knowledge related to the field of emergency medical services, or ... re-evaluate and validate previous EMS research using a different research method." At the conclusion of the research project, grant awardees will be required to present their findings at the annual Virginia EMS Symposium. The grant application was approved by City Council on September 10, 2013.		\$ 13,288			\$ 13,288
		Subtotal Fire	\$ 52,992	\$ 65,538	\$ -	\$ 52,250	\$ 170,780

Supplemental Appropriations Ordinance
 Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
 April 2014

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
HEALTH							
Healthy Community Action Team	Virginia Foundation for Healthy Youth	The City was awarded a continuation of the Healthy Communities Action Team grant for an additional two years. The funds are used to build community coalitions to prevent and fight childhood obesity.	\$ -	\$ 62,720	\$ -	\$ -	\$ 62,720
		Subtotal Health	\$ -	\$ 62,720	\$ -	\$ -	\$ 62,720
DCHS							
Virginia Refugee Resettlement Program	Virginia Department of Social Services	The Virginia Refugee Resettlement Grant ended on September 30, 2013.	\$ (93,809)	\$ -	\$ -	\$ -	\$ (93,809)
ESG Winter Shelter	Virginia Dept. of Housing and Community Development	The Emergency Solutions Grant (ESG) Winter Shelter ended June 30, 2013.	\$ (40,462)		\$ -	\$ -	\$ (40,462)
ESG Rapid Rehousing	Virginia Dept. of Housing and Community Development	The Emergency Solutions Grant (ESG) Rapid Rehousing ended June 30, 2013. The \$51,408 maintenance cost was moved to the General Fund 11640517.	\$ (75,507)	\$ -	\$ -	\$ -	\$ (75,507)

Supplemental Appropriations Ordinance
Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
April 2014

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
Workforce Investment Board - Rapid Response (Business Easy Pass Pilot Program)	Arlington is the grantor agency partnering with Alexandria	The grant is to align local services to match the vision of the Virginia Workforce Council's proposed "Business Easy Pass" Pilot Program by focusing on marketing services to the business community through social media training, gathering data related to economic trends and partnership development and team building. The grant period is 10/01/2013 - 09/30/2014 and is 100% reimbursable. No City funds are required.	\$ 30,000	\$ -	\$ -	\$ -	\$ 30,000
Systems of Care Mini-Grant	Virginia Dept of Behavioral Health and Developmental Services	The purpose of this grant is to build a youth voice advocacy project for youth involved in our system of care, strengthen our High Fidelity Wraparound process through the participation of peer parent partners and peer youth partners, and launch community-based peer parent coaching services. No City funds are required.	\$ 179,639	\$ -	\$ -	\$ -	\$ 179,639
Special Needs Adoption	Virginia Department of Social Services	The grant is for State-funded adoption assistance in the forms of a maintenance payment and, when necessary, a purchase of service payment for the child and family's needs. These payments are available to families adopting children. Revenues are being reduced to bring budgeted expenditures into closer alignment with planned expenditures.	\$ (31,921)	\$ (640,354)	\$ -	\$ -	\$ (672,275)

Supplemental Appropriations Ordinance
Listing of Fiscal Year 2014 City of Alexandria Grant Adjustments
April 2014

<u>TITLE/ DESCRIPTION</u>	<u>GRANTOR AGENCY</u>	<u>COMMENTS</u>	<u>FEDERAL</u>	<u>STATE</u>	<u>NON-CITY LOCAL</u>	<u>CITY MATCH</u>	<u>TOTAL AMOUNT</u>
Welfare Adoption Subsidy	Virginia Department of Social Services	This grant offers adoptive parents federal Title IV-E adoption assistance maintenance payments for children who meet eligibility requirements. Funds are use to make these payments. Budget authority is being adjusted to reflect actual expenditures.	\$ 68,356	\$ 68,356	\$ -	\$ -	\$ 136,712
Foster Care IV-E	Virginia Department of Social Services	This grant offers federal Title IV-E assistance maintenance payments for children who meet eligibility requirements. Funds are used to make these payments. Revenues are being reduced to bring budgeted expenditures into closer alignment with planned expenditures.	\$ (500,000)	\$ (500,000)	\$ -	\$ -	\$ (1,000,000)
		Subtotal DCHS	\$ (463,704)	\$ (1,071,998)	\$ -	\$ -	\$ (1,535,702)
	Total Supplemental Appropriation Ordinance		\$ (259,600)	\$ (253,742)	\$ 2,125,250	\$ 52,250	\$ 1,664,158



Legislation Details (With Text)

File #:	14-2483	Name:	
Type:	Ordinance	Status:	Agenda Ready
File created:	2/24/2014	In control:	City Council Legislative Meeting
On agenda:	4/8/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing and Empowering the Issuance, Sale and Delivery of General Obligation Bonds to Finance Various Capital Projects.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2483 Att 1 - General Obligation Bonds COVER - 2014 Issuance 14-2483 Att 2 - General Obligation Bonds Ordinance - 2014 Issuance 14-2483 Att 3 - Exhibit A to Ordinance (2014B Bond Form)		

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance Authorizing and Empowering the Issuance, Sale and Delivery of General Obligation Bonds to Finance Various Capital Projects.

ISSUE: Consideration of an ordinance to authorize the issuance of General Obligation Bonds to finance various City and School capital projects.

RECOMMENDATION: That City Council pass on first reading on April 8, 2014, and schedule for public hearing, second reading and final passage on April 12, 2014; an ordinance (Attachment 1) authorizing and empowering the issuance, sale and delivery of bonds up to \$36.0 million to finance various public improvements.

BACKGROUND: The proposed ordinance authorizes the issuance of up to \$36.0 million in General

Obligation Bonds for FY 2013 and FY 2015 capital projects. This issuance for City and Alexandria City Public Schools (ACPS) capital projects is consistent with the FY 2013 Approved Capital Improvement Program (CIP) (FY 2013 - 2022 Approved Capital Improvement Program and FY 2015 Proposed Capital Improvement Program (CIP) (FY 2015 - 2024 Proposed Capital Improvement Program, page 5-3) and FY 2015 Proposed Capital Improvement Program (CIP) (FY 2015 - 2024 Proposed Capital Improvement Program, page 5-3). Borrowing associated with the FY 2013 Approved CIP is to complete funding for the new ACPS Jefferson-Houston K-8 facility.

This is an estimate of the maximum authority that the City may need based on borrowing outlined in the budget. The actual amount of bonds the City issues will depend on the City's cash needs, as well as interest rate conditions in the marketplace.

DISCUSSION: The major categories and estimated maximum amounts covered by this bond authorization are described below:

- Schools - \$17.8 million

Construction, remodeling and repairing of school buildings and acquisition of necessary equipment (includes projects contained in the capital improvement program under "Alexandria City Public Schools").

- City Parks and Buildings - \$11.0 million

Construction, renovation and improvement of existing and new City buildings and park facilities and acquisition of necessary land and equipment (includes projects contained in the capital improvement program under "Recreation and Parks", "Public Buildings", and "Information Technology Plan").

- Transportation Improvements - \$3.6 million

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).

- Infrastructure - \$3.2 million

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 "Storm water Management").

- Fire Department Vehicles and Apparatus - \$0.4 million

Acquisition of Fire Department vehicles and apparatus contained in the capital improvement program under "Community Development."

Proposed Structure of the Bonds: As is the City's practice, the contemplated \$36.0 million bond issue for FY 2013 and FY 2015 will be issued as full faith and credit general obligation bonds. They will be serial bonds with an aggressive repayment schedule of planned annual fixed repayment amounts over the life of the bonds, include a 10-year call provision, and be competitively bid on the internet. It is expected that bonds will be rated

Aaa by Moody's Investor's Service and AAA by Standard and Poor's. The bonds are expected to be issued as tax-exempt, fixed rate bonds. Given the current market demands for AAA/Aaa-rated municipal bonds and given favorable market conditions that have seen the municipal bond market outperforming other markets, the City should see the True Interest Cost (TIC) for the City and School bonds at or around 3.0 percent to 3.3 percent TIC range. Our rate for our 2013 issuance was 3.26 percent.

FISCAL IMPACT: The fiscal impact of the \$36.0 million bond issuance for City School purposes will be \$2.52 million in estimated principal and interest payments in FY 2015 and is included in the FY 2015 Proposed Budget. This amount includes an estimated \$1.25 million in debt service paid on behalf of ACPS.

ATTACHMENTS:

Attachment 1 - Ordinance Cover

Attachment 2 - Ordinance Authorizing the Issuance of General Obligation Capital Improvement Bonds in the Estimated Maximum Amount of \$35,997,000; and Providing for Reimbursement to the City of Alexandria from Bond Proceeds

Attachment 3 - Exhibit A to Ordinance (2014B Bond Form)

STAFF:

Laura B. Triggs, Chief Financial Officer

Nelsie Smith, Director, Management and Budget

Christopher Bever, Acting Assistant Budget Director

1 Introduction and first reading: 04/08/2014
2 Public hearing: 04/12/2014
3 Second reading and enactment: 04/12/2014
4

5 INFORMATION ON PROPOSED ORDINANCE
6

7 Title
8

9 AN ORDINANCE of the City Council of the City of Alexandria, Virginia authorizing the
10 Issuance of General Obligation Bonds in the estimated maximum amount of
11 \$35,997,000; and providing for reimbursement to the City of Alexandria from
12 bond proceeds.
13

14 Summary
15

16 The proposed ordinance authorizes the issuance of general obligation bonds for
17 various city and school capital projects in the estimated maximum amount of
18 \$35,997,000.
19

20 Sponsor
21

22 Laura Triggs, Chief Financial Officer
23

24 Staff
25

26 Nelsie Smith, Director, Management and Budget
27 Christopher Bever, Acting Assistant Budget Director
28 Christina Zechman Brown, Assistant City Attorney
29

30 Authority
31

32 § Title 15.2, Chapter 26, Code of Virginia of 1950, as amended (Public Finance
33 Act of 1991)
34

35 Estimated Costs of Implementation
36

37 None
38

39 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
40

41 None

ORDINANCE NO. _____

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
\$35,997,000; AND PROVIDING FOR REIMBURSEMENT TO THE CITY OF
ALEXANDRIA FROM BOND PROCEEDS.

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 up to \$35,997,000 general obligation bonds of the City to finance the cost, in whole or in part, of various capital improvements as described below (the "Projects").

1. Authorization of 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 \$35,997,000 (the "Bonds"). The issuance and sale of the Bonds are hereby authorized. The proceeds from the issuance and sale of the Bonds shall be used to pay all or a portion of the costs of the Projects as described below and the City's Chief Financial Officer (acting or otherwise) and Director of Finance, or either of them, is authorized and directed to determine the portion of the cost of each Project to be financed with Bond proceeds and to reallocate Bond proceeds among the Projects if necessary or desirable.

<u>General Project Description</u>	<u>Estimated Maximum Cost</u>
<u>Schools</u> Construction, remodeling and repairing of school buildings and acquisition of necessary equipment (includes projects contained in the capital improvement program under "Alexandria City Public Schools").	\$17,808,000
<u>City Parks and Public Buildings</u> Construction, renovation and improvement of existing and new City buildings and park facilities and acquisition of necessary land and equipment (includes projects contained in the capital improvement program under "Recreation and Parks", "Public Buildings" and "Information Technology Plan").	\$10,989,000
<u>Transportation and Metro Improvements</u> Maintenance and upgrade of the City's transportation	\$3,621,000

1 infrastructure, transit infrastructure and traffic control
2 infrastructure (includes projects contained
3 in the capital improvement program under
4 “Transportation and Transit Infrastructure,” and
5 including, without limitation, payment of the City’s
6 share of certain Washington Metropolitan Area
7 Transit Authority (i.e., “METRO”) capital
8 improvements).

9
10 Infrastructure \$3,225,000

11 Construction, renovation and improvement of City
12 storm sewers and waterways and acquisition
13 of necessary equipment (includes projects contained
14 in the capital improvement program under
15 “Community Development” and “Stormwater Management.”

16
17 Fire Department Vehicles and Apparatus \$354,000

18 Acquisition of Fire Department vehicles and
19 apparatus contained in the capital improvement
20 program under “Community Development”

21
22
23 Total: \$35,997,000

24
25 2. Pledge of Full Faith and Credit. The full faith and credit of the City are hereby
26 irrevocably pledged for the payment of the principal of, premium, if any, and interest on the
27 Bonds as the same become due and payable. The City Council shall levy an annual ad valorem
28 tax upon all property in the City subject to local taxation sufficient to pay the principal of,
29 premium, if any, and interest on the Bonds as the same shall become due for payment unless
30 other funds are lawfully available and appropriated for the timely payment thereof.

31
32 3. Details and Sale of Bonds. The Bonds shall be issued upon the terms established
33 pursuant to this Ordinance and upon such other terms as may be determined in the manner set
34 forth in this Ordinance. The Bonds shall be issued in one or more taxable or tax-exempt series,
35 in fully registered form, shall be dated such date or dates as the City Manager, the Chief
36 Financial Officer (acting or otherwise) and the Director of Finance, or any one of them (the
37 “Authorized Officer”), may approve, shall be in the denominations of \$5,000 each or whole
38 multiples thereof and shall be numbered from R-1 upwards consecutively. The Bonds shall
39 mature on such dates and in such amounts and shall be issued in such principal amounts as the
40 Authorized Officer may approve, provided that the final maturity of any Bond is not more than
41 approximately 25 years from its date and the aggregate principal amount of the Bonds is not
42 more than \$35,997,000. The Authorized Officer is authorized and directed, at his or her option,
43 to accept a bid or bids for the purchase of the Bonds which results in the lowest true interest cost
44 to the City and the Bonds shall bear interest, payable semi-annually, at such rate or rates and
45 shall be sold to the successful bidder or bidders at such price as may be set forth in the bid or
46 bids so accepted, or, if the Authorized Officer deems it to be in the City’s financial interest, to

1 forego such competitive bidding and negotiate the sale of the Bonds to one or more initial
2 purchasers; provided that the true interest cost of the Bonds to the City shall not exceed 6.5% per
3 annum. The Authorized Officer is authorized and directed to approve such optional redemption
4 provisions for the Bonds as such officer or officers determine to be in the best interest of the
5 City. The City Council may provide for additional or other terms of the Bonds by subsequent
6 resolution.

7
8 4. Form of Bonds. The Bonds shall be in substantially the form attached to this
9 Ordinance as Exhibit A, with such appropriate variations, omissions and insertions as are
10 permitted or required by this Ordinance. There may be endorsed on the Bonds such legend or
11 text as may be necessary or appropriate to conform to any applicable rules and regulations of any
12 governmental authority or any usage or requirement of law with respect thereto.

13
14 5. Book-Entry-Only-Form. The Bonds may be issued in book-entry-only form. The
15 Bonds shall be issued in fully-registered form and may be registered in the name of Cede & Co.,
16 as nominee of The Depository Trust Company, New York, New York ("DTC") as registered
17 owner of the Bonds, and immobilized in the custody of DTC. One fully-registered Bond in
18 typewritten or printed form for the principal amount of each maturity of the Bonds may be
19 registered to Cede & Co. In such event, beneficial owners of the Bonds shall not receive
20 physical delivery of the Bonds and principal, premium, if any, and interest payments on the
21 Bonds shall be made to DTC or its nominee as registered owner of the Bonds on the applicable
22 payment date.

23
24 Transfer of ownership interest in the Bonds may be made by DTC and its participants
25 (the "Participants"), acting as nominees of the beneficial owners of the Bonds in accordance with
26 rules specified by DTC and its Participants. In such event, the City shall notify DTC of any
27 notice required to be given pursuant to this Ordinance or the Bonds not less than fifteen (15)
28 calendar days prior to the date upon which such notice is required to be given and the City shall
29 also comply with the agreements set forth in the City's Letter of Representations to DTC.

30
31 In the event the Bonds are issued in book-entry-only form and registered in the name of
32 DTC's nominee as permitted above, replacement Bonds (the "Replacement Bonds") may be
33 issued directly to beneficial owners of the Bonds rather than to DTC or its nominee but only in
34 the event that:

- 35
36 (i) DTC determines not to continue to act as securities depository for the Bonds; or
37
38 (ii) The City has advised DTC of its determination not to use DTC as a securities
39 depository; or
40
41 (iii) The City has determined that it is in the best interest of the beneficial owners of
42 the Bonds or the City not to continue the book-entry system of transfer.

43
44 Upon occurrence of an event described in (i) or (ii) above, the City shall attempt to locate
45 another qualified securities depository. If the City fails to locate another qualified securities
46 depository to replace DTC, the City Council shall execute and deliver Replacement Bonds

1 substantially in the form set forth in Exhibit A to this Ordinance to the Participants. In the event
2 the City Council, in its discretion, makes the determination noted in (iii) above and has made
3 provisions to notify the beneficial owners of the Bonds by mailing an appropriate notice to DTC,
4 the appropriate officers and agents of the City shall execute and deliver Replacement Bonds
5 substantially in the form set forth in Exhibit A to this Ordinance to any Participants requesting
6 such Replacement Bonds. Principal of and interest on the Replacement Bonds shall be payable
7 as provided in this Ordinance and in the Bonds and Replacement Bonds will be transferable in
8 accordance with the provisions of paragraphs 9 and 10 of this Ordinance and the Bonds.

9
10 6. Appointment of Bond Registrar and Paying Agent. The Authorized Officer is
11 authorized and directed to appoint a Bond Registrar and Paying Agent for the Bonds, and as long
12 as the Bonds are in book-entry form, any Authorized Officer may serve as Paying Agent.

13
14 The Authorized Officer may appoint a subsequent registrar and/or one or more paying
15 agents for the Bonds upon giving written notice to the owners of the Bonds specifying the name
16 and location of the principal office of any such registrar or paying agent.

17
18 7. Execution of Bonds. The Mayor and the Clerk of the City are authorized and directed
19 to execute appropriate negotiable Bonds and to affix the seal of the City thereto and to deliver
20 the Bonds to the purchaser thereof upon payment of the purchase price. The manner of
21 execution and affixation of the seal may be by facsimile, provided, however, that if the
22 signatures of the Mayor and the Clerk are both by facsimile, the Bonds shall not be valid until
23 signed at the foot thereof by the manual signature of the Bond Registrar.

24
25 8. CUSIP Numbers. The Bonds may have CUSIP identification numbers printed
26 thereon. No such number shall constitute a part of the contract evidenced by the Bond on which
27 it is imprinted and no liability shall attach to the City, or any of its officers or agents by reason of
28 such numbers or any use made of such numbers, including any use by the City and any officer or
29 agent of the City, by reason of any inaccuracy, error or omission with respect to such numbers.

30
31 9. Registration, Transfer and Exchange. Upon surrender for transfer or exchange of any
32 Bond at the principal office of the Bond Registrar, the City shall execute and deliver and the
33 Bond Registrar shall authenticate in the name of the transferee or transferees a new Bond or
34 Bonds of any authorized denomination in an aggregate principal amount equal to the Bond
35 surrendered and of the same form and maturity and bearing interest at the same rate as the Bond
36 surrendered, subject in each case to such reasonable regulations as the City and the Bond
37 Registrar may prescribe. All Bonds presented for transfer or exchange shall be accompanied by
38 a written instrument or instruments of transfer or authorization for exchange, in form and
39 substance reasonably satisfactory to the City and the Bond Registrar, duly executed by the
40 registered owner or by his or her duly authorized attorney-in-fact or legal representative. No
41 Bond may be registered to bearer.

42
43 New Bonds delivered upon any transfer or exchange shall be valid obligations of the
44 City, evidencing the same debt as the Bonds surrendered, shall be secured by this Ordinance and
45 entitled to all of the security and benefits hereof to the same extent as the Bonds surrendered.

1 10. Charges for Exchange or Transfer. No charge shall be made for any exchange or
2 transfer of Bonds, but the City may require payment by the registered owner of any Bond of a
3 sum sufficient to cover any tax or other governmental charge which may be imposed with
4 respect to the transfer or exchange of such Bond.
5

6 11. Non-Arbitrage Certificate and Tax Covenants. The Authorized Officer and such
7 officers and agents of the City the Authorized Officer may designate are authorized and directed
8 to execute with respect to the Bonds a Non-Arbitrage Certificate and Tax Covenants setting forth
9 the expected use and investment of the proceeds of the Bonds and containing such covenants as
10 may be necessary in order to comply with the provisions of the Tax Code, including the
11 provisions of Section 148 of the Tax Code and applicable regulations relating to “arbitrage
12 bonds.” The City Council covenants on behalf of the City that the proceeds from the issuance
13 and sale of the Bonds will be invested and expended as set forth in the City’s Non-Arbitrage
14 Certificate and Tax Covenants relating to such Bonds, to be delivered simultaneously with the
15 issuance and delivery of the Bonds, and that the City shall comply with the other covenants and
16 representations contained therein.
17

18 12. Defeasance. Bonds may be defeased pursuant to Section 15.2-2623 of the Code of
19 Virginia of 1950, as amended, or any successor statute and shall be deemed no longer
20 outstanding upon the establishment of an escrow or sinking fund for such Bonds meeting the
21 requirements, and the satisfaction of other conditions, if any, to defeasance, set forth in such
22 Section 15.2-2623 or successor statute.
23

24 13. Disclosure Documents. The Authorized Officer and such officers and agents of the
25 City as the Authorized Officer may designate are hereby authorized and directed to prepare,
26 execute, if required, and deliver an appropriate notice of sale, preliminary official statement,
27 official statement, continuing disclosure agreement or such other offering or disclosure
28 documents as may be necessary to expedite the sale of the Bonds. The notice of sale,
29 preliminary official statement, official statement, continuing disclosure agreement or other
30 documents shall be published in such publications and distributed in such manner, including
31 electronically, and at such times as the Chief Financial Officer (acting or otherwise) and the
32 Director of Finance, or either of them, shall determine. The Chief Financial Officer (acting or
33 otherwise) and the Director of Finance, or either of them, is authorized and directed to deem the
34 preliminary official statement “final” for purposes of Securities and Exchange Commission Rule
35 15c2-12.
36

37 14. RESERVED.
38

39 15. Further Actions. The Authorized Officer and such officers and agents of the City as
40 the Authorized Officer may designate are authorized and directed to take such further action as
41 they deem necessary regarding the issuance and sale of the Bonds including the execution and
42 delivery of such bond purchase agreement as may be required in connection with any negotiated
43 sale of the Bonds and the execution and delivery of any such other documents, agreements and
44 certificates (including applications for tax credits, if applicable) as they may deem necessary or
45 desirable and all actions taken by such officers and agents in connection with the issuance and
46 sale of the Bonds are ratified and confirmed.

16. Reimbursement. The City Council adopts this declaration of official intent under 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 Chief Financial Officer (acting or otherwise) and the Director of Finance, or either of them, on behalf of the City, to specifically declare the City's official intent to reimburse portions of the cost of the Projects with 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. This Ordinance shall take effect at the time of its enactment.

WILLIAM D. EUILLE
Mayor

Introduction:	4/8/14
First Reading:	4/8/14
Publication:	4/8/14
Public Hearing:	4/12/14
Second Reading:	4/12/14
Final Passage:	4/12/14

Exhibit A

FORM OF BOND

**UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA**

**No. R- CITY OF ALEXANDRIA
GENERAL OBLIGATION CAPITAL IMPROVEMENT BOND,
SERIES [2014B]**

MATURITY DATE

INTEREST RATE

CUSIP

REGISTERED OWNER:**PRINCIPAL AMOUNT:**

CITY OF ALEXANDRIA, VIRGINIA (the “City”), for value received, acknowledges itself indebted and promises to pay to the registered owner of this Bond or legal representative, the principal amount stated above on the maturity date set forth above and to pay interest on the principal amount of this Bond at the rate specified above per annum, payable semiannually on _____ 1 and _____ 1, beginning on _____ 1, _____. This Bond shall bear interest (a) from _____ __, _____, if this Bond is authenticated before _____ 1, ____ or (b) otherwise from the _____ 1 or _____ 1 that is, or immediately precedes, the date on which this Bond is authenticated; provided that, if at the time of authentication of this Bond, interest on this Bond is in default, this Bond shall bear interest from the date to which interest has been paid. Both principal of and interest on this Bond are payable in lawful money of the United States of America. The principal of this Bond is payable upon presentation and surrender hereof at the office of the City’s [Director of Finance], as Bond Registrar and Paying Agent (“Bond Registrar” or “Paying Agent”). Interest on this Bond is payable by check or draft mailed to the registered owner hereof at its address as it appears on the registration books maintained by the Bond Registrar without presentation of this Bond (or by wire if requested by any owner of at least \$1,000,000 in principal amount of the Bonds). All interest payments shall be made to the registered owner as it appears on the registration books kept by the Bond Registrar on the first day of the month in which each interest payment date occurs.

This Bond has been duly authorized by the City Council of the City (the “City Council”) and is issued for the purpose of providing funds to pay the costs of various capital improvements for the City including, but not limited to, public school projects, City parks and buildings, transportation and traffic improvements, storm sewer and waterway projects and the acquisition of fire department vehicles and apparatus. The full faith and credit of the City are irrevocably pledged for the payment of the principal of and premium, if any, and interest on this Bond in accordance with its terms.

This Bond is one of a series of \$_____ General Obligation Capital Improvement Bonds, Series [2014B] of the City, (the “Bonds”) of like date and tenor, except as to number, denomination, rate of interest and maturity, issued under the authority of and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, and, more particularly, issued pursuant to the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Code of Virginia of 1950, as amended and an ordinance enacted by the City Council on _____, 2014 (the “Ordinance”).

Bonds maturing on or before _____, _____ are not subject to redemption before maturity. Bonds at the time outstanding which are stated to mature on or after _____, _____ may be redeemed before their maturities on or after _____, _____, at the option of the City in whole or in part (in installments of \$5,000) at any time or from time to time during the following redemption periods upon payment of the following redemption prices (expressed as a percentage of the principal amount to be redeemed) together with the interest accrued thereon to the date fixed for redemption:

<u>Redemption Period</u> <u>(both dates inclusive)</u>	<u>Redemption Price</u>
_____, _____ through _____, _____	_____%
_____, _____ through _____, _____	_____%
_____, _____ and thereafter	_____%

If less than all of the Bonds are called for redemption, the Bonds to be redeemed shall be redeemed in such order as may be determined by the Director of Finance of the City in such officer’s discretion. If at any time less than all of the Bonds of any maturity are called for redemption, the particular Bonds of such maturity or portions thereof to be redeemed shall be selected by The Depository Trust Company or any successor securities depository, or, if the book-entry-only system is discontinued, by the Bond Registrar and Paying Agent by lot in such manner as the Bond Registrar in its discretion may determine.

If any of the Bonds or portions thereof are called for redemption, the Bond Registrar shall send notice of the call for redemption identifying the Bonds by serial or CUSIP numbers, and in the case of partial redemption, identifying the principal amount to be redeemed, and identifying the redemption date and price and the place where Bonds are to be surrendered for payment, by facsimile transmission, registered or certified mail or overnight express delivery not less than 30 nor more than 60 days before the redemption date to the registered owner of each Bond to be redeemed at such owner’s address as it appears on the registration books maintained by the Bond Registrar, but failure to mail such notice shall not affect the validity of the proceedings for redemption. Provided funds for their redemption are on deposit at the place of payment on the redemption date, all Bonds or portions thereof so called for redemption shall cease to bear interest on such date, shall no longer be secured by the Ordinance and shall not be deemed to be outstanding. If a portion of this Bond shall be called for redemption, a new Bond in principal amount equal to the unredeemed portion hereof will be issued to the registered owner upon the surrender of this Bond.

If at the time of mailing of any notice of optional redemption there has not been deposited with the Paying Agent for the Bonds moneys sufficient to redeem all of the Bonds called for redemption, the notice may state that it is conditional on the deposit of redemption moneys with the Paying Agent not later than the opening of business on the redemption date.

The Bonds are issuable as fully registered bonds in denominations of \$5,000 and integral multiples thereof. Any Bond may be exchanged for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations at the principal office of the Bond Registrar.

This Bond may be transferred only by an assignment duly executed by the registered owner hereof or such owner's attorney or legal representative in a form satisfactory to the Bond Registrar. Such transfer shall be made in the registration books kept by the Bond Registrar upon presentation and surrender hereof and the City shall execute, and the Bond Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and registered in names as requested by the then registered owner hereof or such owner's attorney or legal representative. Any such exchange shall be at the expense of the City, except that the Bond Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

The City may designate a successor Bond Registrar and/or Paying Agent, provided that written notice specifying the name and location of the principal office of any such successor shall be given to the registered owner of the Bonds. Upon registration of transfer of this Bond, the Bond Registrar shall furnish written notice to the transferee of the name and location of the principal office of the Bond Registrar and/or the Paying Agent.

The Bond Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner, except that interest payments shall be made to the person shown as the owner on the registration books on the first day of the month in which each interest payment date occurs.

This Bond shall not be valid or obligatory for any purpose unless and until authenticated at the foot hereof by the Bond Registrar.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to the issuance of this Bond have happened, exist or have been performed in due time, form and manner as so required and that the indebtedness evidenced by this Bond is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the City Council of the City of Alexandria, Virginia, has caused this Bond to be signed by the facsimile signature of its Mayor, a facsimile of its seal to be affixed and attested by the facsimile signature of its Clerk and this Bond to be dated _____, _____.

CITY OF ALEXANDRIA, VIRGINIA

By _____
Mayor, City of Alexandria, Virginia

[SEAL]

ATTEST:

Clerk, City Council,
City of Alexandria, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE: _____

the within Bond and does hereby irrevocably constitute and appoint

_____, attorney, to transfer said Bond on the books kept for registration of said Bond, with full power of substitution in the premises.

Dated _____

Signature Guaranteed:

(NOTICE: Signature(s) must be guaranteed.)

Registered Owner
(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the books kept for registration of this Bond in every particular, without alteration or change.)

CERTIFICATE OF AUTHENTICATION

The undersigned Bond Registrar hereby certifies that this is one of a series of Bonds of the City of Alexandria, Virginia described in the within-mentioned Ordinance.

Authentication Date: _____

By: _____
[TITLE], as Bond Registrar



Legislation Details (With Text)

File #: 14-2554 **Name:** Ordinance for Approval for Old Health Dept and Oronoco Properties
Type: Resolution **Status:** Agenda Ready
File created: 3/12/2014 **In control:** City Council Public Hearing
On agenda: 4/8/2014 **Final action:**
Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street.
Sponsors:
Indexes:

Code sections:

Attachments: [14-2554 Attachment 1 - Information on Proposed Ordinance.pdf](#)
[14-2554 Attachment 2 - Sale of 509 N St Asaph Street Ordinance.pdf](#)
[14-2554 Attachment 3 - Planning Commission Docket #3](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Sell City Property at 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street.

ISSUE: Consideration to sell City-owned real estate at 509 North Saint Asaph Street (Old Health Department building) and 511, 513, and 515 Oronoco Street.

RECOMMENDATION: That City Council pass the proposed ordinance authorizing the City Manager to sell 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street on first reading and schedule it public hearing, second reading and final passage on Saturday, April 12, 2014.

DISCUSSION: Staff is proposing that City Council authorize the City Manager to sell 509 North Saint Asaph Street (Old Health Department building) and 511, 513, and 515 Oronoco Street to Y-12 Investments (Mount

Vernon Commons, LLC) for \$5,230,000 in accordance with section 9.06 of the City Code. The proposed sale of these parcels of land is the culmination of a competitive process where the City solicited proposals publicly, and from the seven different developer proposals selected the Mount Vernon Commons, LLC proposal as being in the City's best overall interest.

In February 2014, the City of Alexandria, together with Mount Vernon Commons, LLC., sought and received approval to convert the former Health Department building into nine residential townhouses and to construct seven new residential townhouses on the existing city-owned parking lot. The renovation of the Old Health Department building includes new third story penthouse additions on top of the north and south wings of the building, as well as a small bump-out of the rear exterior wall in the center section of the building. All units will have two-car garages to limit the impact to on-street parking in the area.

BACKGROUND: The property at 509 North Saint Asaph Street (Old Health Department) is a two-story building, owned by the City, and located at the southeast corner of North Saint Asaph Street and Pendleton Street. The center portion of the building was constructed in the 1940's, with wings on the north and south being constructed in the early 1970's. The building served as the City of Alexandria's Health Department from its original opening until the 1990's. Since that time, the City has used the building for administrative office space and swing space for Transportation and Environmental Services (T&ES), Code Administration, and the Office of Historic Alexandria (OHA).

The properties at 511, 513, and 515 Oronoco Street, located at the northwest corner of Pitt Street and Oronoco Street, were purchased by the City in the 1960's and have been used as a City employee parking lot.

FISCAL IMPACT: The net proceeds after closing costs from the \$5,230,000 million total sales price are estimated to exceed \$5,000,000, plus approximately \$100,943 in affordable housing contributions. Per the adopted City Real Estate Disposition Policy proceeds will be designated as a source of funds in the City's Capital Improvement Program. Per the contingent sales contract, closing must occur within 60 days of final site plan approval, which is anticipated to be completed later this summer. This proposed sale will also place these parcels back on the City's tax roles as of the date of settlement.

ATTACHMENTS:

Attachment 1: Information on Proposed Ordinance

Attachment 2: Proposed Ordinance

Attachment 3: Planning Commission April 1, 2014 Docket #3: Case #2014-0001

STAFF:

Jeremy McPike, Director, General Services

Michael Stewart, Division Chief, General Services

Introduction and first reading: 4/8/14
Public hearing: 4/12/14
Second reading and enactment: 4/12/14

INFORMATION ON PROPOSED ORDINANCE

Title

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street in the City of Alexandria, Virginia to Mount Vernon Commons, LLC (Y-12 Investments).

Summary

The proposed ordinance authorizes the sale of the referenced real property and authorizes the City Manager to enter into all appropriate agreements to complete the sale.

Sponsor

N/A

Staff

Mark Jinks, Deputy City Manager
Michele Evans, Deputy City Manager
Jeremy McPike, Director, General Services
Faroll Hamer, Director, P&Z
Michael Stewart, Division Chief, General Services
Christopher P. Spera, Deputy City Attorney

Authority

§2.03(g), Alexandria City Charter

Estimated Costs of Implementation

None

Attachments in Addition to Proposed Ordinance and its Attachments (if any)

None

ORDINANCE NO. _____

AN ORDINANCE approving and authorizing the sale of property owned by the City of Alexandria, located at 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street in the City of Alexandria, Virginia to Mount Vernon Commons, LLC (Y-12 Investments).

WHEREAS, the City of Alexandria owns the real property located at 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street in Alexandria, Virginia; and

WHEREAS, the City Council has previously declared 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street to be surplus property and authorized the City Manager to issue a Request for Proposals for the potential sale and redevelopment of the property; and

WHEREAS, the City, through its Request for Proposals process, has received multiple proposals from potential developers to purchase and redevelop 509 North Saint Asaph Street and 511, 513, and 515 Oronoco Street; and

WHEREAS, the highest rated proposal as ranked by the City Real Estate Committee using the evaluation criteria included in the Request for Proposals was submitted by Mount Vernon Commons, LLC (Y-12 Investments); and

WHEREAS, the proposal submitted by Mount Vernon Commons, LLC (Y-12 Investments) included an offer price of \$5,230,000; and

WHEREAS, the city manager has recommended the sale of this property to Mount Vernon Commons, LLC (Y-12 Investments) for the sum of \$5,230,000, subject to the terms and conditions as set forth more specifically in the April 9, 2014 Docket Memorandum, the terms of which are incorporated by reference herein; and

WHEREAS, the city council is of the opinion that the sale of this property is in the public interest and will otherwise advance the City's land use goals; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sale of the real property described below to Mount Vernon Commons, LLC (Y-12 Investments) for the sum of \$5,230,000, subject to the terms and conditions as set forth more specifically in the April 9, 2014 Docket Memorandum, be, and the same is hereby, approved and authorized:

509 North Saint Asaph Street, Tax Map Reference No. 064.02-05-01.
511 Oronoco Street, Tax Map Reference No. 064.02-05-19.
513 Oronoco Street, Tax Map Reference No. 064.02-05-20.
515 Oronoco Street, Tax Map Reference No. 064.02-05-21.

Section 2. That the city manager be and hereby is authorized, on behalf of the City of Alexandria, to do all things necessary and desirable to carry out the sale of the real property described in Section 1, including, but not limited to, the execution and delivery of a purchase agreement, deed and other appropriate documents.

Section 3. That the city clerk be and is hereby authorized to attest to the execution of the deed and other necessary documents executed by the city manager pursuant to Section 2, and to affix thereon the official seal of the City of Alexandria, Virginia.

Section 4. That this ordinance shall become effective upon the date and at the time of its final passage.

WILLIAM D. EUILLE, Mayor

Introduction: April 8, 2014
First Reading: April 8, 2014
Publication: April 8, 2014
Public Hearing: April 12, 2014
Second Reading: April 12, 2014
Final Passage:



DOCKET ITEM #3

City Charter Section 9.06 Case #2014-0001

509 North Saint Asaph St. and 511, 513, & 515 Oronoco St.

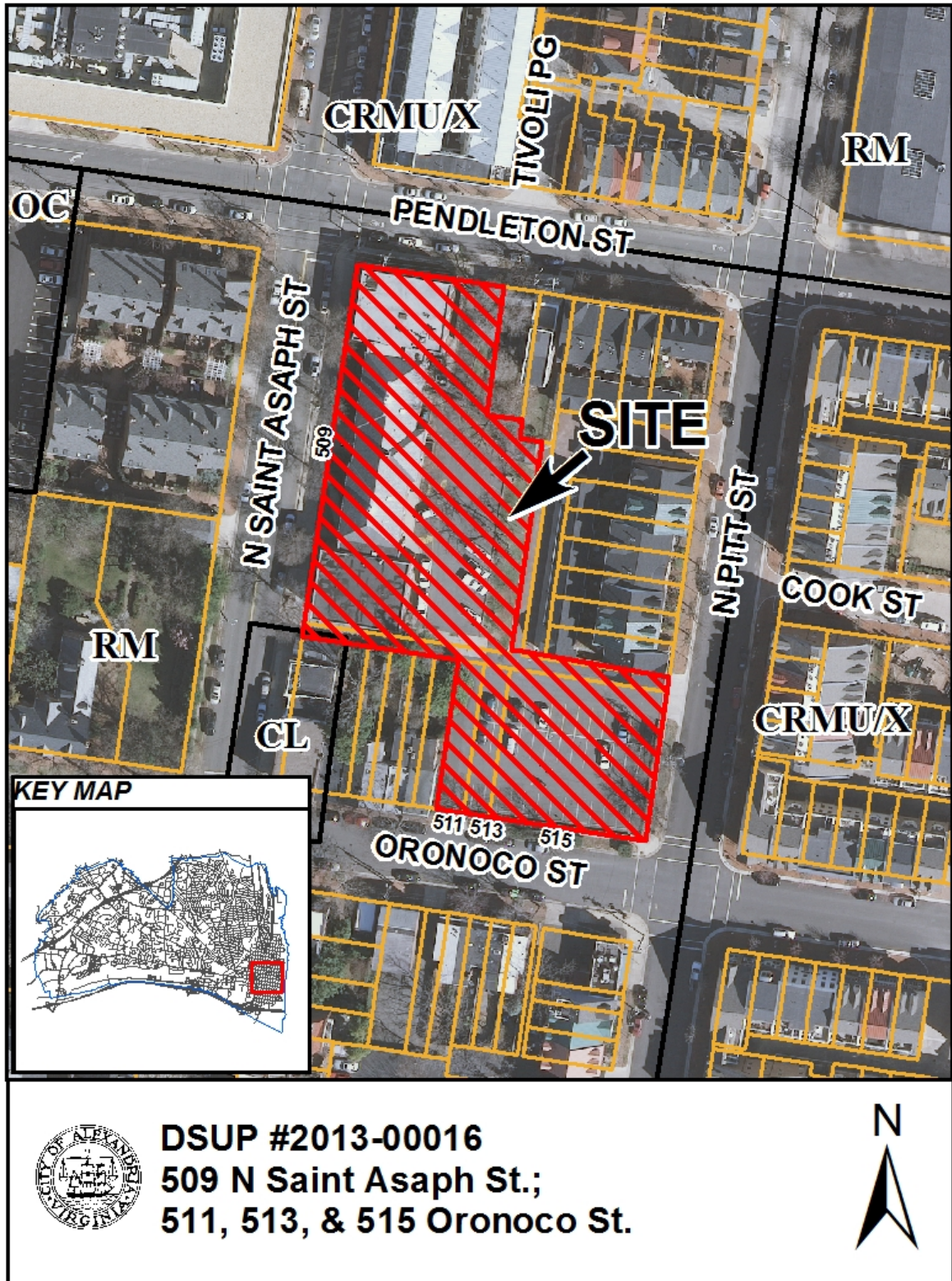
CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Request: Review whether the proposed sale of property owned by the City of Alexandria and the resulting change in use of that property is consistent with the City of Alexandria Master Plan pursuant to Section 9.06 of the City Charter.	Planning Commission Hearing:	April 1, 2014
	City Council Hearing:	NA
	Zone:	-509 N. Saint Asaph Street – CRMU X/Commercial Residential Mixed Use (Old Town North) -511, 513, 515 Oronoco Street – RM/Townhouse
Address: 509 N. Saint Asaph Street and 511, 513, & 515 Oronoco Street	Small Area Plan(s):	Old Town North

Staff Reviewers: Jeremy McPike, Director, General Services, jeremy.mcpike@alexandriava.gov
Dirk H. Geratz, AICP, Principal Planner, Planning & Zoning, dirk.geratz@alexandriava.gov
Susan K. Eddy, AICP, Deputy Director, Planning & Zoning, susan.eddy@alexandriava.gov

Staff Recommendation: Staff recommends that the Planning Commission approve this request, finding that the proposal is consistent with Section 9.06 of the City Charter of Alexandria, Virginia, for the sale of City-owned property.



I. DISCUSSION

The City is proposing to sell the properties at 509 N. Saint Asaph Street (Old Health Department) and 511, 513, and 515 Oronoco Street (City of Alexandria employee parking lot) in conjunction with its program to dispose of surplus property. Section 9.06 of the City's Charter requires that the Planning Commission approve any acquisition or sale of public land. The Planning Commission is charged with ensuring that any such acquisition, sale or change is consistent with the City's Master Plan.

II. BACKGROUND

The property at 509 North Saint Asaph Street (Old Health Department) is a two-story building, owned by the City, and located at the southeast corner of North Saint Asaph Street and Pendleton Street. The center portion of the building was constructed in the 1940's, with wings on the north and south being constructed in the early 1970's. The building served as the City of Alexandria's Health Department from its original opening until the 1990's. Since that time, the City has used the building for administrative office space and swing space for Transportation and Environmental Services (T&ES), Code Administration, and the Office of Historic Alexandria (OHA). The building has also served as a temporary furniture storage facility for both the City and the non-profit group "ALIVE!"

The properties at 511, 513, and 515 Oronoco Street, located at the northwest corner of Pitt Street and Oronoco Street, were purchased by the City in the 1960's and have been used as a City employee parking lot.

In February 2014, the City of Alexandria Health Department, together with Mount Vernon Commons, LLC., sought and received approval to convert the former Health Department building into nine (9) residential townhouses and to construct seven (7) new residential townhouses on the existing city-owned parking lot.

The subject properties are within the Old Town North Small Area Plan (SAP) chapter of the Master Plan. For the Old Health Department, the SAP has a Proposed Land Use of CRMU-X/Commercial Residential Mixed Use, and this part of the site is zoned CRMU-X/Commercial Residential Mixed Use (Old Town North). The proposal is consistent with both. The SAP has a proposed Land Use of RM (Residential Medium) for 511, 513, and 515 Oronoco Street, and this part of the site is zoned RM/Townhouse. The proposal is consistent with both.

III. STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve this request, finding that the proposal is consistent with Section 9.06 of the City Charter of Alexandria, Virginia, for the sale of City-owned property. The proposal is consistent with the Master Plan, including specifically the Old Town North Small Area Plan.

STAFF: Jeremy McPike, Director, General Services
 Dirk H. Geratz, AICP, Principal Planner, Planning & Zoning
 Susan K. Eddy, AICP, Deputy Director, Planning & Zoning



Legislation Details (With Text)

File #: 14-2564 **Name:** Introduction and First Reading. Consideration. Out of State Vehicle Registration Fee

Type: Ordinance **Status:** Agenda Ready

File created: 3/18/2014 **In control:** City Council Legislative Meeting

On agenda: 4/8/2014 **Final action:**

Title: Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Implement the Local Motor Vehicle License Plate Tax as Included in the FY 2015 Proposed Budget.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2564 License Tax Ord Cover Finance](#)
[14-2564 LicenseTax Ordinance Finance](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Implement the Local Motor Vehicle License Plate Tax as Included in the FY 2015 Proposed Budget.

ISSUE: Consideration of an ordinance to add a new Article X (Local Motor Vehicle License Plate Tax) to Chapter 2 (Taxation) of Title 3 (Finance, Taxation and Procurement) of The Code of the City of Alexandria, Virginia, 1981, as amended.

RECOMMENDATION: That City Council pass the proposed ordinance (Attachment I) on the first reading on Tuesday, April 8, 2014, and schedule the ordinance for public hearing on Saturday, April 12, 2014. Second reading and final passage may take place on Thursday, May 1, 2014.

DISCUSSION: Section 15.2-973 of the Code of Virginia provides localities with the authority to impose a license tax, in the amount not exceeding \$100 annually, upon vehicle owners that do not display current

(Virginia) license plates, and not exempt from the requirement of displaying such license plates. While the Finance Department has no license plate enforcement authority, this section of Virginia law allows the City to impose the additional annual tax until such time as the vehicle owner obtains and displays current Virginia license plates. This local motor vehicle license plate tax will be assessed and collected along with the normal vehicle personal property tax. The recommended ordinance is required to pass into law to allow them to become effective on July 1, 2014.

FISCAL IMPACT: The additional \$100 license tax is estimated to produce an additional \$100,000 in revenues for FY 2015.

ATTACHMENTS: Attachment I: License Tax Ordinance Cover
Attachment II: License Tax Ordinance

STAFF:

Laura B. Triggs, Chief Financial Officer/Director of Finance
Nelsie L. Smith, Director, Office of Management and Budget
Christina Zechman-Brown, Assistant City Attorney

1 Introduction and first reading: 04/08/2014
2 Public hearing: 04/12/2014
3 Second reading and enactment: 05/01/2014
4
5

6 INFORMATION ON PROPOSED ORDINANCE
7

8 Title
9

10 AN ORDINANCE to add a new Article X (LOCAL MOTOR VEHICLE LICENSE PLATE TAX) to
11 Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The
12 Code of the City of Alexandria, Virginia, 1981, as amended.
13

14 Summary
15

16 To impose a license tax of \$100.00 on owners of motor vehicles that do not display current
17 license plates.
18

19 Sponsor
20

21 n/a
22

23 Staff
24

25 Laura B. Triggs, Chief Financial Officer/Director of Finance
26 Nelsie L. Smith, Director, Office of Management and Budget
27 Christina Zechman Brown, Assistant City Attorney
28

29 Authority
30

31 Code of Virginia § 15.2-973
32

33 Estimated Costs of Implementation
34

35 None
36

37 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
38

39 None
40
41
42

ORDINANCE NO. _____

AN ORDINANCE to add a new Article X (LOCAL MOTOR VEHICLE LICENSE PLATE TAX) to Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION AND PROCUREMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Chapter 2, of Title 3 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended, by adding thereto a new Article X, Section 3-2-403 to read as follows:

Article X Local Motor Vehicle License Plate Tax

Sec. 3-2-403 License tax on certain motor vehicles.

A license tax of \$100.00 annually shall be imposed upon the owners of motor vehicles that do not display current license plates and that are not exempted from the requirements of displaying such license plates under the provisions of Article 6 (§ 46.2-662 et seq.) of Chapter 6 of Title 46.2, Code of Virginia (1950), as amended, §§ 46.2-1554 and 46.2-1555, Code of Virginia (1950), as amended, are not in a public dump, in an “automobile graveyard” as defined in § 33.1-348, Code of Virginia (1950), as amended, or in the possession of a licensed junk dealer or licensed motor vehicle dealer. Nothing in this section shall be applicable to any vehicle being held or stored by or at the direction of any governmental authority, to any vehicle owned by a member of the armed forces on active duty or to any vehicle regularly stored within a structure. Nothing in this section shall be applicable to motor vehicles that are stored on private property for the purpose of restoration or repair or for removing parts for the repair of another vehicle.

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

WILLIAM D. EUILLE
Mayor

Introduction: 04/08/2014
First Reading: 04/08/2014
Publication: 04/12/2014
Public Hearing: 04/12/2014
Second Reading: 05/01/2014
Final Passage: 05/01/2014



Legislation Details (With Text)

File #: 14-2565 **Name:** Introduction and First Reading. Consideration.
Type: Ordinance **Status:** Agenda Ready
File created: 3/18/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Introduction and First Reading. Consideration. Passage on First Reading to Amend and Reordain Division 1 (Parking Meter Zones), Article G (Parking Meters), Chapter 8 (Parking and Traffic Regulations), Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as Amended, as Included in the FY 2015 Proposed Budget.

Sponsors:

Indexes:

Code sections:

Attachments: [14-2565 Parking Meters 5-8-93 Ordinance Cover](#)
[14-2565 Parking Meters 5-8-93 ordinance](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading to Amend and Reordain Division 1 (Parking Meter Zones), Article G (Parking Meters), Chapter 8 (Parking and Traffic Regulations), Title 5 (Transportation and Environmental Services) of the Code of the City of Alexandria, Virginia, 1981, as Amended, as Included in the FY 2015 Proposed Budget.

ISSUE: Consideration of a proposed ordinance to extend parking meter hours from 7:00pm to 9:00pm in Zones 1 and 2.

RECOMMENDATION: That City Council passes the attached proposed ordinance to extend parking meter hours in all meter zones 1 and 2 on first reading, and set it for public hearing on April 12, 2014 and final passage on May 1, 2014.

BACKGROUND: On February 25, 2014, the FY 2015 Proposed Budget was presented to City Council. The

proposed budget included \$500,000 of additional revenue by extending the meter hours. Zones 1 and 2 (Old Town Area) require ordinance change to extend the meters beyond 7:00pm.

DISCUSSION: The current parking meter rates are \$1.75 per hour in zone 1 (east of Washington Street) and zone 2 (west of Washington Street) and meter hours are 8:00am-7:00pm. As part of the FY 2015 Proposed Budget, staff is proposing to extend meter hours to 9:00pm, an additional two hours in Zones 1 and 2. In addition to increasing revenue, extending the meter hours will help to encourage turnover in parking spaces for patrons in the Old Town area. The FY 2015 Proposed budget also increased parking meter hours in Zone 3 (Carlyle), to be considered via resolution on May 1.

FISCAL IMPACT: The fiscal impact of all parking changes is approximately \$500,000 in additional revenue. The projected revenue includes the revenue in this ordinance as well as the revenue included in the resolution to extend parking meter hours in Zone 3 (Carlyle). The Zone 3 resolution will be considered at the May 1, 2014 legislative meeting.

ATTACHMENTS:

Attachment 1: Ordinance Cover

Attachment 2: Ordinance

STAFF:

Mark Jinks, Deputy City Manager

Richard J. Baier, P.E., LEED AP, Director, T&ES

Nelsie L. Smith, Budget Director

Sandra Marks, Acting Deputy Director of Transportation, T&ES

Antonio J. Baxter, Division Chief of Strategic Management Services, T&ES

Bob Garbacz, P.E., Transportation Division Chief, T&ES

1 Introduction and first reading: 04/08/2014
2 Public hearing: 04/12/2014
3 Second reading and enactment: 05/01/2014
4
5

6 INFORMATION ON PROPOSED ORDINANCE
7

8 Title
9

10 AN ORDINANCE to amend and reordain Division 1 (PARKING METER ZONES), Article G
11 (PARKING METERS), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5
12 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of
13 Alexandria, Virginia, 1981, as amended.
14

15 Summary
16

17 The proposed ordinance extends parking meter hours from 7:00pm to 9:00pm in Zones 1 and
18 2.
19

20 Sponsor
21

22 N/A
23

24 Staff
25

26 Richard J. Baier, P.E., LEED AP, T&ES
27 Sandra Marks, Acting Deputy Director, T&ES
28 Antonio J. Baxter, Division Chief of Strategic Management Services, T&ES
29 Bob Garbacz, P.E., Division Chief of Traffic, T&ES
30 Christina Zechman Brown, Assistant City Attorney
31

32 Authority
33

34 §2.03(x), Alexandria City Charter
35

36 Estimated Costs of Implementation
37

38 None
39

40 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
41

42 None
43
44
45

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Division 1 (PARKING METER ZONES), Article G (PARKING METERS), Chapter 8 (PARKING AND TRAFFIC REGULATIONS), Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Division 1, Article G, Chapter 8 of Title 5 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained by the amendment of Section 5-8-93 to read as follows:

Sec. 5-8-93 Parking meters; hours and days of operation; maximum time limits; rates.

(a) (1) The parking meters in zones 1 and 2, established by section 5-8-92 of this code, shall be operated every day of the week except Sundays and legal state holidays, and the daily hours of operation of the meters shall be determined by resolution of the city council; provided, that, within the area bounded on the north by the north side of Princess Street, on the west by a line 10 feet to the east of and running parallel to the east side of Washington Street, on the south by the south side of Wolfe Street and on the east by the Potomac River, meters which permit a maximum of two hours of parking shall be in operation from 8:00 a.m. until 7:00 p.m.

(2) The parking meters in zone 3 established by section 5-8-92 of this code shall be operated every day of the week except Saturdays, Sundays and state legal holidays, and the daily hours of operation of the meters shall be determined by resolution of the city council.

(b) The maximum time limit for parking in any space in parking meter zones 1, 2 and 3 shall be set forth on the meter for that space, and shall be 20 minutes, two hours or, in zones 1 and 3 only, four hours.

(c) In all parking meter zones the rate shall be \$1.25 per hour at those meters that are coin only operated until such time as multi-space meters are installed. In all parking meter zones, the rate shall be \$1.75 per hour at those spaces served by multi-space meters installed before November 13, 2010. Thereafter, when multi-space meters are installed elsewhere in all parking meter zones, the rate will increase to \$1.75 per hour at those spaces. In all parking meter zones, the applicable rate shall be payable in such increments as provided at the applicable meter or pay station.

(d) As used in this article, the phrase parking meter shall be deemed to include a parking pay station for multiple parking spaces, and all provisions applicable to parking meters shall apply to parking pay stations, *mutatis mutandis*.

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

WILLIAM D. EUILLE
Mayor

1
2
3
4 Introduction: 04/08/2014
5 First Reading: 04/08/2014
6 Publication: 04/12/2014
7 Public Hearing: 04/12/2014
8 Second Reading: 05/01/2014
9 Final Passage: 05/01/2014
10



Legislation Details (With Text)

File #:	14-2602	Name:	Ordinance to amend performance standards of the Eisenhower Science redevelopment district
Type:	Ordinance	Status:	Agenda Ready
File created:	3/25/2014	In control:	City Council Legislative Meeting
On agenda:	4/8/2014	Final action:	
Title:	Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Performance Standards of the Eisenhower Science Redevelopment District.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	14-2602 Information Sheet 14-2602 Ordinance		

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend the Performance Standards of the Eisenhower Science Redevelopment District.

ISSUE: Amendment facilitating the implementation of the National Science Foundation headquarters project.

RECOMMENDATION: That City Council approve on first reading, and set for second reading, public hearing and adoption on April 12 an ordinance (attached) to amend the performance standards of the Eisenhower Avenue Science Redevelopment District.

BACKGROUND: In June of 2013 the federal General Services Administration (GSA) announced that the Hoffman Town Center site at 2401 Eisenhower Avenue in the City of Alexandria was selected in a Northern Virginia regional GSA-run competition to be the site of the National Science Foundation's (NSF) new headquarters. City Council, the Alexandria Economic Development Partnership (AEDP), and a number of developers in the City had worked on entering three sites in Alexandria into this important, highly competitive

NSF site selection process. The resulting GSA awarded NSF lease of 680,848 rentable square feet of office space at 2401 Eisenhower Avenue was the largest executed private or public sector office space lease award in the Washington, D.C. metropolitan area in 2013.

NSF is an independent federal agency, and is the leading funder of basic science and engineering research in the United States. NSF funds approximately \$7 billion in science grants annually which represents about 20% of all basic science research funding at colleges and universities in the United States. NSF employs about 2,100 persons at its headquarters operations and has indicated that it generates up to 90,000 hotel room nights annually. These hotel room nights are generated mostly in the area near the NSF headquarters by the members of the numerous grant panels that NSF operates during the year. These panels are comprised of the leading scientists and researchers (including Nobel laureates) from the United States and around the world, who are subject matter experts in particular science or engineering grant research areas.

It was projected in a 2012 Delta Associates study that NSF would generate some \$73 million in new taxes to the City over a 15-year period and \$95 million in new taxes if the NSF lease was eventually extended to 20 years. These tax generation projections were calculated using a very conservative assumption of 60,000 hotel room nights, and if the higher 90,000 hotel room nights were used the tax benefit to the City grows to between \$83 million over 15 years to \$109 million over 20 years. Since the GSA selection process was very price driven, and the NSF's economics and impact were enormously positive to the City, it was determined that the City would partner with the two developers whose sites were finalists in the GSA NSF competition to offer a substantial real estate tax abatement incentive as a way to assist in driving the lease price to GSA and NSF down to a very competitive level. That strategy was successful, as the Hoffman Town Center submitted the lowest cost proposal of all those proposals submitted by building and site owners for the NSF competition. NSF moving to Alexandria represents, after the U.S. Patent and Trademark Office headquarters, the next largest single economic development achievement in the City in recent decades.

In order to implement that tax incentive, the City created the Eisenhower Avenue Science Redevelopment District (whose boundaries encompass the NSF future building only) and provided a full 100% real estate tax abatement on the building (the land remains fully taxed) for the first eight years of NSF occupancy, and then the tax abatement is reduced downward 10% per year until it reaches 30% in year 15. In year 16, the NSF building would be fully taxable. The value of the abatement from the previously cited tax gains is estimated at \$28.2 million over the fifteen year period. After deducting the abatement this results in a net tax gain to the City of \$55 million to \$81 million over a 15 to 20-year period.

In October Council officially enacted the ordinance to establish the NSF tax abatement via the creation of the Eisenhower Avenue Science Redevelopment District, which included the tax abatement definition, the percentages of real estate tax abatement set for each of the 15 years, performance criteria which set parameters for NSF occupancy to qualify for the tax abatement, as well as "in the event of sale to the federal government" real estate tax payment criteria to protect the City. The ordinance was put in place in October so that it could be relied upon when the project was finalized and financing commitments sought.

DISCUSSION: Subsequent to the GSA award last June, the project design was finalized with Council approving a minor amendment for height last October. Work with GSA and NSF was initiated to plan the interior of the building, and the final site plan documents were completed and approved by the City, and the initial building excavation permit has been issued. During this time period financing for the NSF building was sought for this facility whose cost is estimated at more than \$250 million. The owners of the NSF site selected a large institutional investor who is a long-term real estate investor to provide the funding for this NSF building project. This ensures that the NSF project will continue to move forward on schedule, and as planned.

During the extensive due diligence for this funding transaction, it became evident that one of the technical

performance standards that the City had enacted was problematic from the point of view of the entity funding the project.

Specifically, when the ordinance was written, a performance standard was set which required an 80% NSF occupancy in year one and then continually for each year during the entire 15-year course of the NSF lease. The proposed funder of the NSF project has flagged the long-term continuous 15-year nature of the 80% performance standard as a risk that they see as an obstacle to funding this project. This is a conservative risk management view, but derives from a viewpoint of eliminating or reducing downside risks - no matter how improbable. This institutional investor has completed all due diligence and has provided its funding commitment to the current owner contingent only on the City amending its ordinance to address this 15-year 80% performance standard issue. Once this ordinance is amended as proposed, staff has been informed that this transaction will proceed immediately to closing.

The funding by an institutional investor of a federal government long-term fully-leased land use-entitled office building with a Class A federal agency tenant, it is akin to buying a highly-graded government bond. Also, since the NSF lease rate schedule is set for the 15-year period, there is a known but fixed income stream (i.e., no periodic “windows” for renegotiating lease rates). This puts the NSF building and its lease in an investment class where the risks are about as minimal as one would get in office building real estate investing.

NSF is a highly stable federal agency with wide support both in Congress, in colleges and universities across the country, and has been a proven contributor to national economic growth and innovation (i.e., it funded a document search development project at Stanford that eventually led to the formation of Google). As a result, the probability that NSF’s funding would be materially reduced and its office lease footprint substantially reduced appears minimal. This building is being custom designed for NSF, as well as significant outfitting expenses are being paid by the developer for NSF. Also, NSF initially sought more space than the 680,848 square feet, but Congress cut that back. As a result NSF starts its occupancy short of its needed office space, so if anything is likely it is that NSF in the future will expand outside of its new headquarters into nearby office buildings. However, that all said, these are judgments of probabilities and not legal guarantees, hence the funding entity’s concerns.

Since City and AEDP staff view the possibility of NSF leasing less than 80% of the building as highly improbable during the 15 years of its lease, City and AEDP staff are comfortable with changing the 80% 15-year requirement to a 80% one-time snapshot requirement to be measured after the final certificate of occupancy is issued. This is a shift of risk to the City, but a very minimal one for a project with a very high return for the City.

FISCAL IMPACT: There is no negative financial impact of amending the performance standard as proposed, as it is intended to preserve the substantial net tax gains that the City had previously projected. The proposed abatement schedule is not proposed to change nor is its 15 year cost estimate of \$28.2 million. The expected net tax benefit of \$55 million to \$81 million over the 15 to 20 year period of the NSF lease and a possible extension is also not projected to change.

This reflects the addition of 4,300 new jobs (NSF and private sector) to the City’s employment base, as well as the construction of at least two hotels and new office space.

ATTACHMENT: Proposed Amendment to the Eisenhower Science Redevelopment District

STAFF: Mark Jinks, Deputy City Manager
 Val Hawkins, President and CEO, Alexandria Economic Development Partnership
 Chris Spera, Deputy City Attorney

1 Introduction and first reading:
2 Public hearing:
3 Second reading and enactment:
4

5
6 INFORMATION ON PROPOSED ORDINANCE
7

8 Title
9

10 AN ORDINANCE to amend and reordain Title 3 (FINANCE, TAXATION AND
11 PROCUREMENT), Chapter 2 (TAXATION), Article M (LEVY AND COLLECTION OF
12 PROPERTY TAXES), Division 1 (REAL ESTATE), of The Code of the City of Alexandria,
13 Virginia, 1981, as amended.
14

15 Summary
16

17 The proposed ordinance makes minor amendments to the Eisenhower Avenue Science
18 Redevelopment District ordinance to facilitate the easier participation by potential investors or
19 third party institutional financial participators in the project to be developed within the District.
20

21 Sponsor
22

23 N/A
24

25 Staff
26

27 Mark Jinks, Deputy City Manager
28 Val Hawkins, President and CEO, AEDP
29 Stephanie Landrum, Senior Vice-President, AEDP
30 Bryan Page, Director, Department of Real Estate Assessments
31 Christopher P. Spera, Deputy City Attorney
32

33 Authority
34

35 §2.02(a), Alexandria City Charter, Va. Code §58.1-3219.4
36

37 Estimated Costs of Implementation
38

39 None
40

41 Attachments in Addition to Proposed Ordinance and its Attachments (if any)
42

43 None
44

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Title 3 (FINANCE, TAXATION AND PROCUREMENT), Chapter 2 (TAXATION), Article M (LEVY AND COLLECTION OF PROPERTY TAXES), Division 1 (REAL ESTATE), of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 3, Chapter 2, Article M, Division 1, Section 3-2-190, of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended and reordained to read as follows:

Sec. 3-2-190 – Eisenhower Avenue Science Redevelopment District

(a) The Eisenhower Avenue Science Redevelopment District (the “District”) is hereby created as set forth herein with the boundaries coterminous with that of City of Alexandria assigned real estate parcel 072.04-03-14 located at 2401 Eisenhower Avenue (the “Property”).

(b) The effective date of the start of the partial property tax exemption in the District, as set forth in this article is the first January 1 after the first certificate of occupancy for the National Science Foundation (“NSF”) is granted for the office building to be constructed in the District and leased by the federal government’s General Services Administration for occupancy by NSF. In the event that the performance standard described in clause (f) below is achieved in the first year following the issuance of the first certificate of occupancy, the abatement shall apply to the entire calendar year as though the performance standard was achieved on January 1 of such year.

(c) The Property tax exemption in the District shall be in effect for a fifteen-year period from the effective date of the start of the partial property tax exemption until December 31 of the fifteenth year of the property tax exemption. The property tax exemption shall partially exempt real estate taxes due during the 15 years of the initial NSF lease occupancy as defined herein. The partial exemption shall apply only to improvements constructed in the District including but not limited to the office building occupied by NSF. The annual assessed value of the land component in the District, reflecting any increases or decreases in assessed value of said land component, shall remain fully taxable. The annual assessed value of the land component shall also reflect that of a finished developed lot.

(d) The annual portion of real estate taxes that will be exempt on the improvements constructed in the District during the 15 years of the initial NSF lease of the Property shall follow

the following schedule:

Year 1	100%	Year 9	90%
Year 2	100%	Year 10	80%
Year 3	100%	Year 11	70%
Year 4	100%	Year 12	60%
Year 5	100%	Year 13	50%
Year 6	100%	Year 14	40%
Year 7	100%	Year 15	30%
Year 8	100%	Year 16 and beyond	0%

(e) The real estate assessments for all land and buildings within the District shall be determined by the director of real estate assessments, and shall be established at fair full market value using the same principles, procedures, and timing of real estate assessments as that established for other similar taxable real estate in the City. The owner of land and improvements within the District shall have the same rights and limitations of appeal of the City's annual real estate assessment as that applicable to other taxable real estate in the City.

(f) The tax exemption detailed in this Article shall be dependent on the NSF fully meeting a required performance standard as of the time period set forth in 3-2-190(f)(1) below.

(1) The NSF required performance standard shall be defined as NSF leasing, directly or indirectly through the federal General Services Administration, and achieving an occupancy level of at least 80% of the net leasable floor area of the office building in the District. If the NSF does not lease its portion of the building and achieve the minimum 80% occupancy level of this office building within one (1) year from the issuance of the last certificate of occupancy with respect to NSF's portion of the building, then no tax exemption shall apply, with the City then fully taxing all land, office building and other improvements in the District.

(2) For the purposes of determining whether or not the NSF 80% occupancy threshold has been met, space leased for or by NSF not able to be occupied by NSF due to incidents such as fires, earthquakes, hurricanes, or other acts of god shall be considered leased and occupied space by NSF in the calculation of the 80% occupancy threshold.

(3) Within 60 days of NSF meeting the performance standard as defined in 3-2-190(f)(1), the owner of 2401 Eisenhower Avenue is responsible for notifying the City's director of finance of the occupancy level by NSF on a form designated by the director of finance. Upon receipt and review of this occupancy information, the City shall determine if this performance standard has been met, and the City Manager shall notify the owner in writing of the City's determination of performance standard satisfaction. If no decision or response from the City is received within 30 days after the submission by the owner, then the required performance standard shall be deemed to have been achieved, provided NSF met the 80% occupancy threshold as certified by the owner.

(g) The partial exemption of real property in the District, including the qualifications and

1 exceptions and the declining percentage value of the exemption as detailed in this Article O shall
2 be considered a covenant that shall run with the land record of real estate parcel 072.04-03-14.
3 Within ninety days of the passage of this ordinance, the City shall record a covenant in the land
4 records of the City to such effect which shall reflect the partial property tax exemption as defined
5 in this Article. These terms, conditions and limitations shall not be revoked during the 15 year
6 period of the partial property tax exemption and shall control the real estate taxes with respect to
7 this property irrespective of any change in the applicable City Code.

8
9 (h) In the event that the Property is sold to the federal government or a federal
10 government related entity prior to 20 years after the effective starting date of the property tax
11 exemption as defined in 3-2-2, then the net present value of the foregone real property taxes
12 which would otherwise have been due to the City between the date of the sale of the Property to
13 the federal government or a federal government related entity, and the 20 years after the effective
14 starting date of the property tax exemption on the Property, would be due to the City at the time
15 of the sale between the owner of the Property and the federal government or a federal
16 government related entity.

17
18 (i): For the purposes of calculating the net present value of forgone real estate taxes
19 prescribed in 3-2-190(h) above:

- 20
21 (1) the discount rate utilized in that calculation shall reflect the City's estimated cost of
22 funds utilizing Thomson Municipal Market Data (MMD) for 10-year AAA rated tax
23 exempt general obligation bonds as of either January 1 or July 1 of the calendar year
24 of the sale of the property, and if this MMD information is not available an equivalent
25 measure shall be substituted,
26
27 (2) the real estate tax assessment used in the net present value calculation shall reflect the
28 real estate tax assessment as of January 1 of the calendar year of the sale of the
29 Property, and
30
31 (3) the real estate tax rate used shall reflect the adopted real estate tax rate for the calendar
32 year of the sale of the Property, or if the real estate tax rate of the calendar year of the
33 sale has not yet been adopted, then the adopted real estate tax rate for the calendar
34 year prior to the sale of the property shall be used.
35

36 (j) Nothing in this Article or any covenant recorded in the applicable land records shall be
37 construed as limiting the City's power to increase or decrease the City's real property tax rate, or
38 to levy other taxes, fees or charges in the District.
39

40 Section 2. That this ordinance shall become effective upon the date and at the
41 time of its final passage.

42
43 WILLIAM D. EUILLE
44 Mayor
45

46 Introduction:

47 First Reading: Publication:

- 1 Public Hearing:
- 2 Second Reading:
- 3 Final Passage:



Legislation Details (With Text)

File #: 14-2644 **Name:**
Type: **Status:** Agenda Ready
File created: 4/3/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Consideration of the Short and Long Term Decisions Regarding the Status of the Warwick Pool.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2644 Warwick Pool Memo 12 3 13](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:
Consideration of the Short and Long Term Decisions Regarding the Status of the Warwick Pool.

ISSUE: City Council consideration of the short and long term decisions that must be made related to the status of the existing Warwick Pool and the provision of any future aquatic facility at that site.

RECOMMENDATION: That City Council:

1. Provide staff with guidance related to the Summer 2014 operating status of the Warwick Pool facility, currently proposed for closure in the FY2015 Budget; and
2. Consider the long term options for the site related to the currently proposed FY2018 capital funding for "Aquatics to be Determined."

BACKGROUND: As discussed during the Healthy and Thriving Residents Budget Work Session on March 18, a quick decision must be made prior to completion of the FY 2015 Budget process regarding the Summer 2014 season for Warwick Pool. A December 3, 2013 memorandum to City Council (attached) outlines the need for a short term decision as well as longer term considerations for the Warwick Pool facility.

The immediate short term decision needed is:

Opening of Warwick Pool for the Summer 2014 season. Repairs related to health and safety are needed prior to opening, and that work MUST be initiated by April 10, 2014 to open in time for a full summer season. The cost of this work is \$52,000 and could be funded from FY14 CIP resources. Since the pool season is over two fiscal years, if the decision is to open, \$75,457 is needed from FY15 resources to operate the pool for the duration of the season. This would have to be accounted for in the FY2015 add/delete process.

Longer term decisions needed are further outlined in the attached memorandum. City Council can make the following decisions now or can wait up to the FY 2018 budget process:

1. Allocation of the \$5M in FY2018 capital funding designated for Aquatic facilities to be determined.
2. If any of that allocation is for Warwick Pool, decide on the scope and size of the project.
 - a. If that allocation is for Warwick Pool, will CIP funds be advanced for that project to FY2015 from FY2018.
 - b. If an allocation is made to rebuild Warwick Pool and the project is not advanced to FY2015, subsequent decisions regarding the operating status of Warwick Pool for FY2016 and FY2017 will be required.
3. Use the money allocated in FY 2018 for other aquatics project(s) besides Warwick Pool.

DISCUSSION: See attached memorandum

FISCAL IMPACT: The cost of opening the Warwick Pool for the Summer 2014 season includes \$52,000 in FY2014 CIP funds and \$75,457 in FY2015 Operating funds. Additional fiscal impacts will be determined based on the future of the facility.

ATTACHMENTS:

December 3, 2013 Warwick Pool Memorandum

STAFF:

Debra Collins, Deputy City Manager

James B. Spengler, Director, Department of Recreation, Parks and Cultural Activities (RPCA)

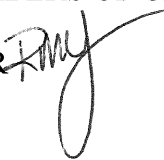
Laura D. Durham, Open Space Coordinator, RPCA

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 3, 2013

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER 

SUBJECT: WARWICK POOL

This memorandum provides information regarding the short and long term decisions that must be made related to the provision of any aquatic facility at the existing Warwick Pool site.

While final decisions regarding any capital investment in a specific aquatic facility at Warwick can wait until the FY18 funds become available, decisions about next year's operation of the facility are critical. We will provide a recommendation as to next year's operation of Warwick Pool as part of the City Manager's Proposed FY15 budget. The operation of Warwick Pool will be considered in the context of overall recreation and community priorities. The recommendation may still be to close the facility, but given the prior interest of City Council in keeping it open for the FY14 season, staff will still initiate the procurement process by January 10, 2014 to allow for the necessary work to be accommodated in the event the decision is made to continue operations.

BACKGROUND:

Warwick Pool, located adjacent to Landover Playground at 3301 Landover Street, is on property leased to the City by the Virginia Theological Seminary. The pool lease was transferred to the City by the Warwick Investors in 1978. Site features include a 25-yard pool with a diving well, a separate wading pool, and a bathhouse and community room. Original construction of the pool is thought to be 1958.

Significant capital investments have been required over the past 35 years. In 2002, an engineering analysis of the pool was completed, finding structural issues related to the pool's construction and other site conditions. At this time, the existing site would require just over an estimated \$800,000 to bring up it to current aquatic standards, address Code requirements (including ADA) and to remain structurally sound for the immediate future. RPCA staff determined this cost based on updating consultant reports from 2002 and 2003.

2012 Aquatics Facility Study:

The 2012 Aquatics Facilities Study, completed by the firms of Kimley-Horn and Counsilman-Hunsaker, identified a series of recommendations to meet the existing and future aquatic needs in Alexandria, as well as to reduce the current subsidy per pool user/visit.

The study recommended that the Warwick Pool site be converted to a seasonal sprayground with a new year-round community building for \$2.45 million.

2013 Warwick Considerations:

Through the FY2014 budget work sessions and hearings, the majority of City Council members noted an interest in retaining a pool and did not support a sprayground at the Warwick site. With the understanding that additional site analysis would likely be needed, Council requested that staff provide alternatives to the recommended sprayground for consideration. At the September 24, 2013 City Council meeting, staff provided a series of alternatives for Warwick, recommending, at a minimum, a community pool similar in size to the pool at Charles Houston. Due to its location in the Warwick Village neighborhood, the site would not easily accommodate anything larger than what currently exists.

Pursuant to the presentation, staff has identified critical next steps in the decision-making process for the future of the Warwick Pool site, addressing both continued operations of the existing facility and factors involved in determining a new or renovated facility.

Continued Operation of the Existing Warwick Pool:

Proposed for closure in the FY2014 budget, City Council approved one additional year of operating funds to keep the pool open for the summer of 2013. As discussed above, the existing pool at Warwick requires significant capital investment to maintain it in usable, safe condition. Along with standard operating costs (currently \$92,000 annually), the *minimum* work needed in order to open the existing Warwick Pool for an additional year (summer 2014 season), involves electric system renovations for the pool/building facility at a total estimated capital cost of \$52,000. These repairs, based on staff's analysis of the \$800K in documented repairs needed for the pool/site, address only the immediate safety and Code requirements needed to open the pool, but do not include addressing any of the ADA requirements or preventative repairs to the antiquated facility.

In order to complete the work discussed above, in accordance with City purchasing practices, staff must initiate the procurement process by January 10, 2014 in order to ensure completion by the end of May. In this instance, the selected contractor would require approximately 45 days of lead time to obtain the necessary permits and order the materials. A "start-work" order must therefore be provided for the work on or before April 10, 2014.

In order to open/operate beyond the summer of 2014, additional repairs are required. Staff estimates that the bare minimum required investment to keep the pool open for the summers of 2015 and 2016 would incur an additional \$48,000. These minimal capital costs address keeping the pool serviceable for an additional three years, but do not take into consideration any unforeseen equipment or structural failures that may occur given the age of the facility or compliance with all current ADA requirements.

Future Aquatic Facility at Warwick:

The FY2014-2023 CIP includes \$20 million for the Chinquapin Aquatic Center (FY14-FY17), and \$5 million in funding for “Aquatics Facilities TBD” in FY2018. Based on the approved CIP, renovations or new aquatic facilities at any site – including Warwick Pool, would be funded by this \$5 million. An independent stakeholder group, the Advocates for Alexandria Aquatics (AAA), has demonstrated an interest in fundraising to further supplement that \$5 million to support new or renovated aquatic facilities, including fundraising for an improved Warwick facility.

The Department’s recently completed RPCA 2013 Needs Assessment documents a continued need for outdoor swimming pools, especially for households with children.

Do you have a need for outdoor swimming pools?	Households with Children Under Age 10	Households with Children Ages 10-19	Households with Adults Ages 20-54 and No Children	Households with Adults Ages 55+ and No Children
Yes Responses	66%	57.4%	35.8%	18.4%

As discussed above, at the September 24, 2013 City Council meeting, staff included a recommendation for, at a minimum, a new, outdoor community pool at Warwick, including necessary renovations to the existing community building. The community pool would be similar in size to the Memorial Pool at Charles Houston. The estimated cost for these improvements is \$1.5 million.

The City’s consultants and staff have considered a number of alternatives for the Warwick Pool, including replacement “in kind” of the existing larger pool and the wading pool and renovations to the community building (Attachment 1). The Warwick Village Community has indicated a desire for this option, based in part on results of their recent community/neighborhood survey on Warwick Pool (Attachment 2). If that option is preferred by the City, the estimated cost ranges from \$1.9 to \$2.3 million. In developing this estimate, staff selected to use the MyrthaUSA Pool (stainless steel) technology, but the cost is estimated to be comparable to a concrete pool, similar to what is there today.

The \$1.9 -\$2.3 million in improvements to Warwick discussed above would reduce the total \$5 million currently included in the FY2018 CIP for “aquatics to be determined.” The remaining \$3.1 million to \$2.7 million would be available for other aquatic sites in the City, including Old Town, the Lee Center, Ewald, and any new facility in the West End. These funds would not be available until FY2018, therefore all design, engineering, and permitting would begin, at the earliest, July 1, 2017. Construction could therefore begin the following spring/summer of 2018.

To open and operate Warwick Pool for FY2015, \$92,000 in operating and a minimum of \$52,000 in capital costs are required, for a total of \$144,000. An additional minimum total of \$232,000 in operating and capital funds will be needed for opening in FY2016 and 2017.

Existing Warwick Pool	Operating Cost	Capital Cost (minimum)	Total Cost
FY2015	\$92,000	\$52,000	\$144,000
FY2016	\$92,000	\$48,000	\$140,000
FY2017	\$92,000	\$0	\$92,000
TOTAL	\$276,000	\$100,000	\$376,000

Based on the April 2013 City Council budget work sessions, an outdoor pool is the preferred alternative at Warwick. The Warwick Village Citizens Association, through a neighborhood survey, has indicated that replacement of what is there today (a small wading pool and larger 25 yard pool) is supported by the community. The cost for replacing the existing facility ranges from \$1.9 to \$2.3 million, including only necessary renovations to the community building, and reducing the \$5 million for “aquatics to be determined” in the FY2018 CIP.

The \$5 million in the FY2018 CIP is currently the only projected funding for the City’s outdoor aquatic facilities. The funds remaining (\$2.7 to \$3.1 million) after replacing the Warwick facility would not provide for improvements to all of the remaining pool sites:

- Old Town Pool (\$1.1 million to \$5.5 million)
- Nannie J. Lee Pool (\$1.1 million to \$3.37 million)
- Ewald Pool (\$300,000 to \$1.9 million)
- Colasanto Pool (\$300,000 to \$832,000)
- West End Pool -site to be determined (\$5.3 million to \$11 million)

cc: Debra Collins, Deputy City Manager
James B. Spengler, Director, Department of Recreation, Parks and Cultural Activities
Laura D. Durham, Open Space Coordinator, RPCA

Attachment 1: Warwick Pool Alternatives

Attachment 2: Email from Warwick Village Citizens Association

Attachment 1: Warwick Pool Alternatives

- *Consultant Recommendation:*
 - Upgrade Warwick Park with Sprayground
 - Estimated Cost: \$2,450,000
- *Alternative 1:*
 - Demolish and remove existing children's pool only
 - Construct new interactive spray ground.
 - Construct new site access paths with landscaping.
 - Renovate and upgrade existing main pool and diving well.
 - Renovate existing bathhouse and pool deck
 - Estimated Cost: \$1,928,730 - \$2,356,760
- *Alternative 2:*
 - Demolish and remove existing children's pool and existing main pool
 - Construct new interactive spray ground.
 - Construct new site access paths with landscaping.
 - Renovate existing bathhouse and pool deck
 - Construct new minimum park facility building for spray ground support
 - Estimated Cost: \$1,798,180 - \$2,097,730
- *Alternative 3:*
 - Minor repairs to the existing children's pool, main pool, and bathhouse
 - Transfer of programming and maintenance to local non-profit organization via sub-lease
 - Estimated Cost: \$843,520 - \$1,029,790
- *Alternative 4:*
 - Demolish and remove existing children's pool and existing main pool
 - Construct new small (community) recreation pool (1,900 SF) and new pool deck
 - Renovate existing bathhouse
 - Estimated Cost: \$1,279,327 - \$1,546,532
- *Alternative 5:*
 - Demolish and remove existing children's wading pool and main pool
 - Replace both existing pools with new Myrtha pools (steel shell construction)
 - Construct new site access paths with landscaping
 - Renovate and upgrade existing main pool and diving well
 - Replace outdoor pool deck with new
 - Renovate and upgrade existing community bathhouse
 - Estimated Cost: \$1,859,878 - \$2,347,058

Warwick Village Citizens Association
P.O. Box 2808
Alexandria, VA 22301-0808


10/28/2013

Laura D. Durham, CPM
Open Space Coordinator
Park Planning, Design & Capital Development
Department of Recreation, Parks and Cultural Activities
1108 Jefferson Street, Alexandria, VA 22314

Hello Laura,

WVCA is in support of a renovation or replacement of the existing facilities at the Warwick Pool site. The pool and pool house are very important features to our community. The pool during the summer is a great gathering place for not only our residents but also the surrounding neighborhoods. The pool house is important to our community as it is where all of our events are either staged or held inside the building.

Regards,



Glenn Christianson
WVCA President

CC: WVCA Board



Legislation Details (With Text)

File #: 14-2194 **Name:**
Type: Resolution **Status:** Agenda Ready
File created: 12/2/2013 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Update on the Pedestrian and Bicycle Master Plan/Complete Streets Design Guidelines Manual, and Consideration of a Resolution to Establish an Advisory Committee. [ROLL-CALL VOTE]
Sponsors:
Indexes:
Code sections:
Attachments: [14-2194 Attachment 1 pedestrian and bicycle master plan](#)
[14-2194 Attachment 2 Pedestrian and Bicycle Master Plan Update ppt_SS](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER/s/

DOCKET TITLE:

Update on the Pedestrian and Bicycle Master Plan/Complete Streets Design Guidelines Manual, and Consideration of a Resolution to Establish an Advisory Committee. [ROLL-CALL VOTE]

ISSUE: Update on the Pedestrian and Bicycle Master Plan Update and Complete Streets Design Guidelines Manual, and Resolution to establish an Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee.

RECOMMENDATION: That City Council:

- (1) Receive the update;
- (2) Approve the resolution establishing an Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee;

- (3) Request that the Chairs of the Planning Commission, Transportation Commission, Parks and Recreation Commission, Traffic and Parking Board, Commission on Aging, Commission on Persons with Disabilities, and Alexandria Bicycle and Pedestrian Advisory Committee each nominate a member of their group to serve on the Advisory Committee; and,
- (4) Authorize the City Manager to appoint the remaining members and designate the Chair of the Advisory Committee.

BACKGROUND: The City's 2008 Transportation Master Plan envisions a transportation system that encourages the use of alternative modes of transportation, reduces dependence on the automobile, and promotes a balance between travel efficiency and quality of life. These enhancements will provide Alexandrians with more transportation choices, continued economic growth, and a healthy environment. This system will lead to the establishment of transit-oriented, pedestrian friendly village centers, focused on neighborhood preservation and increased community cohesion, forming a more urban, vibrant and sustainable Alexandria.

The City also completed a Pedestrian and Bicycle Mobility Plan in 2008 which is data rich and serves as an implementation tool for the Transportation Master Plan. Since that time, staff has completed many important projects to improve walking and bicycling in the City, and many more are currently underway.

In 2011, the City adopted a Complete Streets Policy resolution which expanded staff to include a full time Complete Streets Coordinator, and initiated Capital Bikeshare (Bikeshare Program), both of which continue to expand citywide. This policy resolution will be brought back to Council this Spring for consideration of re-enactment.

Given the many pedestrian and bicycle projects and initiatives completed over the past five years, including the Bikeshare Program, as well as the adoption of the Complete Streets Policy, the City will undertake an effort to incorporate these additions into an updated Pedestrian and Bicycle Master Plan and development of a Complete Streets Design Guidelines Manual. In addition, staff is recommending appointment of a Pedestrian and Bicycle Master Plan Advisory Committee to provide guidance on the project.

DISCUSSION: The purpose of this update to the City's Pedestrian and Bicycle Master Plan and development of a Complete Streets Design Guidelines Manual ("Project") is to:

- Develop a non-motorized system that addresses the needs of all users (pedestrians, bicyclists, vehicles, and transit riders) and is consistent with the Transportation Master Plan that encourages transportation options, reducing dependence on the private automobile;
- Develop both a bicycle and pedestrian network and hierarchy, based on identification of major activity centers or destinations (including existing and projected development and Metrorail and fixed transit stations); and
- Develop a framework for implementing non-motorized policies and projects citywide;

In developing the bicycle and pedestrian networks hierarchy and framework, the following principles and objectives should be considered:

- Respect the character of existing neighborhoods
- Balance needs of all users
- Identify existing and future bicycle parking areas, pedestrian and bicycle way-finding

opportunities, and innovative on-street bicycle facilities (such as cycle tracks, bicycle boulevards, etc.)

- Develop criteria to prioritize public pedestrian and bicycle improvements
- Identify and resolve key gaps in the walking and bicycling network; and
- Raise the City’s “Bicycle Friendly Community” and a “Walk Friendly Community” award level to Platinum (The City was recently named a Silver level Bicycle Friendly Community (BFC) by the League of American Bicyclists, recognizing the City’s commitment to improving conditions for bicycling through investment in education and safety programs, bicycling promotion, and infrastructure)
- Plan for Bikeshare expansion;

PEDESTRIAN AND BICYCLE MASTER PLAN ADVISORY COMMITTEE

Staff is recommending appointment of an Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee (the “Advisory Committee”) to provide guidance on the project, and will be responsible for reviewing and providing comment on key deliverables, and providing input on project recommendations. Larger community meetings will complement the Advisory Committee work, focusing on visioning, issue identification, and the Plan framework. Online engagement will play an integral role in receiving input, updating the public on the progression of the planning process, and providing a platform for polling, comments, and feedback on specific questions.

Mission: The mission of the Advisory Committee is to make recommendations to City staff on the Update of the Pedestrian and Bicycle Master Plan, and Complete Streets Design Guidelines Manual.

Tasks: The Advisory Committee will provide recommendations during the Update of the Pedestrian and Bicycle Master Plan and Complete Streets Design Guidelines Manual planning process. The Committee’s main role will be to provide guidance on issues including:

- Identifying pedestrian and bicycle issues / needs
- Providing input on policy recommendations
- Providing input on the development of the pedestrian and bicycle networks
- Providing input on project recommendations and design standards
- Providing input on development of criteria for prioritizing project recommendations

The Committee will also receive community input during a series of community wide meetings and online engagement.

Advisory Committee Composition: The Advisory Committee is proposed to consist of twelve members appointed by the City Manager. The City Manager will designate one of the members to serve as the Chair of the Committee. The Advisory Committee is proposed to have the following representation:

Transportation Commission designee (1 member)
Planning Commission (1 member)
Traffic & Parking Board (1 member)
Parks & Recreation Commission (1 member)
Commission on Aging (1 member)
Commission on Persons with Disabilities (1 member)
Alexandria Bicycle and Pedestrian Advisory Committee (BPAC) (1 member)
At Large Citizen Representatives (3 members)
Professional in the Urban Design or Landscape Architecture field (1 member)

Business Community (1 member)

Total (12 members)

The Chairs of the above named groups will be asked to nominate a member of their group to serve on the Advisory Committee. The remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City's eNews service, notices to civic, business, and community associations, and the City's website.

Process and Reporting: The following decision making structure would be utilized:

- Formal voting will only be used to get a sense of the group preferences on issues and recommendations.
- In cases where common ground cannot be identified, dissenting members may include a minority opinion report or letter to ensure an accurate reflection of the viewpoints of the Advisory Committee.
- The Advisory Committee will support the public outreach process by reporting back to the boards, commissions, groups and civic groups that they represent and communicate to the Advisory Committee any positions, comments, or advice from the groups they represent.

Expectations of Members:

- Attend all meetings. When absence is unavoidable, members are encouraged to review all information and completing any assignments provided for the missed meeting;
- Arrive at meetings prepared by doing any assigned reading or tasks;
- Support the process and each other in finding solutions to the assigned tasks; and
- Serve as a conduit to the community or commissions by keeping them informed of the activities of the planning effort and bringing their ideas and concerns back to the group.

Responsibilities of the Chair:

- Preside over meetings;
- Serve as a spokesperson for the Advisory Committee; and
- Work with City staff to set agendas for Advisory Committee meetings.

Communication and Outreach: Consistent with the principles of *What's Next Alexandria*, City staff will keep the public informed of the schedule, issues, materials and progress of the Advisory Committee through the Update of the City's Pedestrian and Bicycle Master Plan and Complete Streets Design Guidelines Manual project webpage as well as multiple other outreach methods including eNews, social media, posted flyers and community volunteers. Advisory Committee meetings will be open to the public.

Staff Support: City staff will provide support to the Advisory Committee through an Interdepartmental City work group (also known as the Technical Advisory Committee), led by staff of the Department of Transportation and Environmental Services (T&ES). The Technical Advisory Committee will also include staff from other departments and offices such as the Department of Planning and Zoning, Department of Recreation, Parks and Cultural Activities, the Alexandria Police Department, the Department of Project Implementation, and Alexandria City Public Schools.

Next Steps: It is intended that the Advisory Committee will begin meeting in May 2014 and meet regularly throughout the planning process to discuss the topics outlined above.

Sunset: The Advisory Committee will sunset upon City Council approval of the Update of the Pedestrian and

Bicycle Master Plan and Complete Streets Design Guidelines Manual.

FISCAL IMPACT: The FY 2014 approved Capital Improvement Program (CIP) includes \$500,000 for FY 2014 to complete the Pedestrian and Bicycle Master Plan update as well as to develop Complete Streets Guidelines Manual. The budget includes funding to conduct public outreach, including the establishment of the Advisory Committee.

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: Pedestrian and Bicycle Master Plan Presentation

STAFF:

Mark Jinks, Deputy City Manager

Richard Baier, Director, Transportation and Environmental Services

Faroll Hamer, Director, Planning and Zoning

Jerome Fletcher, Special Assistant to City Manager

Sandra Marks, Acting Deputy Director, Transportation and Environmental Services

Antonio J. Baxter, Division Chief, Strategic Management Services, T&ES

Steve Sindiong, Principal Planner, Transportation Planning

RESOLUTION NO. _____

WHEREAS, City Council wishes to establish an Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee; and

WHEREAS, the Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee will comment on the Update of the Pedestrian and Bicycle Master Plan and Complete Streets Design Guidelines Manual, and conduct specified tasks outlined in this resolution.

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

1. That there is hereby established the Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee (the "Advisory Committee").
2. That the Advisory Committee shall consist of 12 members, and the composition of the group shall be as follows:

Transportation Commission designee	(1)
Planning Commission member	(1)
Traffic & Parking Board member	(1)
Parks and Recreation Commission member	(1)
Commission on Aging member	(1)
Commission on Persons with Disabilities member	(1)
Alexandria Bicycle and Pedestrian Advisory Committee (BPAC) member	(1)
At-Large citizen representatives	(3)
Professional in the Urban Design or Landscape Architecture field	(1)
Business Community	<u>(1)</u>
Total	(12)

That the Chairs of the above named groups shall nominate a member of their group to serve on the Advisory Committee.

3. That the remaining slots will be appointed by the City Manager based on a call for nominations publicized through the City’s eNews service, notices to civic, business, and community associations, and the City’s website.

4. That the City Manager shall designate the Chair of the Advisory Committee.
5. That the mission of the Advisory Committee shall be to provide guidance to City staff on the Update of the Pedestrian and Bicycle Master Plan planning process.
6. That the Advisory Committee complete the following tasks:
 - a. Provide guidance on process related issues.
 - b. Review the civic engagement process.
 - c. Advise on tools and strategies for engagement, agenda setting, outreach, and communications.
 - d. Offer input on technical content elements, such as policy updates/recommendations, the issues and needs assessment, development of the pedestrian and bicycle networks, project recommendations, criteria for prioritizing projects, and design standards.
 - e. Assist and support City staff's community engagement efforts by reporting back to the commissions, boards, and groups that they represent; in addition to the Alexandria Community at-large.
7. That the Advisory Committee need not necessarily develop a consensus position, broker a compromise or take formal votes. There may be differing opinions reported to City Council.
8. That staff assistance to the Advisory Committee shall be managed by the Department of Transportation and Environmental Services with assistance from other City departments and offices as needed.
9. That the Advisory Committee shall meet on a regular basis.
10. That the Advisory Committee shall forward a letter to the Director of Transportation and Environmental Services, which shall include comments on the Update of the Pedestrian and Bicycle Master Plan and Complete Streets Design Guidelines Manual planning process to be included in the final staff report.
11. That the Advisory Committee shall sunset when the Update of the Pedestrian and Bicycle Master Plan and Complete Streets Design Guidelines Manual is approved by City Council.

Adopted:

WILLIAM D. EUILLE MAYOR

ATTEST:

Jacqueline M. Henderson, MMC City Clerk



Pedestrian and Bicycle Master Plan Update / Complete Streets Design Guidelines Manual

City Council
April 8, 2014

Recommendation

- Receive Update
- Approve resolution establishing an Ad Hoc Pedestrian and Bicycle Master Plan Advisory Committee
- Request the Chairs of groups nominate a member to serve on Advisory Committee
- Authorize City Manager to appoint the remaining members and designate a chair of the Advisory Committee

Background

- 2008 Transportation Master Plan envisions multi-modal transportation system
- Pedestrian and Bicycle Mobility Plan completed in 2008
- City adopted Complete Streets Policy in 2011
- City initiated Capital Bikeshare in Program in 2011
- City is in process of implementing new pedestrian and bicycle facilities

Project Purpose

- Develop non-motorized system that addresses all users
- Develop bicycle and pedestrian networks and hierarchies
- Develop framework for implementing non-motorized projects and policies

3 Key Deliverables

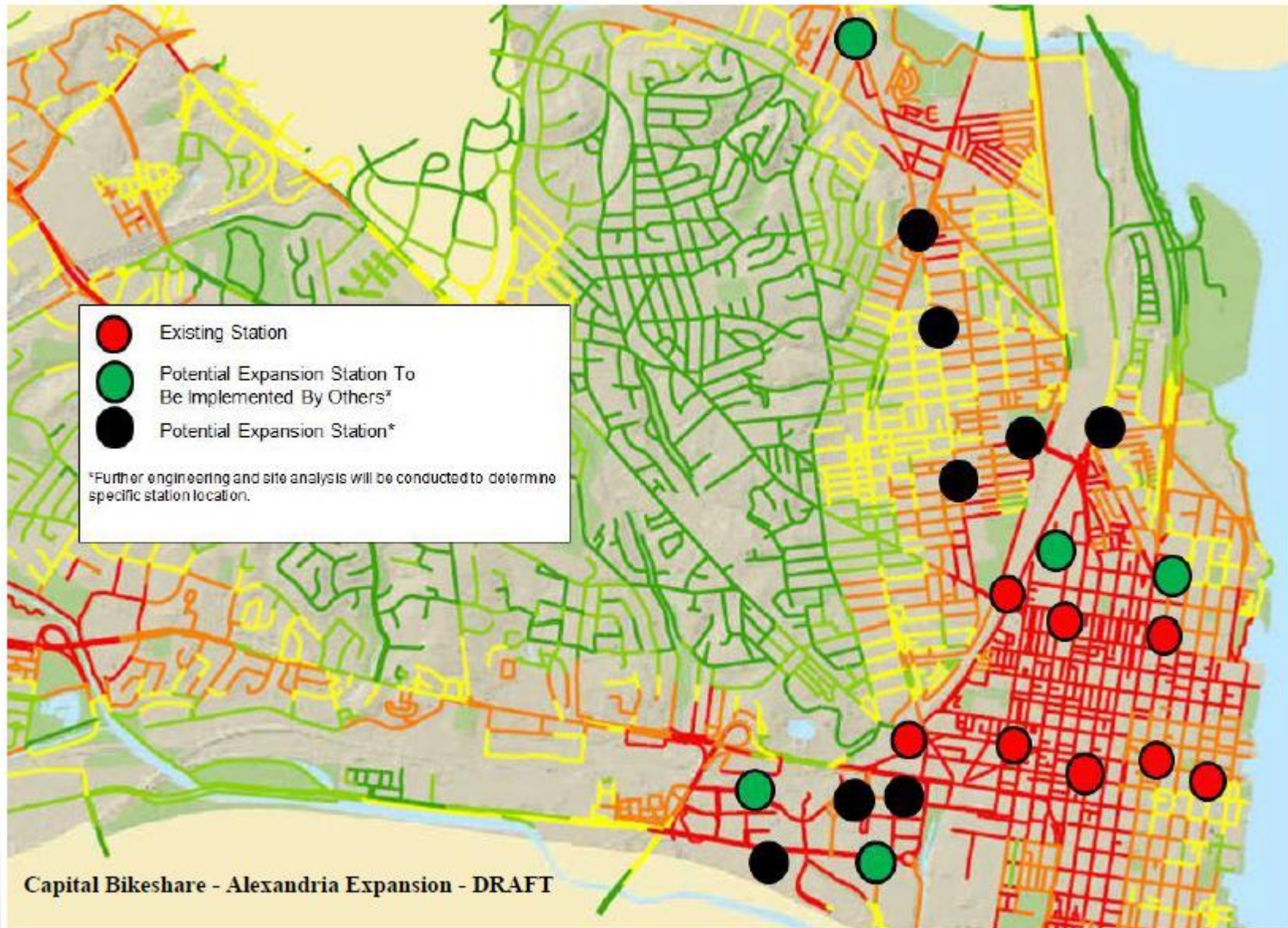
- Update chapters for the Transportation Master Plan (Pedestrian / Bicycle)
- Technical Report to serve as Appendices
- Complete Streets Design Guidelines Manual

Complete Streets Policy

Key Aspects, Adopted April 2011

- Complete streets practices a routine part of everyday operations to improve network for all users
- Every street project incorporate to extent possible complete streets infrastructure
- As feasible, incorporate complete streets into existing infrastructure
- Incorporate complete streets into pavement resurfacing / restriping / signalization projects if they improve safety and convenience of users

Capital Bikeshare



Advisory Group

Mission

Make recommendations to City staff on the Update of the Pedestrian and Bicycle Master Plan, and Complete Streets Design Guidelines Manual

Tasks

- Identify pedestrian and bicycle issues/needs
- Provide input on policy recommendations
- Provide input on networks
- Provide input on projects and prioritization
- Provide input on design standards

Advisory Group

Proposed Composition

- Transportation Commission designee (1)
- Planning Commission (1)
- Traffic and Parking Board (1)
- Parks and Recreation Commission (1)
- Commission on Aging (1)
- Commission on Persons with Disabilities (1)
- BPAC representative (1)
- At Large Citizen Representatives (3)
- Urban Design / Landscape Architecture professional (1)
- Business Community (1)

- Total – 12 members

Next Steps

- March 2014 – Selection of consultant
- April 2014 – Call for Advisory Group Nominations
- Spring 2014 – Initiate project
- Spring 2014 – First Advisory Group meeting

Questions?





Legislation Details (With Text)

File #: 14-2597 **Name:**
Type: **Status:** Agenda Ready
File created: 3/25/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Consideration of City Council Schedule.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2597 Council Calendar April 2014 to June2014.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 2, 2014
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:

Consideration of City Council Schedule.

ISSUE: City Council Schedule

RECOMMENDATION: That City Council:

1. Receive the revised Council Calendar (Attachment 1) which includes:
 - The CIP Budget Work session scheduled for Thursday, April 10 has been moved to G.W. Middle School ALL Center Room 348.
 - The City Council Retreat is tentatively scheduled for Saturday, May 3. The location is to be determined.
2. Approve the calendar.

DISCUSSION:

The Budget Work session on April 10th was moved to a larger location to better accommodate City Council, the ACPS Board, staff, and visitors since the discussion of CIP will include both entities.

ATTACHMENTS:

Attachment 1: Council Calendar April 2014 - June 2014

STAFF:

Jerome Fletcher, Special Assistant to the City Manager

City Council Schedule

as of 4/2/14

Attachment 1

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2 Budget Work Session: Accountable, Effective and Well- Managed Gov't Focus Area	3 6:30 P.M. - Public Town Hall Meeting, Beatley Library	4	5
6	7	8 5:30 P.M. – Work session on Waterfront Landscape and Flood Mitigation Design Project, Council Workroom 7 P.M. – City Council First Legislative, Meeting, Council Chambers	9 5:30 P.M. – ANHSI Reception for Mobile Health Van, Patrick Henry Elementary School (4643 Taney Ave.)	10 Budget Work Session: CIP (including ACPS Capital), GWMS ALL Center Room 348	11	12 9:30 A.M. – City Council Public Hearing, Council Chambers
13	14	15	16	17	18 Good Friday	19
20 Easter	21 6:30 P.M. – Preliminary Add/Delete, Sister Cities 1101	22 5:30 P.M. – Work session on Discussion of Feasibility & Food Trucks, Council Workroom 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	23	24 Budget Work Session: BFAAC and Business Tax Reform Task	25	26 10 A.M. – 2 P.M. – Earth Day, Ben Brenman Park
27	28 6:30 P.M. – Final Add/Delete, Sister Cities 1101	29	30			

2014

City Council Schedule

as of 4/2/14

Attachment 1

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1 7 P.M. – Budget Adoption, Council Chambers	2	3 Tentative – City Council Retreat, Location TBD
4	5	6	7	8	9	10
11	12	13 5:30 P.M. – Work session with the Torpedo Factory Art Center Board, Council Workroom 7 P.M. – City Council First Legislative, Meeting, Council Chambers	14	15	16 Spring for Alexandria Community Service Day	17 9:30 A.M. – City Council Public Hearing, Council Chambers
18	19	20	21	22	23	24
25	26 HOLIDAY Memorial Day	27 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	28	29	30	31

2014

City Council Schedule

as of 4/2/14

Attachment 1

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	2	3	4	5	6	7
8	9	10 Democratic Primary	11 7 P.M. – City Council First Legislative, Meeting, Council Chambers	12	13	14 9:30 A.M. – City Council Public Hearing, Council Chambers
15	16	17	18	19	20	21
22	23	24 5:30 P.M. – ACPD Annual Awards Ceremony, Vola Lawson 7 P.M. – City Council Second Legislative, Meeting, Council Chambers	25	26	27	28
29	30					

2014



Legislation Details (With Text)

File #: 14-2639 **Name:** closed mtg
Type: **Status:** Agenda Ready
File created: 4/1/2014 **In control:** City Council Legislative Meeting
On agenda: 4/8/2014 **Final action:**
Title: Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.
Sponsors:
Indexes:
Code sections:
Attachments: [14-2639_exec session motion.pdf](#)

Date	Ver.	Action By	Action	Result
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Consideration of Convening a Closed Meeting for the Purpose of Consulting with Legal Counsel Regarding a Pending Legal Matter.

[RESOLUTION NO. ____]

WHEREAS, the Alexandria City Council has on the date of this resolution recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, § 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.