

**City of Alexandria  
Meeting Minutes  
City Council Legislative Meeting  
Tuesday, September 8, 2015  
6:00 PM  
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. Jinks, City Manager; Mr. Banks, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Baker, Acting Deputy City Manager; Mr. Caton, Legislative Director; Ms. Taylor, Director, Finance; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Robinson, Division Chief, Transit Services, T&ES; Ms. Kelleher, Director, Office of Human Rights; Mr. Mason, Acting Director, Human Resources; Mr. Fifer, Director, Office of Communications; Mr. Moritz, Director, Planning and Zoning; Mr. Useem, Chief Performance Officer, Office of Performance and Accountability; Police Chief Cook; Fire Chief Dubé; Deputy Fire Chief Bonnette; Deputy Fire Chief Andrews; Police Captain Wemple; Ms. Bryan, Information Technology Services; and Mr. Lloyd;

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

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1. Calling the Roll.

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

2. Closed Meeting.

6:00 P.M. to 7:00 P.M. - Consideration of Convening a Closed Meeting for Consultation with Legal Counsel for Legal Advice Regarding the Investment of Public Funds Where Bargaining is Involved, and for Consultation with Legal Counsel on Specific Legal Issues.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 6:04 p.m., City Council convened in closed executive session to consult with staff and legal counsel regarding threatened or pending litigation and to consult with legal counsel regarding specific legal matters and to discuss the possible investment of public funds through certain economic development incentives, specifically the

resolution of potential first amendment litigation in light of a recent court decision, the possible use of tax abatements and/or tax increment financing in support of a development project and the litigation and settlement of certain public utilities and transportation matters pursuant to Section 2.2-3711(a)(6) and (7) of the Code of Virginia. 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**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, at 7:08 p.m., City Council reconvened the meeting. 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**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted a resolution pertaining to the Executive Session. 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 resolution reads as follows:

#### **RESOLUTION NO. 2685**

**WHEREAS**, the Alexandria City Council has this 8th day of September 2015, recessed into executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

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

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

3. Moment of Silence and Pledge of Allegiance.

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

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

The Regular Meeting Minutes of June 23, 2015.

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the regular meeting minutes of June 23, 2015. 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.

## **RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

None.

## **PROCLAMATIONS**

None.

## **ORAL REPORTS FROM CITY COUNCIL ON BOARDS, COMMISSIONS AND COMMITTEES**

### **\*Report on Council of Governments (Mayor Euille)**

Mayor Euille reported that he attended the Council of Governments (COG) Annual Retreat at the Chesapeake Bay Resort in Maryland recently. Mayor Euille noted that the major topic of the discussion for the participants was regionalism and how it affects transportation, homelessness, affordable housing and economic development and how the interconnectedness of the localities benefits the region. Mayor Euille pointed out that many local and national elected officials made presentations on the regionalism topic.

### **\*Report on Washington Metropolitan Area Transit Authority (Mayor Euille)**

Mayor Euille reported that the Washington Metropolitan Area Transit Authority (WMATA) has been making progress on correcting the financial discrepancies and issues it has been experiencing. Mayor Euille stated that the Chief Financial Officer recently filed the 2014 Financial Report with the Federal Transportation Administration and is working on completing other reports and audits that are past due.

Mayor Euille also reported that the Board held a special called Safety Committee meeting last week to discuss the recent train derailment and to review safety measures and procedures in place for the system. Mayor Euille noted that while WMATA is an aging system, it is still safe and safety continues to be a top priority.

### **\*Report on Virginia Municipal League (Mayor Euille)**

Mayor Euille reported that he recently attended a two-day Executive Committee meeting for the Virginia Municipal League (VML) in Charlottesville and he also represented VML at the Southern Regional Conference of Municipal Leagues in Asheville, N.C. Mayor Euille noted that many of the challenges faced by Alexandria are similar to the challenges faced by municipalities all across the southern region and the nation.

### **\*Report on Alexandria WORKS! (Councilwoman Pepper)**

Councilwoman Pepper reported that the Alexandria WORKS! Program recently celebrated the conclusion of their Summer Youth Employment Program and she noted that Mayor Euille was honored during the graduation ceremony this year for his years of dedicated service and support of the youth participants and for all his help to make the program successful.

**\*Report on Metropolitan Washington Air Quality Committee (Councilwoman Pepper)**

Councilwoman Pepper reported that the Metropolitan Washington Air Quality Committee recently released the Clean Air Partners Report highlighting that the air quality in the Metropolitan area is improving and she noted that the monitoring sites in the Alexandria area indicate that the City is mainly experiencing yellow code days.

**\*Report on Eisenhower Partnership (Councilman Chapman)**

Councilman Chapman reported on the upcoming relocation of the Transportation Security Administration (TSA) to Eisenhower Avenue. Councilman Chapman noted the upcoming activities and meetings to discuss the relocation of TSA and the changes that will affect the City, businesses and citizens, including a meeting on September 11 at the SHRM building in the Carlyle area and the Annual Meeting for the Eisenhower Partnership to be held on November 19.

**\*Report on Virginia Municipal League (Councilman Chapman)**

Councilman Chapman reported that the VML Legislative Committee held its first meeting recently and the Committee examined legislative proposals to forward to the Executive Committee and then to the General Assembly. Councilman Chapman noted that some of the proposals the Committee reviewed included redistricting reform, the Governor's Task Force for Local Government mandates, regulation and taxing of internet-based businesses, and education reform and funding. Councilman Chapman also noted that the Committee reviewed a new initiative, called Go Virginia, to energize the economy by bringing businesses and community leaders together to discuss ways to get business moving in the Commonwealth through focusing on green jobs, innovation, business recruitment and regional cooperation.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

**CONSENT CALENDAR (5-12)**

(Resignations and Uncontested Appointments)

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

- (a) Archaeological Commission  
Kevin McCandlish
- (b) Commission for the Arts  
Lucy Medley
- (c) George Washington Birthday Celebration Committee  
Jennifer Giglio
- (d) Human Rights Commission

Jordan Costen

- (e) Landlord-Tenant Relations Board  
Jordan Costen
- (f) Public Health Advisory Commission  
Mark Penn  
Mary Dixon
- (g) Public Records Advisory Commission  
Laura Vetter
- (h) Visit Alexandria Board of Governors  
Andrea Barthello

(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. 5(a-h); 09/08/15, and is incorporated as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Housing Affordability Advisory Committee  
1 Licensed and Practicing Attorney  
1 Person Who Represents Housing Consumers Under 30 Years of Age
- (b) Alexandria Transportation Commission  
1 Planning Commission Representative
- (c) Beauregard Urban Design Advisory Committee  
1 Citizen Member  
2 Qualified Professional Members Skilled in Architecture, Planning, Landscape Architecture and/or Urban Design
- (d) Commission on Employment  
1 Business Owner Representative From Among Recognized Area Businesses, Including Minority-Owned and Small Businesses  
1 Citizen Member
- (e) Commission on HIV/AIDS  
1 Citizen Member
- (f) Commission on Persons with Disabilities  
1 Citizen Member  
1 Business Community Representative
- (g) Community Policy and Management Team  
1 Parent Representative Who is Not an Employee of Any Public or Private Program Which Receives Funds From the Comprehensive Services Act

- (h) Community Services Board  
1 Citizen Member
- (i) Emergency Medical Services Council  
1 Federation of Civic Association Representative
- (j) Industrial Development Authority  
1 Citizen Member
- (k) Landlord-Tenant Relations Board  
1 Landlord or Representatives of Landlords
- (l) Northern Virginia Regional Park Authority  
1 Citizen Member
- (m) Public Health Advisory Commission  
1 Representative from the Partnership for a Healthier Alexandria Steering Committee, Nominated by Such Committee  
1 Citizen Member, Who Shall be a Health Professional and at the Time of Appointment Derive, or within the Previous Five Years Derived Their Principal Income from Providing Health care, Health Services or Health Relation Activities  
1 Representative of Inova Alexandria Hospital, Nominated by the Hospital

(A copy 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. 6(a-m); 09/08/15, and is incorporated as part of this record by reference.)

(Reports and Recommendations of the City Manager)

7. Consideration of a Request to Approve the “Chesapeake Bay Total Maximum Daily Load (TMDL) Action Plan for 5% Compliance” (Phase 1) for Submittal to Virginia Department of Environmental Quality.

(A copy of the City Manager’s memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 09/08/15, and is incorporated as part of this record by reference.)

8. Consideration of the Appointment of a Management Representative and Alternate to the City of Alexandria Supplemental Retirement Board and Firefighters and Police Officers Pension Board.

(A copy of the City Manager’s memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 09/08/15, and is incorporated as part of this record by reference.)

9. Consideration of a Grant Application to the 2015 State Homeland Security Program (SHSP) Grant Through the Virginia Department of Emergency Management (VDEM) for Emergency Response Equipment.

(A copy of the City Manager's memorandum dated August 18, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 09/08/15, and is incorporated as part of this record by reference.)

10. Consideration of a Grant Application to the Virginia Department of Behavioral Health and Developmental Services to Enhance Jail Diversion Services.

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 09/08/15, and is incorporated as part of this record by reference.)

11. Consideration of a Grant Application to the Pre-Disaster Mitigation Grant Program.

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 09/08/15, and is incorporated as part of this record by reference.)

12. Consideration of Acceptance of a Subgrant from the Department of Homeland Security, Urban Area Security Initiative to Install Backup Power Systems at Critical Traffic Signals.

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 09/08/15, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council approved the consent calendar, with the exception of docket item #10, which was withdrawn from the docket. The City Manager's recommendations were as follows:

5. City Council received the following resignations with regret: (a) Kevin McCandlish, Archaeological Commission; (b) Lucy Medley, Commission for the Arts; (c) Jennifer Giglio, George Washington Birthday Celebration Committee; (d) Jordan Costen, Human Rights Commission; (e) Jordan Costen, Landlord-Tenant Relations Board; (f) Mark Penn and Mary Dixon, Public Health Advisory Commission; (g) Laura Vetter, Public Records Advisory Commission; and (h) Andrea Barthello, Visit Alexandria Board of Governors.

6. City Council made the following appointments to boards, commissions and committees: (a) reappointed Robyn Konkell as the licensed and practicing attorney and appointed Christopher McNamara as the person who represents housing consumers under 30 years of age to the Alexandria Housing Affordability Advisory Committee; (b) reappointed Nathan Macek as the Planning Commission representative to the Alexandria Transportation Commission; (c) reappointed Peter Benavage as the citizen member and reappointed Gus Ardura and Mark Ramirez as the two qualified professional members skilled in architecture, planning, landscape architecture and/or urban design to the Beauregard Urban Design Advisory Committee; (d) reappointed Iris Henley as the business owner representative from among recognized area businesses, including minority-owned and small businesses and

appointed Alexandra Hatch as the citizen member to the Commission on Employment; (e) reappointed Tameka Macon as the citizen member to Commission on HIV/AIDS; (f) appointed Sean McAfee as the citizen member and reappointed Tom Sachs as the business community representative to the Commission on Persons with Disabilities; (g) appointed Annette Santiago as the parent representative who is not an employee of any public or private program which receives funds from the Comprehensive Services Act to the Community Policy and Management Team; (h) reappointed Patrice Tighe as the citizen member to the Community Services Board; (i) reappointed Converse West as the Federation of Civic Association representative to the Emergency Medical Services Council; (j) appointed Allison DiNardo as the citizen member to the Industrial Development Authority; (k) appointed Elliott Waters as the landlord or representative of landlords to the Landlord-Tenant Relations Board; (l) appointed Sean Kumar as the citizen member to the Northern Virginia Regional Park Authority; and (m) appointed Allen Lomax as the representative from the Partnership for a Healthier Alexandria Steering Committee, nominated by such committee, appointed Daniel Hawkins as the citizen member, who shall be a health professional and at the time of the appointment derive, or within the previous five years derived their principal income from providing health care, health services or health related activities, and appointed Ann Harbour as the representative of INOVA Alexandria Hospital nominated by the Hospital to the Public Health Advisory Commission.

7. City Council: (1) approved the submission of the Chesapeake Bay Total Maximum Daily Load (TMDL) 5% Action Plan (Phase 1); and (2) authorized the City Manager to execute the necessary documents that may be required.

8. City Council: (1) replaced the following Management Representative on the City of Alexandria Firefighters and Police Officers Pension Board and the Supplement Retirement Board: Nelsie Birch, Former Deputy City Manager with Titania Cross, Deputy Director, Planning, Construction and Facilities, Department of General Services; and (2) that City Council appoint the following individual to the newly vacant Management Alternate Representative on the City of Alexandria Firefighters and Police Officers Pension Board and the Supplemental Retirement Board: Christina Zechman Brown; Assistant City Attorney, Office of the City Attorney.

9. City Council: (1) authorized the submission of a grant application to the Virginia Department of Emergency Management for grant funding totaling \$35,121; and (2) authorized the City Manager to execute all necessary documents that may be required.

10. This item was withdrawn from the docket.

11. City Council: (1) authorized the City as a participating jurisdiction in the submission of the grant application; and (2) authorized the City Manager to execute all the necessary documents that may be required.

12. City Council: (1) authorized the City Manager to accept a subgrant from the Urban Area Security Initiative (UASI) grant program; and (2) authorized the City Manager to execute all the necessary documents that may be required.

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.

### **ROLL-CALL CONSENT CALENDAR (13-15)**

13. Consideration of a Resolution Establishing a Stakeholder Advisory Group for the Patrick Henry Pre-K thru 8th Grade School and Recreation Center Project. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 09/08/15, and is incorporated as part of this record by reference.)

14. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 114 of the City Code. [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 Exhibit No. 1 of Item No. 14; 09/08/15, 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; 09/08/15, and is incorporated as part of the record by reference.)

15. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to Adopt Supplement Number 67 of the Zoning Ordinance. [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 Exhibit No. 1 of Item No. 15; 09/08/15, 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; 09/08/15, and is incorporated as part of the record by reference.)

### **END OF ROLL-CALL CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council approved the roll-call consent calendar. The approval was as follows:

13. City Council: (1) adopted the resolution to establish the Advisory Group; (2) requested the Mayor to appoint a member of City Council to the Advisory Group; and (3) authorized the City Manager to work in collaboration with the Superintendent of Schools to appoint members to the Advisory Group and its Chair, as detailed in the memorandum.

The resolution reads as follows:

## RESOLUTION NO. 2686

**WHEREAS**, Alexandria City Council and Alexandria City School Board wish to establish a Patrick Henry School and Recreation Center Stakeholder Advisory Group; and

**WHEREAS**, the School Board and the City Council have adopted a program of requirements in regard to the educational services/programs and the neighborhood serving nature of the new recreation; and

**WHEREAS**, the Patrick Henry School and Recreation Center Stakeholder Advisory Group shall advise staff on recommendations for the planning and design of a new Patrick Henry School and Recreation Center and conduct the other tasks specified in this resolution; and

**WHEREAS**, a diverse group of City residents with a wide-variety of interests can assist in making recommendations for the new school and recreation center.

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

1. That there is hereby established the Patrick Henry School and Recreation Center Stakeholder Advisory Group (the "Advisory Group"),

2. That the Advisory Group shall consist of 13 members, and the composition of the group shall be as follows:

### **Resident Representatives**

- Patrick Henry PTA (2)
- Patrick Henry Recreation Center Advisory Council (1)
- Foxchase resident (1)
- Seminary Hill Association (1)
- Brookville-Seminary Valley Civic Association (1)
- Wakefield-Tarleton Civic Association (1)
- Citizens that live within a one-mile radius of the school(2)

### **City Commissions, Boards**

- Alexandria City Council (1)
- Alexandria City School Board (1)
- Park and Recreation Commission (1)
- Planning Commission (1)

**Total (13)**

That the City Council and the School Board shall each recommend one member to sit on the Advisory group;

3. That the City Manager and ACPS Superintendent shall appoint the thirteen members for the Advisory Group for a one-year term;

4. That the City Manager and ACPS Superintendent shall appoint an Advisory Chair to act as liaison between the Advisory Group and the Design Review Team;

5. That the Chairpersons of the Parent and Teacher Association, Planning Commission, Park and Recreation, Commission and the Recreation Center Advisory Council shall recommend to the City Manager its members for the Advisory Group;

6. That the members recommended by the Seminary Hill Association, Brookville-Seminary Valley Civic Association, and Wakefield-Tarleton Civic Association each have an existing involvement with the Patrick Henry School;

7. That, in making their appointments, the City Manager, Superintendent and Commission chairs shall endeavor to ensure that in aggregate, Advisory Group members are representative of the diversity of interests and uses of the school and recreation center site;

8. That the City Manager and Superintendent shall select the remaining members by issuing calls for nomination;

9. That the City Manager and Superintendent shall confirm all nominations and selections through an appointment letter; and

10. That the City Manager and Superintendent shall designate the Chair of the Advisory Group;

11. That the functions of the Advisory Group shall be:

- a. Attend scheduled meetings which shall be open to the public;
- b. Work within the framework for design principles and program of requirements established for the school and recreation center;
- c. Act as liaisons for neighborhoods and the groups they represent to provide input on issues and opportunities throughout the planning and design process for the new school and recreation center;
- d. Bring community values, knowledge, and ideas into the planning and design process in ways that provide lasting benefit to the local community and the City as a whole; and
- e. Advise staff and make recommendations regarding the preferred design of the Patrick Henry School and Recreation Center.

12. That staff assistance to the Advisory Group shall be managed jointly by the Alexandria City Public Schools, the Department of General Services and the Department of Recreation, Parks and Cultural Activities.

13. That the Advisory Group shall meet on an ad hoc basis and will be formed for a limited duration of no more than one year unless otherwise extended by City Council and the School Board.

14. City Council approved the ordinance to adopt Supplement Number 114 of the City Code.

The ordinance reads as follows:

#### **ORDINANCE NO. 4964**

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

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

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 114," are hereby adopted as and shall constitute "The One Hundred and Fourteenth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The One Hundred and Fourteenth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between March 14, 2015 through May 16, 2015, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after May 16, 2015, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between March 14, 2015 through May 16, 2015, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The One Hundred and Fourteenth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The One Hundred and Fourteenth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to

any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

15. City Council approved the ordinance to adopt Supplement Number 67 of the Zoning Ordinance.

The ordinance reads as follows:

### **ORDINANCE NO. 4965**

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

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

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 67," are hereby adopted as and shall constitute "The Sixty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Sixty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between February 21, 2015 and May 15, 2015, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between February 21, 2015 and May 15, 2015, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Sixty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after May 15, 2015.

Section 4. That one complete set of pages comprising "The Sixty-Seventh Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

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.

### **CONTESTED APPOINTMENTS**

16. Alexandria-Caen Sister City Committee  
1 Citizen Member

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

NAME: ENDORSED BY:

Scott Eshom  
Julie Sylla

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council reappointed Julie Sylla as the citizen member to the Alexandria-Caen Sister City Committee. The vote was as follows:

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

17. Alexandria Redevelopment and Housing Authority  
2 Citizen Members

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

NAME:

ENDORSED BY:

Sarah Dilks  
McKenya Dilworth  
John Keegan  
Peter Kleebatt  
Michele Millben  
Ericka Miller  
Todd Pilot  
Todd Sinkins  
Robert Steventon  
Diane Stoy  
Stephanie Wright

(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council appointed Peter Kleebatt and Michelle Millben as the two citizen members to the Alexandria Redevelopment and Housing Authority. The vote was as follows:

Euille	-	Kleebatt, Millben
Silberberg	-	Keegan, Millben
Chapman	-	Kleebatt, Millben
Lovain	-	Kleebatt, Millben
Pepper	-	Kleebatt, Millben
Smedberg	-	Keegan, Millben
Wilson	-	Kleebatt, Millben

18. Board of Architectural Review - Parker-Gray District  
1 Citizen Member

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

NAME:

ENDORSED BY:

Robert Duffy  
Slade Elkins  
Stephen Olson

(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council reappointed Robert Duffy as the citizen member to the Board

of Architectural Review - Parker-Gray District. The vote was as follows:

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

19. Board of Zoning Appeals  
1 Citizen Member

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

NAME:                      ENDORSED BY:

Roger Klurfeld  
Timothy Ramsey

(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council appointed Timothy Ramsey as the citizen member to the Board of Zoning Appeals. The vote was as follows:

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

20. Environmental Policy Commission  
1 Citizen Member

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

NAME:                      ENDORSED BY:

Flyori Abdulkadir  
Susan Gitlin  
Damien Hammond  
Donald Perkal  
Carter Thurman



(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council reappointed Susan Gitlin as the citizen member to the Environmental Policy Commission. The vote was as follows:

Euille	-	Gitlin
Silberberg	-	Gitlin
Chapman	-	Gitlin
Lovain	-	Gitlin
Pepper	-	Gitlin
Smedberg	-	Gitlin
Wilson	-	Giltin

21. Historic Alexandria Resources Commission  
1 Representative from Planning District I

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

NAME: ENDORSED BY:

Lisa Friel  
Margaret Wood

(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council reappointed Margaret Wood as the representative from Planning District I to the Historic Alexandria Resources Commission. The vote was as follows:

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

22. Public Health Advisory Commission  
1 Citizen Member Who Shall Not Be a Health Professional

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

NAME: ENDORSED BY:

Richard Merritt  
Lauren Wilson

(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council appointed Richard Merritt as the citizen member who shall not be a health professional to the Public Health Advisory Commission. The vote was as follows:

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

23. Sister Cities Committee  
1 Citizen Member

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

NAME: ENDORSED BY:

Daniel Brant  
Kevin Edwards  
Robert Hay, Jr.

(Material pertaining to the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 09/08/15, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and ballots tallied with the following results: City Council reappointed Robert Hay, Jr., as the citizen member to the Sister Cities Committee. The vote was as follows:

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

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION**

24. Consideration of Memorials to and Symbols of the Confederacy on City of Alexandria Property.

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 09/08/15, and is incorporated as part of this record by reference.)

Mr. Caton, Legislative Director, gave an overview of the inventory of Confederate memorials and symbols and streets in the City and responded to questions from Council.

City Attorney Banks gave an overview of the City's flag policy and the options that are available to Council should they want to change it and he responded to questions from Council.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilwoman Pepper and carried unanimously, City Council moved to prohibit the flying of the Confederate flag on City property on Robert E. Lee's Birthday and on Confederate Memorial Day. City Council also recommended that a committee be convened to discuss the other Confederate memorials and symbols, the flag policy and the naming of City streets and make a recommendation to Council for consideration. The City Manager will bring forward a docket item recommending committee composition and duties at a subsequent meeting. 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.

25. Update on Firefighter/Medic Program.

Fire Chief Dubé gave a PowerPoint presentation about the proposed firefighter/medic program and responded to questions from Council about how the change might affect service and costs for the Fire Department.

City Council received the update on the Firefighter/Medic Program.

26. Consideration of Receipt of an Update on the Northern Virginia Regional Commission Commuter Ferry Service Project.

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 09/08/15, and is incorporated as part of this record by reference.)

Director of Transportation and Environmental Services Lambert and Transit Services Division Chief Robinson gave a presentation of the market analysis for the commuter ferry service study from the Northern Virginia Regional Commission (NVRC) and how it would affect traffic and parking in Alexandria, particularly in Old Town and dock usage. Mr. Lambert and Mr. Robinson responded to questions and concerns from Council about the proposal.

City Manager Jinks suggested that the last sentence of the third paragraph be changed to read as follows, "The Federal government did not adequately plan to mitigate for its transportation impact." Council agreed with the clerical change.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council: (1) received the update on the Commuter Ferry Project; and (2) authorized the Mayor to send a letter on behalf of Council to the Northern Virginia Regional Commission expressing support in concept utilizing the Potomac River serving as a regional transportation corridor, and expressing serious concerns with proposed shore-side facilities in Alexandria due to potential parking and traffic impacts on Old Town. 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.

27. Consideration of the Proposed Process for Updating the City Strategic Plan

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 27; 09/08/15, and is incorporated as part of this record by reference.)

Director of Planning and Zoning Moritz and Mr. Useem, Chief Performance Officer, gave a presentation on the proposed steps for updating the current Strategic Plan and responded to questions from Council.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Smedberg and carried unanimously, City Council authorized staff to proceed with the City Strategic Plan update process. 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.

**ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(1) Mayor Euille congratulated the Alexandria City Public Schools on a successful first day of school and he noted that he visited several of the schools in the City to welcome the students back to a successful and productive first day and school year. Mayor Euille also congratulated and complimented the many organizations and nonprofit entities that helped ready the students for their first day by providing school supplies, books, and haircuts throughout the community.

(2) Mayor Euille noted that the City has received numerous accolades and rankings throughout the summer and the year. Mayor Euille noted that the City received high rankings on the following lists: best place for vets, best place to retire, best city for women entrepreneurs, best place for Millennials, most educated places in America, top ten downtowns and top ten City for craft lovers.

(3) Mayor Euille reported that the City has maintained its AAA credit rating for 34 years and that the City announced over the summer the relocation of the Transportation Security Administration to the Eisenhower Corridor.

(4) Mayor Euille reported that on September 9 at 11:15 a.m., on Market Square, DASH will announce the 5 millionth rider for the King Street Trolley, with a celebration and prizes. Mayor Euille also pointed out that since the implementation of the King Street Trolley, the

economic benefit has been in the \$4-\$6 million range, and has helped address the City's Eco-City goals.

(5) Councilwoman Pepper noted the passing of Mary LaMois and pointed out some of her contributions as a community activist, including teaching, civil rights advocate, a Congressional and State Legislative aide and Director of the Volunteer Bureau. Councilwoman Pepper also noted that Ms. LaMois served on the Alexandria Electoral Board for many years. Councilwoman Pepper stated that there will be a memorial service for Ms. LaMois on September 20 at 3 p.m., at the Goodwin House Chapel.

(6) Vice Mayor Silberberg mentioned that she tore her Achilles tendon while on vacation and is in recovery from recent surgery to repair the injury.

(7) Councilman Smedberg requested an update on the website project in the near future.

(8) Councilman Chapman stated that he has requested the City Manager to review the policy on field usage and access to fields that are not in use by organizations or teams.

## **ORAL REPORT FROM THE CITY MANAGER**

City Manager Jinks reported that there was a tragic pedestrian accident at the intersection of Commonwealth and Braddock and he requested that Police Chief Cook and Director of Transportation and Environmental Services Lambert give an update on the accident and next steps in the investigation and improvements for the area.

Police Chief Cook and Mr. Lambert reviewed the investigation of the fatal accident and responded to questions from Council about the accident and further steps to improve pedestrian and traffic safety in the area. Mr. Lambert noted that there would be a community meeting held at Maury Elementary School on September 14 to discuss the accident and improvements that has occurred in the area.

## **ORDINANCES AND RESOLUTIONS**

28. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Create the Eisenhower West Victory Center Redevelopment District for the Purposes of Incenting the Transportation Security Administration to Move to Alexandria.

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 28; 09/08/15, 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. 28; 09/08/15, 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. 28; 09/08/15, is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the ordinance for first reading and scheduled it for second reading, public hearing and final passage on September 12, 2015. 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.

## **OTHER**

### **29. Consideration of City Council Schedule.**

(A copy of the City Manager's memorandum dated September 2, 2015, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 29; 09/08/15, is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Wilson and carried unanimously, City Council: (1) accepted the following changes to the FY 2016 Council Calendar: Annual Citizenship Day is scheduled for Thursday, September 17 at 11 a.m., on Market Square, the Art League Opening Reception is scheduled for Tuesday, September 28 at 5:00 p.m., in the Chet and Sabra Avery Conference Room 2000, and the AlexRenew Athletic Multipurpose Field Dedication is scheduled for Friday, October 23 from 3 p.m. to 6 p.m. at 1820 Limerick Street. The dedication ceremony is scheduled from 3 p.m. to 4:10 p.m. AlexRenew has also scheduled a Family FieldFest for Saturday, October 24 from 11 a.m. to 4 p.m. This will open the field up to the community. 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.

## **Closed Meeting Continued**

### **30 Consideration of Convening a Closed Meeting for Consultation with Legal Counsel for Legal Advice Regarding the Investment of Public Funds Where Bargaining is Involved, and for Consultation with Legal Counsel on Specific Legal Issues.**

The closed executive session was not needed.

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**THERE BEING NO FURTHER BUSINESS TO CONSIDER**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the legislative meeting of September 8, 2015 at 10:18 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.

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APPROVED BY:

\_\_\_\_\_  
WILLIAM D. EUILLE    MAYOR

ATTEST:

\_\_\_\_\_  
Gloria Sitton, CMC    Deputy City Clerk