

**City of Alexandria  
Meeting Minutes  
City Council Public Hearing  
Saturday, May 14, 2022 9:30 AM**

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

Absent: Councilman John Taylor Chapman.

Also Present: Mr. Parajon, City Manager; Ms. Anderson, City Attorney; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Moritz, Director, Planning and Zoning; Ms. Beach, Division Chief, P&Z; Mr. Cook, Urban Planner, P&Z; Ms. Franco, Urban Planner, P&Z; Mr. Dofflemyer, Division Chief, T&ES; Mr. Kerns, Division Chief, P&Z; Mr. Lucarelli, Urban Planner, P&Z; Mr. Imm, Principal Planner, P&Z; Ms. Jovovic, Office of Housing; Mr. Farner, Deputy Director, P&Z; Mr. Moss, Information Technology Services (ITS); Mr. Barre, ITS; Mr. Sherman, ITS; and Police Captain Ballantine.

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

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**I. OPENING**

**1. Calling the Roll.**

Mayor Wilson called the meeting to order and the City Clerk called the roll. All the members of City Council were present, with Vice Mayor Jackson attending the meeting virtually from home from medical reasons. Councilman Chapman was absent from the meeting.

**2. Public Discussion Period**

The following persons participated in the public discussion period:

1. Ismael Ahmed, Alexandria, spoke the need for better jobs in the City and hope to establish union jobs in the City.

2. Richard Merritt, Alexandria, spoke about the COVID-19 recovery in the City and the equity lens used to assess the recovery effort and how the equity recovery be measured by the City.

3. Janice Grenadier, Alexandria, spoke about corruption with the Courts and law enforcement.

reference.)

4. Encroachment #2022-00004  
4901, 4915 Polk Avenue, and unimproved public right-of-way - Alexandria Free Methodist Church  
Public Hearing and consideration of requests for an Encroachment on an unimproved portion of public right-of-way to permit construction of a segment of a private driveway; zoned: R-20/Single-family zone (Seminary Hill/Strawberry Hill). Applicant: Trustees of Alexandria Free Methodist Church, represented by Mark Yoo, architect and/or Aaron M. Vinson, engineer.  
Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 05/14/22, and is incorporated as part of this record by reference.)

### END OF ACTION CONSENT CALENDAR

City Council approved each item under separate motion. The approval was as follows:

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

4. Encroachment #2022-00004  
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Planning Commission Action: Recommended Approval 7-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 4; 05/14/22, and is incorporated as part of this record by reference.)

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

1. Jack Sharkey, Alexandria, spoke in opposition to the proposed encroachment.

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

7. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain Sheet No. 055.01 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 901 North Pitt Street from, OC/Office commercial to CRMU-X/Commercial residential mixed use (Old Town North) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2022-00001 (Implementation Ordinance for Rezoning No. 2022-00001 associated with 901 North Pitt Street approved by City Council on April 23, 2022). [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 5/14/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 7; 5/14/22, and is incorporated as part of this record by reference.)

8. Public Hearing, Second Reading and Final Passage of an Ordinance to amend and reordain the allocation of State funds from the Personal Property Tax Relief Act (PPTRA) of 1998, Section 3-2-224 (Levied on Automobiles, Trucks, Trailers, Semi-Trailers, Antique Motor Vehicles, Taxicabs, Motorcycles, Campers and Other Recreational Vehicles, Boats and Trailers; Amount), of the Code of the City of Alexandria, Virginia. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 5/14/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 8; 5/14/22, and is incorporated as part of this record by reference.)

9. Public Hearing, Second Reading and Final Passage of an Ordinance Authorizing and Empowering the Issuance of General Obligation Bonds through a Direct Bank Loan. [ROLL-CALL VOTE]

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 5/14/22, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 9; 5/14/22, and is incorporated as part of this record by reference.)

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

- (3) ~~Demolisher means any person or entity whose business is to convert motor vehicles into processed scrap or scrap metal or otherwise to wreck or dismantle such vehicles~~ has the meaning ascribed to it in Section 46.2-1200 of the Code of Virginia (1950), as amended.
- (4) *Authorized city official* means any of the following persons: the chief of police; any sworn member of the police department; the fire marshal; and any deputy fire marshal.
- (5) *Parking violation notice* means a citation issued for the violation of a law relating to the parking of motor vehicles or of any other law relating to motor vehicles for which a parking citation may be issued.
- (6) *Scrap metal processor* means any person who is engaged in the business of processing motor vehicles into scrap for remelting purposes who, from a fixed location, utilizes machinery and equipment for processing and manufacturing ferrous and nonferrous metallic scrap into prepared grades, and whose principal product is metallic scrap.
- (7) *Vehicle removal certificate* means a transferable document issued by the Virginia Department of Motor Vehicles for any abandoned motor vehicle that authorizes the removal and destruction of the vehicle.
- (8) *Department* means the Virginia Department of Motor Vehicles.
- (9) *Commissioner* means the Commissioner of the Virginia Department of Motor Vehicles.

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#### **Sec. 5-8-23 Report of removal to police chief.**

It shall be the duty of the authorized city official directing the removal of any vehicle under this article to cause a report of the removal to be made and forwarded to the ~~police chief or the chief's~~ city manager or designee, stating, to the degree such information is available, the year, make and model of the vehicle removed, its registration number and license plate number, the location from which it was removed, and the reasons for the removal.

#### **Sec. 5-8-24 Notice that vehicle has been impounded.**

(a) The following notice must be provided for ~~impounded abandoned motor vehicles~~ impounded pursuant to this article:

- (1) The authorized city official, a designee of the official or another city employee designated by the city manager, directing the removal of any vehicle under this article, shall, within 15 days of the impoundment of the motor vehicle, by registered or certified mail, return receipt requested, provide notice to the owner of record of the impounded vehicle, as shown in records maintained by the department; provided, that the vehicle has not already been released from the impoundment facility. The notice shall state the following: (i) the year, make, model and registration number of the motor vehicle; (ii) the address where the vehicle is being held; and (iii) that the owner and any person having a security interest in the vehicle may reclaim the vehicle within 15 days from the date of the notice, after payment of all towing and storage charges resulting from the removal and storage of the vehicle.
- (12) The authorized city official, a designee of the official or another city employee designated by the city manager, directing the removal of any vehicle under this article shall initiate with the department, in a manner prescribed by the commissioner, a search for the owner and/or lienholder of record of the motor vehicle, requesting the name and address of the owner of record of the motor vehicle and all persons having

with such sale or disposal without written notice to the owner or lienholder of record.

f. The department shall provide to the person in possession of the vehicle a receipt indicating that the search requested pursuant to this section has been completed.

(b) ~~The following notice must be provided for all other impounded motor vehicles:—~~

- ~~(1) The authorized city official, a designee of the official or another city employee designated by the city manager, directing the removal of any vehicle under this article, shall, within 15 days of the impoundment of the motor vehicle, by registered or certified mail, return receipt requested, provide notice to the owner of record of the impounded vehicle, as shown in records maintained by the department; provided, that the vehicle has not already been released from the impoundment facility. The notice shall state the following: (i) the year, make, model and registration number of the motor vehicle; (ii) the address where the vehicle is being held; and (iii) that the owner and any person having a security interest in the vehicle may reclaim the vehicle within 15 days from the date of the notice, after payment of all towing and storage charges resulting from the removal and storage of the vehicle.—~~
- ~~(2) If the owner fails or refuses to pay the cost or if his identity or whereabouts is unknown and unascertainable after a diligent search has been made, and after notice to him at his last known address and to the holder of any lien of record with the department against the motor vehicle, the vehicle shall be considered an abandoned motor vehicle and the provisions of subsection (a) apply.—~~

Editorial Note: This section is authorized pursuant to Code of Virginia §§ 46.2-1202, -1213, -1215, and -1216.

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**Sec. 5-8-27 Disposition of unrepossessed unreclaimed vehicles; proceeds of sale.**

(a) If a motor vehicle impounded under this article is not repossessed-reclaimed as provided for in section 5-8-24:

- (1) the city shall obtain from the department a vehicle removal certificate in a manner prescribed by the commissioner;
- (2) if the department finds no records for the vehicle, the vehicle may then be sold or transferred to a licensee or a scrap metal processor, as defined in Virginia Code § 46.2-1600 (1950) as amended. Upon such sale or transfer, the completed vehicle removal certificate and receipt produced pursuant to section 5-8-24 shall be given to the licensee or scrap metal processor; or
- (3) if the city desires to sell the vehicle at public auction, the city shall post notice for at least 21 days of its intent to auction the motor vehicle ~~with the department.~~
  - a. Postings of intent shall be in an electronic manner prescribed by the commissioner who shall also ensure that written notice of intent is provided in public locations throughout the Commonwealth of Virginia and shall include the vehicle identification number and a description of each vehicle to be sold.
  - b. ~~If the department confirms a lien, the city shall notify the lienholder of record, by certified mail, at the address on the certificate of title of the time and place of the proposed sale 10 days prior thereto.—~~

b. After the posting period has passed the vehicle may be sold at auction. The purchaser of an impounded vehicle at public auction shall take title to the vehicle free of all liens and claims of ownership of others, shall receive a sales receipt, an abandoned

vehicles purchased or received in the course of business. Demolishers and scrap metal processors shall also collect and verify: (i) the towing company's name and, if applicable, the license number issued to the towing company by the Virginia Board for Towing and Recovery Operators, (ii) one of the ownership or possession documents set out in this section following verification of its accuracy, and (iii) the driver's license of the person delivering the motor vehicle. If the delivering vehicle does not possess a license number issued by the Virginia Board for Towing and Recovery Operators, the license plate number of the vehicle that delivered the motor vehicle or scrap shall also be collected and maintained.

- (1) In addition, a photocopy or electronic copy of the appropriate ownership document or a vehicle removal certificate presented by the customer shall be maintained. Ownership documents shall consist of either a motor vehicle title or a sales receipt from a foreign jurisdiction or a vehicle disposition history. These records shall be maintained in a permanent ledger in a manner acceptable to the department at the place of business or at another readily accessible and secure location within the commonwealth for at least five years.
- (2) If requested by a law enforcement officer, a licensee shall make available, during regular business hours, a report of all the purchases of motor vehicles. Each report shall include the information set out in this article and be available electronically or in an agreed upon format. Any person who violates any provision of this chapter or who falsifies any of the information required to be maintained by this article shall be guilty of a Class 3 misdemeanor for the first offense. Any licensee or scrap metal processor who is found guilty of second or subsequent violations shall be guilty of a Class 1 misdemeanor.
- (3) If the vehicle identification number has been altered, is missing, or appears to have been otherwise tampered with, the demolisher or scrap metal processor shall take no further action with regard to the vehicle except to safeguard it in its then existing condition and shall promptly notify the department. If the vehicle is a motorcycle, the demolisher or scrap metal processor shall cause to be noted on the title or salvage certificate, certifying on the face of the document, in addition to the above requirements, the frame number of the motorcycle and motor number, if available.

Pursuant to the authority granted by section 46.2-1206 of the Code of Virginia (1950), as amended, which relates to the surrender of certificates of title where motor vehicle acquired for demolition, is hereby adopted and incorporated in its entirety into this chapter as if it was fully set forth herein.

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

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

6. City Council adopted an ordinance to amend and reordain Article A (GENERAL PROVISIONS) of Chapter 4 (COMMITTEES, BOARDS, AND COMMISSIONS) of Title 2 (GENERAL GOVERNMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

The ordinance reads as follows:

submit an application for membership for more than one committee position at any city council meeting at which appointments to committees are considered. Such application shall include personal data with respect to the applicant's name, address, age, educational background, practical experience, length of residency, employment of the applicant or any relative by the city and any special qualifications that the applicant possesses for a particular position. Applications must be filed with the executive secretary not less than seven days prior to the date that the appointment will be considered by the city council.

- (d) Unless its enabling legislation expressly so provides, or unless waived by a majority of the city council when it deems such waiver in the best interest of the city and such waiver is not prohibited by any provision of law, no person shall be appointed to a committee unless at the time of the appointment the person is a resident of and residing in the city, and the person shall cease to be a member of a committee upon becoming a resident of any other jurisdiction.
- (e) No person who holds any office or position in the city for compensation shall be appointed to any committee which is involved in, responsible for, oversees or regulates the subject matter, policy or rules of the city department or agency by which the person is employed. The executive secretary shall review all applications for appointments to committees. The executive secretary shall advise the council whether, in his or her opinion, the appointment of the person to the committee for which application has been made would result in such a situation.
- (f) No person shall be appointed by the city council to more than one standing committee, or to more than one standing committee and one temporary committee, at the same time except as a designated member; ~~provided, that, for the purposes of this subsection, a regional committee shall not be considered a standing or a temporary committee. This subsection shall not apply to any committee exempt from this article pursuant to Section 2-4-3.~~
- (g) Any person appointed to a committee shall, upon appointment, agree to comply with the provisions of chapter 5 of this title, concerning ethics, conflicts of interest and ownership of real property and, where applicable, the provisions of section 2-5-11 of this code.
- (h) Every person appointed by the city council to any committee shall, on or before undertaking a position on such committee, qualify by taking the following oath or affirmation either: i) verbally before the city clerk, or other officer authorized to administer oaths or affirmations, or ii) in writing on a form provided by the office of the city clerk and clerk of council:  
I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as (insert title of office) according to the best of my ability (so help me God).  
Any person who fails to take the oath or affirmation within 60 days of appointment may be subject to removal from the committee.
- (i)(1) The head of each committee shall keep or cause to be kept a record of each appointee's attendance at meetings of the committee, and shall, on or before July 1 of each year, forward to the executive secretary in writing, a copy of each attendance record for the immediately preceding 12 months. Appointees to committees shall attend at least 75 percent of the meetings of the bodies on which they serve each year. If the attendance record reflects that any appointee does not attend at least 75 percent of the meetings, the executive secretary shall advertise a vacancy so that city council can proceed to fill the vacancy at the first regular council meeting held in September, following any year during which an appointee has not attended at least 75 percent of the meetings. The executive secretary shall also forthwith notify the appointee of this action. The office of any appointee

901 North Pitt Street from, OC/Office commercial to CRMU-X/Commercial residential mixed use (Old Town North) in accordance with the said zoning map amendment heretofore approved by city council as Rezoning No. 2022-00001.

WHEREAS, the City Council finds and determines that:

1. In Rezoning No. 2022-00001, 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 April 7, 2022 of a rezoning of the property at 901 North Pitt Street from, OC/Office commercial to CRMU-X/Commercial residential mixed use (Old Town North), which recommendation was approved by the City Council at public hearing on April 23, 2022;
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. 055.01 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: 901 North Pitt Street, Alexandria, Virginia  
22314, 055.01-03-16

From: OC/Office commercial

To: CRMU-X/Commercial residential mixed use (Old Town North)

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. 055.01 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.

8. City Council adopted an ordinance to amend and reordain the allocation of State funds from the Personal Property Tax Relief Act (PPTRA) of 1998, Section 3-2-224 (Levied on Automobiles, Trucks, Trailers, Semi-Trailers, Antique Motor Vehicles, Taxicabs, Motorcycles, Campers and Other Recreational Vehicles, Boats and Trailers; Amount), of the Code of the City of Alexandria, Virginia.

The ordinance reads as follows:



(e) The city adopts personal property tax relief as authorized by the current state budget, which allows for provision of a specific dollar amount to be offset against the total taxes that would otherwise be due but for the Personal Property Tax Relief Act of 1998, section 58.1-3523 et seq. of the Code of Virginia, as amended, and the reporting of such specific dollar relief on the tax bill.

(1) The city shall, following adoption of the annual budget adopted pursuant to chapter 25 of title 15.2 of the Code of Virginia and sections 6.01 through 6.15 of the City Charter, set the rates of tax relief under this subsection at such a level that it is anticipated fully to exhaust relief funds under the Personal Property Tax Relief Act of 1998, sections 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the Commonwealth and pursuant to the Virginia Budget Bill, Reimbursement to Localities for Personal Property Tax Relief (item 74601) under the Secretary of Finance.

(2) Personal property tax bills shall set forth on their face the specific dollar amount of relief under this subsection credited with respect to each qualifying vehicle, together with an explanation of the general manner in which such relief is allocated.

(3) Allocation of relief under this subsection shall be provided in accordance with the general provisions of this section, as implemented by resolution relating to relief under this subsection.

(4) Relief under this subsection shall be allocated in such a manner as to eliminate personal property taxation of each qualifying vehicle with an assessed value of \$1,000 \$5,000 or less.

(5) Relief under this subsection with respect to qualifying vehicles with assessed values of more than \$1,000 \$5,000 shall be provided at the following rates, annually fixed by resolution, that achieve to the extent feasible the following general relationships ~~between the rates applicable to classes of vehicle value established herein and that is estimated fully to use all relief funds under the Personal Property Tax Relief Act of 1998, sections 58.1-3523 et seq. of the Code of Virginia, as amended, provided to the city by the Commonwealth:~~ such that of the Personal Property Tax Relief funds from the Commonwealth remaining after application to qualifying vehicles valued at \$5,000 or less are applied as follows:

A. ~~Relief with respect to vehicle value up to and including \$20,000 shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection~~ Approximately 76% of State funds are allocated to the first \$20,000 of value for vehicles assessed at \$5,001 - \$20,000;

B. ~~of this section; Relief with respect to vehicle value in excess of \$20,000, but not more than \$25,000, and applied to the first \$20,000 in value, shall be provided at a rate that is approximately 15 percent higher than that applied to vehicle value described in subsection~~ Approximately 13% of State funds are allocated to the first \$20,000 of value for vehicles assessed at \$20,001 - \$25,000, and;

C. ~~of this section; and Relief with respect to vehicles in excess of \$25,000, and applied to the first \$20,000 in value.~~ Approximately 11% of State funds are allocated to the first \$20,000 of value for vehicles assessed over \$25,000.

(Ord. No. 2678, 5/10/82, Sec. 5; Ord. No. 2810, 5/16/83, Sec. 6; Ord. No. 2927, 5/14/84, Sec. 6; Ord. No. 3035, 5/13/85, Sec. 6; Ord. No. 3124, 5/5/86, Sec. 6; Ord. No. 3203, 5/4/87, Sec. 6; Ord. No. 3291, 5/4/88, Sec. 6; Ord. No. 3373, 5/8/89, Sec. 6; Ord. No. 3452, 5/7/90, Sec. 6; Ord. No. 3513, 5/9/91, Sec. 6; Ord. No. 3568, 5/11/92, Sec. 6; Ord. No. 3627, 5/5/93, Sec. 6; Ord. No. 3719,

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

3. Sale of Bonds; Terms and Conditions. The City Council hereby authorizes the sale of the Bonds to an underwriter or group of underwriters with demonstrated experience in underwriting municipal securities (the "Underwriter") to be selected by the City Manager and the Director of Finance of the City, or either one of them acting alone (the "Authorized Officer") or, if the Authorized Officer so elects, at public bid to the bidder with the lowest true interest cost to the City; provided however, that the Authorized Officer is hereby authorized to reject any or all bids.

The Authorized Officer is hereby authorized and directed to execute and deliver a Bond Purchase Agreement with the Underwriter, or, if sold at public bid, other appropriate documents with the successful bidder (the "Bid Documents") providing for the sale and delivery of the Bonds upon terms and conditions to be approved by the Authorized Officer including, without limitation, their original principal amounts and series, their maturity dates and amounts, redemption provisions, make-whole provisions, prices, interest rates and interest provisions, and any elections under the Internal Revenue Code of 1986, as amended (the "Code"), provided that (a) the final maturity of the Bonds is not more than approximately 30 years from its date, (b) for any series of Bonds issued as tax-exempt bonds, the true interest cost of the Bonds shall not exceed 5.00% per annum, (c) for any series of Bonds issued as taxable bonds, the true interest cost of the Bonds shall not exceed 6.00% per annum (d) and the aggregate principal amount of the Bonds is not more than \$50,000,000 and (e) the sale price of any series of Bonds to the Underwriter or to the successful bidder, excluding original issue discount, if any, shall not be less than 97% of the aggregate principal amount thereof. The approval of the final terms and conditions of each series of Bonds subject to the foregoing parameters shall be evidenced conclusively by the execution and delivery of the Bond Purchase Agreement by the Authorized Officer and the Underwriter or, if sold by public bid, the Bid Documents.

The City Council hereby authorizes the sale of all or any series of Bonds by private placement or direct loan to one or more purchasers or banks, or both, selected by the Authorized Officer after consultation with the City's financial advisor. The Authorized Officer is hereby authorized and directed to execute and deliver such private placement or direct loan documents as may be necessary or desirable in connection with the sales and loans authorized hereby (the "Direct Purchase Documents"). The approval of the final terms and conditions of such Bonds, subject to parameters herein shall be evidenced conclusively by the execution and delivery of the Direct Purchase Documents by the Authorized Officer.

The City Council may provide for additional or other terms of the Bonds by subsequent resolution.

4. Details of Bonds. The Bonds shall be issued upon the terms established pursuant to this Ordinance and the Bond Purchase Agreement, the Bid Documents or the Direct

prior to the date upon which such notice is required to be given. The City shall also comply with the agreements set forth in the City's letter of representations to DTC.

Replacement Bonds (the "Replacement Bonds") shall be issued directly to beneficial owners of such Bonds rather than to DTC, or its nominee, but only in the event that:

- (a) DTC determines not to continue to act as securities depository for such Bonds;
- (b) The City has advised DTC of its determination that DTC is incapable of discharging its duties; or
- (c) The City has determined that it is in the best interest of the beneficial owners of such Bonds not to continue the book-entry system of transfer.

Upon occurrence of the events described in (a) or (b) above, the City shall attempt to locate another qualified securities depository. If the City fails to locate another qualified securities depository to replace DTC, the City shall execute and deliver Replacement Bonds substantially in the form set forth in Exhibit A attached hereto to the Participants in accordance with their requests. In the event the City Council, in its discretion, makes the determination noted in (b) or (c) above and has made provisions to notify the beneficial owners of Bonds by mailing an appropriate notice to DTC, the appropriate officers and agents of the City shall execute and deliver Replacement Bonds substantially in the form set forth in Exhibit A attached hereto to any Participants requesting such Bonds. Principal of, premium, if any, and interest on the Replacement Bonds shall be payable as provided in the Bonds, and such Replacement Bonds will be transferable in accordance with the provisions of paragraphs 10 and 11 of this Ordinance and the Bonds.

If any Bonds are sold pursuant to Direct Purchase Documents, such Bonds may be registered in the name of the purchaser or bank, as applicable, or such name as the purchase or bank may designate and may be delivered to the registered owner. If any Bonds are sold pursuant to Direct Purchase Documents, principal of, premium, if any, and interest on such Bonds may be payable pursuant to payment instructions provided by the registered owner and approved by the Authorized Officer. No CUSIP identification shall be included on any Bonds that are sold pursuant to Direct Purchase Documents unless the Authorized Officer determines such identification is necessary.

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

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

annual financial information, including audited financial statements, prepared in accordance with generally accepted accounting principles; (b) annual operating data with respect to the City as determined by the Authorized Officer; and (c) notice as required of the occurrence of certain specified events with respect to the Bonds. The Authorized Officer is hereby authorized to execute a Continuing Disclosure Certificate or execute and enter into a Continuing Disclosure Agreement with one or more parties, including an entity selected by the Authorized Officer to serve as the City's information dissemination agent, in order to comply with the SEC Rule.

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

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

17. Effective Date; Applicable Law. In accordance with Section 15.2-2601 of the Virginia Code, the City Council elects to issue the Bonds pursuant to the provisions of the Public Finance Act of 1991 without regard to the requirements, restrictions or other provisions contained in the Charter of the City. This Ordinance shall take effect at the time of its enactment.

10. City Council adopted an ordinance to amend and reordain the deadline for applying for Personal Property Tax Relief for the Elderly and Disabled for first time filers and in cases of hardship, Section 3-2-224.2 (Alternative Tax Rate for Elderly and Handicapped), of the Code the City of Alexandria, Virginia.

The ordinance reads as follows:

#### ORDINANCE NO. 5436

AN ORDINANCE to amend and reordain Section 3-2-224.2 (ALTERNATIVE TAX RATE FOR ELDERLY AND HANDICAPPED), of Article M (LEVY AND COLLECTION OF PROPERTY TAXES), Division 3 (TANGIBLE PERSONAL PROPERTY AND MACHINERY AND TOOLS) of 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:

(c) There shall be levied and collected, for every calendar year, on all qualified motor vehicles having a tax situs in the city, a tax of \$0.01 on every \$100 of assessed value thereof, for the support of the city government, for the payment of principal and interest of the city debt and for other municipal expenses and purposes.

(d) A qualified person applying for tax relief pursuant to this section shall have a combined income not exceeding \$20,000 and a combined net worth not exceeding \$75,000.

(e) Application procedure.

(1) A qualified person applying for preferential tax treatment under this section ("applicant") shall file with the director by April 40 15 an affidavit, under oath, in which the applicant subscribes and swears to the following:

(a) the name of the applicant;

(b) when the applicant is applying for the preferential tax rate on the basis of age, the applicant's age and social security number or, in the alternative, independent proof of age satisfactory to the director and attached to the affidavit;

(c) when the applicant is applying for the preferential tax rate on the basis of disability, a statement that the applicant is permanently and totally disabled, as defined in this section;

(d) a statement that the applicant's combined income does not exceed \$20,000; and

(e) a statement that the applicant's combined net worth does not exceed \$75,000.

(2) Where the applicant is under 65 years of age, the affidavit shall have attached thereto a certification by the Social Security Administration, the Department of Veterans Affairs or the Railroad Retirement Board or, if such person is not eligible for certification by any of these agencies, a sworn affidavit by two medical doctors who are either licensed to practice medicine in the Commonwealth or are military officers on active duty who practice medicine with the United States Armed Forces, to the effect that the person is permanently and totally disabled, as defined in this section. The affidavit of at least one of the doctors shall be based upon a physical examination of the person by the doctor.

(3) The affidavit required by subsection (1) need be filed only once in every three years, and in those years shall be filed no later than April 40 15. For each year as to which an affidavit is not filed, the taxpayer shall file with the director, not later than April 40 15, a written certification, on forms to be supplied by the city, in which the taxpayer states that the information contained in the taxpayer's last filed affidavit has not changed in a manner which affects the taxpayer's eligibility for preferential tax treatment under this section. In the event that the information in the last filed affidavit has changed in such a manner, the taxpayer shall file a new affidavit statement pursuant to subsection (1).

(4) Section 3-2-224.2(e)(1) notwithstanding, the director may declare eligible to apply for tax relief under this section any person filing for tax relief after April 15 of the current taxable year but before April 15 of the following taxable year, provided good cause is shown for the failure to file the required affidavit on or before April 15 of the current taxable year.

(f) Proration.

Design Plan for Block 23 in CDD #2, setting forth the allowable land uses and the maximum and minimum heights; (C) a Development Special Use Permit with Site Plan and subdivision for the construction of a mixed-income, multi-family housing development with structured parking, with modifications to Section 6-403 height to setback ratio and Special Use Permits for a parking reduction and to increase the height of the mechanical penthouse; and (D) a Transportation Management Plan Special Use Permit; zoned CDD #2/Coordinated Development District #2. Applicant: MidAtlantic Realty Partners, LLC., represented by M. Catharine Puskar, Esq.; and The City of Alexandria, Department of Planning and Zoning (Zoning Text Amendment)  
Planning Commission Action: Recommended Approval 6-0

(A copy of the Planning Commission report is on file in the Office of the City Clerk and Clerk of Council, marked Item No. 12; 05/14/22, and is incorporated as part of this record by reference.)

Vice Mayor Jackson made the following disclosure:

"I would like to disclose that within the last 12 months, I have received a campaign contribution in excess of \$100 from Donald Simpson, Jr., of Simpson Development Company, Inc., who is the owner of the property involved in this transaction. I have discussed this with the City Attorney and pursuant to state and local law, I am able to vote on this item. Because I am able to participate in this transaction fairly, objectively, and in the public interest, an all proper disclosure has been made. I intend to participate and vote on this transaction."

Councilwoman Gaskins made the following disclosure:

I would like to disclose that I also received a significant campaign contribution within the last 12 months from Donald Simpson, Jr., of Simpson Development Company, Inc., who is the owner of this property involved in this transaction. I, too, have discussed this with the City Attorney and while pursuant to state and local law, I am able to participate and vote, I've decided that out of an abundance of caution and in order to avoid any perception of a conflict, that I am going to recuse myself from this transaction.

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

1. Bert Bayou, Arlington, Virginia, spoke in support of including more affordable housing in the proposed project.
2. Sam Epps, Arlington, Virginia, spoke in support of including more affordable housing in the proposed project.
3. Adam Yalowitz, Arlington, Virginia, spoke in support of including more affordable housing in the proposed project.
4. Don Slaiman, Alexandria, spoke in support of including more affordable housing in the proposed project.
5. Greg Akerman, Richmond, Virginia, representing DC Metro Building Trades, spoke about promoting construction jobs and in support of including more affordable housing in the proposed project.

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**WHEREUPON**, upon motion by Councilmember Bagley, seconded by Councilman Aguirre and carried unanimously, the public hearing meeting of May 14, 2022 was adjourned at 1:00 p.m. The vote was as follows: In favor: Mayor Wilson, Vice Mayor Jackson, Councilman Aguirre, Councilmember Bagley, Councilwoman Gaskins, and Councilman McPike; Opposed, none; Absent, Councilman Chapman.

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**APPROVED BY:**

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

**ATTEST:**

  
\_\_\_\_\_  
Gloria A. Sitton CMC      City Clerk

Approved:      September 13, 2022