

**City of Alexandria  
City Council Legislative Meeting  
Meeting Minutes  
Tuesday, June 27, 2017  
6:00 PM  
Council Chambers**

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Present: Mayor Allison Silberberg, Vice Mayor Justin M. Wilson, Members of Council Willie F. Bailey, Sr., John Taylor Chapman, Timothy B. Lovain, Redella S. Pepper, and Paul C. Smedberg.

Absent: None.

Also Present: Mr. Jinks, City Manager; Mr. Banks, City Attorney; Ms. Collins, Deputy City Manager; Ms. Anderson, Deputy City Attorney; Ms. McIlvaine, Director, Office of Housing; Mr. Browand, Deputy Director, Recreation, Parks, and Cultural Activities(RPCA); Ms. Ludington, Office on Aging, Department of Community and Human Services (DCHS); Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Sharma, Division Chief, T&ES; Mr. Campbell, Deputy Director, Emergency Communications; Mr. Keeler, Deputy Director, Office of Housing;

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

**1. Calling the Roll.**

Mayor Silberberg called the meeting to order and the Deputy City Clerk called the roll. All the members of Council were present, with Councilman Chapman arriving during the closed executive session.

**2. Closed Meeting.**

6:00 P.M. - Consideration of a Closed Meeting for Discussion of the Performance of Specific City Council Appointees and Discussion or Consideration of the Investment of Public Funds Where Competition or Bargaining is Involved.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried 6-0, City Council convened in closed executive session at 6:19 p.m. to discuss the use or investment of public resources where bargaining is involved, if made public, the financial interests of the City would be adversely affected; and to discuss the performance of City Council appointees; specifically, the negotiated investment of public funds in support of a certain real estate development project; and the discussion of the annual performance review of the City Manager and City Attorney; pursuant to Sections 2.2-3711(A)(1), and (6) of

the Code of Virginia. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none; Absent, Councilman Chapman.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened the meeting at 7:11 p.m. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

### **3. Moment of Silence and Pledge of Allegiance.**

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

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**New Business Item No. 1: WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Chapman and carried unanimously, City Council appointed Gloria Sitton as the City Clerk and Clerk of Council, effective July 1, 2017. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper and Councilman Smedberg; Opposed, none.

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

The Regular Meeting Minutes of June 13, 2017.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council approved the regular meeting minutes of June 13, 2017. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

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

### **\* Virginia Railway Express (Councilman Smedberg)**

Councilman Smedberg reported that Virginia Railway Express (VRE) celebrated its 25<sup>th</sup> Anniversary with representatives from Virginia Department of Transportation, Virginia Railway and Transit Authority, as well as Senator Kaine and former executives for VRE. Councilman Smedberg noted that the celebration was held in Fredericksburg where the line began its service 25 years ago.

### **\* WMATA (Councilman Smedberg)**

Councilman Smedberg reported that SafeTrack ended on June 25 and the new schedule and fair structure are in place. Councilman Smedberg noted that WMATA will begin the next phase of continued maintenance now that the system is in good repair. Councilman Smedberg stated that there is still work to do on the funding, governance, and regional cooperation for the system.

**\* Transportation Planning Board (Councilmember Lovain)**

Councilmember Lovain reported that the Transportation Planning Board (TPB) reviewed the progress of the Long Range Transportation Plan which should be completed by the end of the year. Councilmember Lovain noted that the TPB was reviewing many projects with regional significance, particularly projects that will improve walkability around Metro stations and improve transit-oriented development. Councilmember Lovain also reported that the TPB took actions that would support the improvements Mr. Wiedefeld has started at WMATA.

Councilman Smedberg stated that he is serving on a work group through NVTC with state representatives and representatives from former Secretary Lahood's office to put forward some plans and recommendations to present to the Virginia General Assembly regarding WMATA.

Councilmember Lovain reported that he will be serving as the Vice Chair for the Transportation Policy Commission for Virginia Municipal League and he would ensure that Metro would be on the agenda for discussion at their July meeting.

**\* Library Board (Councilman Bailey)**

Councilman Bailey reported that the Youth Services Department at the Library will begin a new program called 1000 Books before Kindergarten to encourage caregivers to read with their one to five year olds while increasing their knowledge of early literacy skills, while preparing the children for school and learning how to read.

**\* Northern Virginia Regional Commission (Councilman Bailey and Councilwoman Pepper)**

Councilman Bailey reported that the Northern Virginia Regional Commission (NVRC) has been meeting with local state representatives to discuss governance and ways the jurisdictions and the State can work on areas of mutual concern. Councilman Bailey reported that these meetings with state representatives will continue every other month.

Councilwoman Pepper reported that NVRC voted to set up a governance subcommittee to discuss the Dillon Rule and diversifying the revenue sources. Councilwoman Pepper reported that the dues for NVRC for the City would increase by approximately \$2600 dollars due to an increase in the population.

Councilwoman Pepper requested that the City avail themselves of the settlement money from Volkswagen for electric charging stations for the City. In response to Councilwoman Pepper, City Manager Jinks stated that he would check with staff to see what progress they have made on the inquiries for receiving funds from the settlement.

**\* City/Schools Subcommittee (Vice Mayor Wilson and Mayor Silberberg)**

Vice Mayor Wilson reported that the Subcommittee received an update on the Long Range Educational Facilities Phase 2 and he noted that there will be some community engagement sessions held over the summer to get the public to weigh in on some of the

draft chapters and how to address high school and early education capacity. Vice Mayor Wilson reported that there was a discussion about a transportation management plan (TMP) for the schools and how they are working to reconcile the current transportation management plans for school buildings that have been constructed since the implementation of the TMP ordinance and ensuring their compliance with the goal of establishing a citywide TMP for the system. Vice Mayor Wilson also reported that there was an update on the afterschool and early education efforts and expect some policy recommendations in the early fall that should inform the budget process and he noted that the schools have hired a new principal for the Early Educational Center at John Adams Elementary School. Vice Mayor Wilson pointed out that there was an update on shared services and there was a discussion on the joint fleet study underway for the next five months, looking at the combined fleet of vehicles and the management of those vehicles. Vice Mayor Wilson stated that the schools provided a forecast of the expenditures and revenues for the next several years and there are significant gaps in their budget for the out years, with the first gap being over \$17 million dollars. Vice Mayor Wilson noted that there will be a real local impact from Medicaid legislation that could have a significant impact on our schools' budget, with the school having a possible \$2 million impact, as well as risks to Title I and other Federal funding streams.

**\* Visit Alexandria (Vice Mayor Wilson)**

Vice Mayor Wilson reported that at the board meeting there was a presentation on the USA Travel Exhibition and he noted that Visit Alexandria had participated in the conference and gained a lot leads for Alexandria businesses and hotels.

**\* Patrick Henry Advisory Group (Councilwoman Pepper)**

Councilwoman Pepper reported that on June 19<sup>th</sup> there was a groundbreaking ceremony for Patrick Henry Elementary School, marking the end product that the Advisory group spent working on the project. Councilwoman Pepper stated that the start of this project was a statement to the community that children are valued.

**\* Climate, Energy and Environmental Policy Commission (Councilwoman Pepper)**

Councilwoman Pepper reported that the Climate, Energy and Environmental Policy Commission (CEEPC) met at the end of May and the meeting focused on climate resiliency across the region, with presentations from the Rockefeller Foundation (100 Resilient Cities) and the District of Columbia discussed their launch of their 101 Resilient Cities Initiative and they have implemented a Resiliency Cabinet, consisting of agency heads with a role in improving community resiliency throughout the District. Councilwoman Pepper inquired whether the City has a group that address community emergencies. In response to Councilwoman Pepper, City Manager Jinks stated the Citizens Corps Council and various emergency management groups in the City already addresses these topics.

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

Councilwoman Pepper reported that Metropolitan Washington Air Quality Committee (MWAQC) met at the end of May and the meeting focused on the beginning of the summer ozone season and it was reported there have been no code red air quality days but there had been several code orange air quality days so far. The chair of MWAQC sent an email

addressing air quality standards under the new administration and the drastic reduction in EPA funding. Councilwoman Pepper stated that MWAQC would continue to maintain standards that would help the air quality in the region.

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER CONSENT CALENDAR (5-7)**

### **(Reports and Recommendations of the City Manager)**

5. Consideration of a Grant Application and Adoption of a Resolution to the 2017 Bark For Your Park Grant For Funding to Rehabilitate the Carlyle Dog Park. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 06/27/17, and is incorporated as part of this record by reference.)

6. Consideration of a Grant Application to the Homeland Security Grant Program.

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 06/27/17, and is incorporated as part of this record by reference.)

7. Consideration of a Grant Renewal to the United States Department of Agriculture (USDA) Child and Adult Food Program for At-Risk After School Snack Program for the FY 2018 School Year Snack Program Sponsored by the Department of Recreation, Parks and Cultural Activities.

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 06/27/17, and is incorporated as part of this record by reference.)

## **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Wilson, seconded by Councilman Smedberg and carried unanimously, City Council approved the consent calendar, with docket item #5 considered under a separate motion. The City Manager's recommendations were as follows:

6. City Council approved the submission of the two proposals for the Homeland Security Grant Program (HSGP).

7. City Council authorized the City Manager to: (1) submit the At-Risk After School grant renewal application to the United States Department of Agriculture for Fiscal Year 2018 (due date September 1, 2017); (2) affirm that there are no funds available in the City budget to continue these activities once the grant funds are expended; and (3) execute all documents that may be required.

The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and

Councilman Smedberg; Opposed, none.

5. Consideration of a Grant Application and Adoption of a Resolution to the 2017 Bark For Your Park Grant for Funding to Rehabilitate the Carlyle Dog Park. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 06/27/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council: (1) adopted the Bark for Your Park Grant authorizing resolution (RES. NO. 2785); and (2) authorized the City Manager to proceed with the grant application to the 2017 Bark For Your Park Grant for \$10,000 in park maintenance funding to rehabilitate the Carlyle Dog Park. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The resolution reads as follows:

#### **RESOLUTION NO. 2785**

**WHEREAS**, City Council considers it in the best public interest to complete the project described in the Bark for your Park application; and

**WHEREAS**, under the provisions of Bark for Your Park Grant, grant assistance is requested to aid in financing the cost of rehabilitation at Carlyle Dog Park.

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

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Department of Recreation, Parks and Cultural Activities, as designated by the City Manager, be authorized to make formal application to Pet Safe for funding assistance.
2. Any fund assistance received be used for implementation and completion of the Carlyle Dog Park within the specified time frame.
3. The City hereby certifies that project funding is currently available and is committed for the completion of this project.
4. The City acknowledges that the dog park project will have an assigned life expectancy assigned to it and that the facility must be maintained to standards suitable for public use.
5. The City is responsible for compliance with the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act, Executive Orders 11988 and 11990 ( Floodplain Management and Wetlands Protection) and all other applicable state and federal laws.



6. This resolution becomes part of a formal application to the Pet Safe Brand for the Bark for your Park Grant.

#### **ROLL-CALL CONSENT CALENDAR (8-9)**

8. Consideration of a Resolution to Establish the 2017 Personal Property Tax Relief Rates. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 06/27/17, and is incorporated as part of this record by reference.)

9. Consideration of a Resolution to Repeal the Torpedo Factory Art Center Board Resolution Numbers 2408, 2420, and 2637. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 06/27/17, and is incorporated as part of this record by reference.)

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

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

8. City Council adopted the resolution to establish the personal property tax relief rates for calendar year 2017.

The resolution reads as follows:

#### **RESOLUTION NO. 2786**

#### **RESOLUTION TO SET THE RELIEF RATES UNDER THE PERSONAL PROPERTY TAX RELIEF ACT**

**WHEREAS**, pursuant to Section 58.1-3524 of the Code of Virginia and Section 3-2-224 of the City Code, City Council has the authority to establish the relief rates assessed for vehicles; and

**WHEREAS**, pursuant to Section 3-2-224(e)(v) of the City Code, the City is required to set the relief rates annually by resolution; and

**WHEREAS**, City Council has now determined that it is necessary and desirable to set the relief rates as follows.

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

1. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(A) is 57%; and
2. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(B) is 47%; and
3. That the relief rate for vehicles under City Code Section 3-2-224(e)(v)(C) is 38%; and
4. That the rates set forth above may vary due to changes related to the vehicles subject to the tax that occur before the tax bills are issued; and
5. That this Resolution shall be effective for Calendar Year 2017

9. City Council: (1) approved the resolution to repeal the previously approved City Council Resolution Numbers 2408, 2420, and 2637 that established, outlined the roles, responsibilities, and the composition of the Torpedo Factory Art Center Board (TFACB), and (2) indicate City Council's appreciation for dedication and work of the members of the TFACB from its inception in 2011. (RES. NO. 2787)

The resolution reads as follows:

#### **RESOLUTION NO. 2787**

#### **RESOLUTION TO DISSOLVE THE TORPEDO FACTORY ART CENTER BOARD**

**WHEREAS**, the Torpedo Factory Art Center is an internationally recognized art center important to the cultural, educational and economic vitality of the City of Alexandria;

**WHEREAS**, for more than 35 years, the Torpedo Factory Art Center has been an important part of the arts community and attracted thousands of visitors to the City;

**WHEREAS**, the Torpedo Factory Art Center has brought notice and acclaim to the City, first as an inventive re-use of a building and later as a proud reflection of a community's commitment to its quality of life;

**WHEREAS**, the considerable reputation of the Torpedo Factory results from the commitment, dedication and hard work of the many artists who have contributed their time, talent and artistic energy to the development of the facility as a premier art center;

**WHEREAS**, the Torpedo Factory Art Center seeks to provide residents and visitors with opportunity to engage renown artists, learn of the process for creating fine art, and experience the intersection of art and community;

**WHEREAS**, the Torpedo Factory Art Center is strategically located on the Alexandria waterfront where it serves as both a gateway for visitors and a threshold for residents;

**WHEREAS**, the Torpedo Factory Art Center performs a critical role in supporting the City of Alexandria's economic well-being, drawing visitors and residents to our streets and our retail and commercial establishments;



**WHEREAS**, the City of Alexandria is undertaking a community engagement process that will eventually determine the appropriate governance structure for the Torpedo Factory Art Center;

**WHEREAS**, the City Council adopted Resolution No. 2408 on June 22, 2010, establishing the Torpedo Factory Art Center Board; the City Council adopted Resolution No. 2420 on October 26, 2010, amending and replacing the previous resolution; and the City Council adopted Resolution No. 2637 on June 24, 2014, amending and replacing the previous resolution;

**WHEREAS**, the Torpedo Factory Art Center Board voted in September 2016 to dissolve its organization; and

**WHEREAS**, the President of the Torpedo Factory Art Center Board announced in March 2017 that all of the actions for dissolution were completed;

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

1. That the City Council appreciates the work of the Torpedo Factory Art Center Board.
2. That the City Council acknowledges the Torpedo Factory Art Center Board's dissolution.
3. That Resolution Nos. 2408, 2420 and 2637 are repealed.

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

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

10. Consideration of Authorization for the City Manager to Sign an Agreement Between the City of Alexandria, Fairfax County, and Alexandria Renew Enterprises to Establish the Cost Sharing Framework for West Side Wet Weather Facilities.

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 06/27/17, and is incorporated as part of this record by reference.)

Mr. Lambert, Director, Transportation and Environmental Services, gave a presentation on the agreement and responded to questions from Council about the agreement and the framework for the facilities.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council authorized the City Manager to finalize the agreement and enter into an agreement consistent with the draft agreement between the City, Fairfax County and AlexRenew regarding the cost sharing framework for construction of the West Side Wet Weather Facilities. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain,

Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

11. Consideration of a Memorandum of Understanding for a National Capitol Region Next Generation 9-1-1.

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 06/27/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Pepper and carried unanimously, City Council: (1) approved the City of Alexandria's participation in the National Capital Region (NCR) Next Generation 9-1-1 (NG 9-1-1) Memorandum of Understanding; and (2) authorized the City Manager to sign the Memorandum of Understanding (MOU). The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

12. Consideration of a Predevelopment Loan to Wesley Housing Development Corporation for an Affordable Housing Development on Fairlington Presbyterian Church Site.

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 06/27/17, and is incorporated as part of this record by reference.)

Ms. McIlvaine, Director, Office of Housing, made a presentation of the predevelopment loan and responded to questions from Council about the proposed project on the church site, including size of the project and parking concerns of the community, the purpose of the loan, the need for affordable housing, and community outreach about the proposed project.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Bailey and carried unanimously, City Council approved a predevelopment loan to Wesley Housing of \$400,000 for a proposed 81-unit affordable rental housing project. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

- 12(a). Consideration of an Ordinance to Create an Old Town Business Improvement District (BID). [ROLL-CALL VOTE] (Public Hearing for This Item is Closed.)

(A copy of the City Manager's memorandum dated June 24, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12(a); 06/27/17, and is incorporated as part of this record by reference.)

City Manager Jinks stated that advertisement for the BID is under the special services district notifications in the State law and the public hearing notice was only advertised once, therefore an ordinance cannot be adopted by Council until there is a readvertisement according to the law. Mr. Jinks also noted that if Council wanted to change the boundaries of the BID, there would need to be readvertisement and another public hearing as well.

City Council discussed a proposal endorsed by several members of Council that

addressed marketing of the BID, programming, voting participation and voting methodology for the BID, the possibility of a survey of property owners in the proposed BID area, clarity of mission and vision, the role of businesses and the local government in the development of the BID, and the continued use of general funds for proposed BID area.

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Vice Mayor Wilson and carried unanimously, City Council tabled the original Old Town BID ordinance and adopted the memorandum dated June 27, 2017 directing the City Manager to: (1) prepare a revised ordinance that includes the commercial properties from the waterfront to the railroad tracks along King Street, extended to Cameron Street and Duke Street, to the north and south respectively; (2) prepare a framework budget for the first three years of operation with identified priority areas based on the input that has been received from those who will be subject to the revised BID; (3) prepare a list of specific and measurable success criteria for each of the first three years of operation; (4) prepare a mailing to all business and property owners subject to a potential BID tax, detailing the proposal and encouraging input; (5) host public meetings and update existing web content to reflect this revised proposal; (6) contract with a third-party election company to register eligible voters and conduct a vote of eligible businesses and property owners. Vote totals shall be reported using both methodologies (based on the proposed bylaws AND one vote per commercial taxpayer); and (7) if either vote total meets 55% approval, the City Manager shall docket the revised ordinance for approval by the Council no later than October 2017. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

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

1. Mayor Silberberg reported that the Commission on Persons with Disabilities held an awards reception this evening in the Vola Lawson Lobby honoring several individuals for their work with the Commission.

2. Mayor Silberberg reported that she attended the U.S. Conference of Mayors this weekend in Miami Beach and she participated as a guest panelists on two panels: Strategies to Address Vacant and Abandoned Properties, highlighting the Landmark Mall property and the NRG site; and a panel for the Aging Task Force, noting that Alexandria was the first city in Virginia to be named An Aging Friendly City by AARP. Mayor Silberberg stated that she attended a number meetings and she had some valuable information to share with her colleagues and staff. Mayor Silberberg stated that there were a number of resolutions she endorsed on behalf of the City, including a resolution on civil discourse and a resolution in support of cities moving to 100% renewable energy. Mayor Silberberg stated that former New York City Mayor Michael Bloomberg announced that he would be awarding \$200 million in grants over three years to cities with best practices that can be used throughout the country.

3. Mayor Silberberg announced that she and City staff members will be going to New York City for the annual bond rating meeting.

4. Councilman Chapman reported that the Sister Cities Committee is planning to have a meeting in July to discuss strategic planning and investigating the possibility of partnering with new Sister Cities. Councilman Chapman also stated that the states' meeting for the Sister Cities program might possibly convene here in Alexandria this summer.

## ORAL REPORT FROM THE CITY MANAGER

City Manager Jinks reported that the City signed up today with the Accelerator Workshop to learn how to apply for the grants from the program announced by former Mayor Bloomberg at the U.S. Conference of Mayors and City staff is reviewing what policies and programs the City have that may qualify for the program.

## ORDINANCES AND RESOLUTIONS

13. Public Hearing, Second Reading, and Final Passage of an Ordinance to Amend and Reordain Sections 4-900 (OCM(50)/Office Commercial Medium (50) Zone) and 4-1000 (OCM(100)/Office Commercial Medium (100) Zone) of Article IV (Commercial, Office and Industrial Zones) and Section 11-513 (Administrative Special Use Permit) Under Section 11-500 (Special use Permits) of Division B (Development Approvals) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2017-0005. [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. 13; 06/27/17, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 13; 06/27/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Sections 4-900 (OCM(50)/Office Commercial Medium (50) Zone) and 4-1000 (OCM(100)/Office Commercial Medium (100) Zone) of Article IV (Commercial, Office and Industrial Zones) and Section 11-513 (Administrative Special Use Permit) Under Section 11-500 (Special use Permits) of Division B (Development Approvals) of Article XI (Development Approvals and Procedures) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved By City Council as Text Amendment No. 2017-0005. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

### ORDINANCE NO. 5073

AN ORDINANCE to amend and reordain Sections 4-900 (OCM(50)/OFFICE COMMERCIAL MEDIUM (50) ZONE) and 4-1000 (OCM(100)/OFFICE COMMERCIAL MEDIUM (100) ZONE) of Article IV (COMMERCIAL, OFFICE AND INDUSTRIAL ZONES) and Section 11-513 (ADMINISTRATIVE SPECIAL USE PERMIT) under Section 11-500 (SPECIAL USE PERMITS) of Division B (DEVELOPMENT APPROVALS) of Article XI

(DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by City Council as Text Amendment No. 2017-0005.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2017-0005, 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 June 14, 2017 of a text amendment to the Zoning Ordinance to add new uses to the OCM(50)/Office Commercial Medium and OCM(100)/Office Commercial Medium zones and to establish specific standards for light assembly, service and crafts, which recommendation was approved by the City Council at public hearing on June 24, 2017.

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 4-900 of the Zoning Ordinance be, and the same hereby is, amended by adding the language shown as underlined:

**Sec. 4-900 - OCM(50)/Office commercial medium (50) zone.**

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**4-902 - Permitted uses.**

The following uses are permitted in the OCM(50) zone:

- (A) Single-family dwelling;
- (A.1) Two-family dwelling;
- (A.2) Townhouse dwelling;
- (B) Multifamily dwelling;
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (C.2) Business offices with or without accessory indoor storage other than those listed In Section 4-902(C.1);
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel or office complex;-
- (F) Medical laboratory;
- (G) Medical office;
- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;

- (H) Personal service establishment;
- (I) Private school, commercial;
- (I.1) Public school;
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant located within a shopping center or hotel;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

#### **4-902.1 - Administrative special uses.**

The following uses may be allowed in the OCM (50) zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Animal care facility with overnight accommodation if located in a shopping center;
- (A.1) Health and athletic club;
- (A.2) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved;
- (G) Valet parking;
- (H) Catering operation in an industrial or flex space center;
- (I) Light assembly, service, and crafts in an industrial or flex space center.

#### **4-903 - Special uses.**

The following uses may be allowed in the OCM(50) zone pursuant to a special use permit:

- (A) Amusement enterprise;
- (A.1) Animal care facility with overnight accommodation, other than pursuant to section 4-902.1;
- (B) Apartment hotel;
- (C) Automobile service station;
- (C.1) Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Bus shelter on private property;
- (E) Catering operation, other than pursuant to 4-902.1(H);
- (F) Congregate housing facility;
- (G) Convenience store, other than pursuant to section 4-902(E.1);
- (H) Reserved;
- (H.1) Day labor agency;
- (I) Reserved;
- (J) Drive through facility;
- (K) Fraternal or private club;
- (L) Funeral home;
- (M) Health and athletic club, other than pursuant to section 4-902(E.3) or 4-902.1(A.1);



- (N) Home for the elderly;
- (O) Homeless shelter;
- (P) Hospital;
- (Q) Hotel;
- (R) Interstate bus station;
- (R.1) Light assembly, service, and crafts, other than pursuant to 4-902.1(I);
- (S) Light automobile repair;
- (T) Medical care facility;
- (U) Motor vehicle parking or storage for more than 20 vehicles;
- (V) Reserved;
- (W) Nursing or convalescent home or hospice;
- (W.1) Outdoor food and crafts market, other than pursuant to section 4-902.1;
- (W.2) Outdoor garden center, other than pursuant to section 4-902.1;
- (X) Private school, academic, with more than 20 students on the premises at any one time;
- (Y) Public building;
- (Z) Research and testing laboratory;
- (AA) Restaurant, other than pursuant to sections 4-902(K.1) and 4-902.1;
- (AA.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (BB) Rooming house;
- (CC) Social service use;
- (DD) Wholesale business.

Section 2. That Section 4-1000 of the Zoning Ordinance be, and the same hereby is, amended by adding the language shown as underlined:

**Sec. 4-1000 - OCM(100)/Office commercial medium (100) zone.**

\*\*\*\*\*

**4-1002 - Permitted uses.**

The following uses are permitted in the OCM(100) zone:

- (A) Single-family dwelling, except as limited by section 4-1003(A.1);
- (A.1) Two-family dwelling, except as limited by section 4-1003(A.1);
- (A.2) Townhouse dwelling, except as limited by section 4-1003(A.1);
- (B) Multi-family dwelling, except as limited by section 4-1003 (A.1);
- (C) Animal care facility with no overnight accommodation;
- (C.1) Business and professional office;
- (C.2) Business offices with or without accessory indoor storage other than those listed in Section 4-1002(C.1);
- (D) Cemetery;
- (E) Church;
- (E.1) Convenience store within an office complex;
- (E.2) Day care center;
- (E.3) Health and athletic club located within a shopping center, hotel, industrial or flex space center or office complex;-
- (F) Medical laboratory;
- (G) Medical office;

- (G.1) Motor vehicle parking or storage for 20 vehicles or fewer;
- (H) Personal service establishment;
- (I) Private school, commercial;
- (I.1) Public school;
- (J) Radio or TV broadcasting office and studio;
- (K) Retail shopping establishment, up to 20,000 gross square feet;
- (K.1) Restaurant, located within a shopping center, hotel or industrial or flex space center;
- (L) Seminary, convent or monastery;
- (M) Utilities, as permitted by section 7-1200;
- (N) Accessory uses, as permitted by section 7-100.

#### **4-1002.1 - Administrative special uses.**

The following uses may be allowed in the OCM (100) zone with administrative approval, subject to section 11-513 of this ordinance:

- (A) Animal care facility with overnight accommodation if located in a shopping center;
- (A.1) Health and athletic club;
- (A.2) Restaurant;
- (B) Massage establishment;
- (C) Outdoor garden center;
- (D) Outdoor food and crafts market;
- (E) Outdoor dining;
- (F) Reserved;
- (G) Valet parking;
- (H) Catering operation in an industrial or flex space center; and
- (H.1) Light assembly, service, and crafts in an industrial or flex space center;
- (I) Light auto repair in an industrial or flex space center.

#### **4-1003 - Special uses.**

The following uses may be allowed in the OCM (100) zone pursuant to a special use permit:

- (A) Amusement enterprise;
- (A.1) Single-family, two-family, townhouse and multi-family dwellings on lots located within 1,000 feet of the centerline of Eisenhower Avenue;
- (A.2) Animal care facility with overnight accommodation, other than pursuant to section 4-1002.1;
- (B) Apartment hotel;
- (C) Automobile service station;
- (C.1) Food and beverage production exceeding 3,500 square feet, which includes a retail component;
- (D) Bus shelter on private property;
- (E) Catering operation, other than pursuant to section 4-1002.1;
- (F) Congregate housing facility;
- (G) Convenience store, other than pursuant to section 4-1002(E.1);
- (H) Reserved;
- (H.1) Day labor agency;
- (I) Reserved;

- (J) Drive through facility;
- (K) Fraternal or private club;
- (L) Funeral home;
- (M) Health and athletic club, other than pursuant to section 4-1002(E.3) or 4- 1002.1(A.1);
- (N) Home for the elderly;
- (O) Homeless shelter;
- (P) Hospital;
- (Q) Hotel;
- (R) Interstate bus station;
- (R.1) Light assembly, service, and crafts, other than pursuant to 4-1002.1(H.I);
- (S) Light automobile repair, other than pursuant to section 4-1002.1;
- (T) Medical care facility;
- (U) Motor vehicle parking or storage for more than 20 vehicles;
- (V) Reserved;
- (W) Nursing or convalescent home or hospice;
- (W.1) Outdoor food and crafts market, other than pursuant to section 4-1002.1;
- (W.2) Outdoor garden center, other than pursuant to section 4-1002.1;
- (X) Private school, academic;
- (Y) Public building;
- (Z) Research and testing;
- (AA) Restaurant, other than pursuant to sections 4-1002(K.1) and 4-1002.1;
- (AA.1) Retail shopping establishment, larger than 20,000 gross square feet;
- (BB) Rooming house;
- (CC) Social service use;
- (DD) Wholesale business.

Section 3. That Section 11-513 of the Zoning Ordinance be, and the same hereby is, amended by adding a new subsection (V), shown as follows in underlined text:

**11-513 - Administrative special use permit.**

\*\*\*\*\*

- (V) *Specific standards for Light assembly, service, and crafts.*
  - (1) Materials shall be stored within an enclosed building.
  - (2) The area around the building shall be kept free of debris and maintained in an orderly and clean condition.
  - (3) The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the department of transportation and environmental services.
  - (4) Equipment shall not be cleaned outside and residue washed into the streets, alleys or storm sewers.
  - (5) Deliveries to the business are prohibited between 11:00 p.m. and 7:00 a.m.

Section 4. That the director of planning and zoning be, and hereby is, directed to record the foregoing text amendment.

Section 5. That Sections 4-900, 4-1000, and 11-513, as amended pursuant to

Sections 1, 2, and 3 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 6. That this ordinance shall become effective on the date and at the time of its final passage, and shall apply to all applications for land use, land development or subdivision approval provided for under the City of Alexandria Zoning Ordinance which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

14. Public Hearing, Second Reading, and Final Passage of an Ordinance to Amend and Reordain Sections 2-111 (Amusement Enterprise) and 2-183 (Personal Service Establishment) Under Section 2-100 (Definitions) of Article II (Definitions) of the City of Alexandria Zoning Ordinance, in Accordance With the Text Amendment Heretofore Approved by City Council as Text Amendment No. 2017-0004. [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; 06/27/17, 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; 06/27/17, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted an ordinance to amend and reordain Sections 2-111(Amusement Enterprise) and 2-183 (Personal Service Establishment) under Section 2-100 (Definitions) of Article II (Definitions) of the City of Alexandria Zoning Ordinance in Accordance with the Text Amendment heretofore approved by City Council as Text Amendment No. 2017-0004. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The ordinance reads as follows:

#### **ORDINANCE NO. 5074**

AN ORDINANCE to amend and reordain Sections 2-111 (AMUSEMENT ENTERPRISE) and 2-183 (PERSONAL SERVICE ESTABLISHMENT) under Section 2-100 (DEFINITIONS) of Article II (DEFINITIONS) of the City of Alexandria Zoning Ordinance, in accordance with the text amendment heretofore approved by City Council as Text Amendment No. 2017-0004.

WHEREAS, the City Council finds and determines that:

1. In Text Amendment No. 2017-0004, 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 June 14, 2017 of a text amendment to the

Zoning Ordinance to remove tattoo parlors from the definition of Amusement Enterprises and classify them as Personal Service Establishments, which recommendation was approved by the City Council at public hearing on June 24, 2017.

2. The City Council in adopting this ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Planning Commission above stated;

3. All requirements of law precedent to the adoption of this ordinance have been complied with; now, therefore,

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

Section 1. That Sections 2-111 and 2-183 of the Zoning Ordinance be, and the same hereby are, amended by deleting the sections shown in strikethrough and adding the language shown as underlined:

**Sec. 2-100 – Definitions.**

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**2-111 - Amusement enterprise.**

A use devoted to entertainment, such as theaters, bowling alleys, skating rinks, pool and billiard halls, miniature golf courses, dance halls, palm reading ~~or tattoo~~ parlors, amusement arcades, bingo halls and similar uses.

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**2-183 - Personal service establishment.**

A store or shop providing personal, financial, technical or repair services, assistance or advice to individual consumers, including but not limited to:

Arts and crafts studios or stores;

Appliance repair and rental;

Banks, savings and loans, and credit unions;

Bicycle repair;

Barbershops and beauty shops;

Contractors' offices, without accessory storage;

Dressmakers and tailors;

Dry-cleaning and laundry pickup stations;

Laundromat;

Locksmiths;

Musical instrument repair;

Optical center;

Pawnshops;

Private school, academic, with a maximum of 20 students on the premises at any one time;

Professional photographer's studios;

Shoe repair;

Furniture upholstering shops;  
Watch repair;  
Printing and photocopy service;  
Tattoo parlors;

Personal service establishments do not include, as either a primary or accessory use, automobile oriented uses; the sale, rental, storage, service or repair of any motor vehicles, including automobiles, trucks, buses, trailers, recreational vehicles and motorcycles; or any use separately listed in a zone.

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

Section 3. That Sections 2-111 and 2-183, as amended pursuant to Section 1 of this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

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

## **OTHER**

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

(A copy of the City Manager's memorandum dated June 21, 2017, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 06/27/17, and is incorporated as part of this record by reference.)

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

## **CLOSED MEETING CONTINUED (IF NEEDED)**

### **16. Consideration of a Closed Meeting for Discussion of the Performance of Specific City Council Appointees and Discussion or Consideration of the Investment of Public Funds Where Competition or Bargaining is Involved.**

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened into closed executive session at 9:51 p.m. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper,



and Councilman Smedberg; Opposed, none.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council reconvened the meeting in open session at 11:20 p.m., specifically to include reconvening in open session from the previously opened executive session to discuss the recruitment of the City Clerk. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution previously circulated to Council. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

The resolution reads as follows:

#### **RESOLUTION NO. 2788**

**WHEREAS**, the Alexandria City Council has this 27th day of June 2017, 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.

\*\*\*\*\*

**THERE BEING NO FURTHER BUSINESS TO DISCUSS**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council adjourned the regular meeting of June 27, 2017 at 11:22 p.m. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, and Councilman Smedberg; Opposed, none.

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APPROVED BY:

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ALLISON SILBERBERG      MAYOR

ATTEST:

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Gloria Sitton, CMC    City Clerk