

**City of Alexandria  
Meeting Minutes  
City Council Legislative Meeting  
Tuesday, May 22, 2018  
Council Chambers**

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. Baker, Deputy City Manager; Ms. Garvey, Director, Department of Community and Human Services; Mr. Eiffert, Commission on Aging; Ms. King, Commission on Aging; Mr. Lambert, Director, Transportation & Environmental Services; Mr. Kapsis, Environmental Policy Commission; Mr. Kathpal, Environmental Policy Commission; Mr. Milone, Environmental Policy Commission; Mr. Barstow, Environmental Policy Commission; Mr. Skrabak, Transportation and Environmental Services; Mr. Sherman, Environmental Policy Commission; Ms. McIlvaine, Director, Office of Housing; Mr. Keller, Deputy Director, Office of Housing; Mr. Frederick, Executive Director, Alexandria Housing Development Corporation; Mr. Barre, Information Technology Services; and Mr. Lloyd.

Recorded by: Alexis Lacy, Deputy City Clerk and Clerk of Council.

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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 except Councilman Bailey, Councilman Chapman, and Councilwoman Pepper who arrived during executive session.

2. Closed Meeting.

6:00 p.m. - Consideration of a Closed Executive Session for Consultation with legal counsel and staff regarding actual or probable litigation.

**WHEREUPON**, upon motion by Vice Mayor Wilson and seconded by Councilman Smedberg and carried 4-0-3 City Council convened in closed executive session at 6:08 p.m. to discuss with legal counsel actual or probable litigation and specific legal matters requiring the provision of legal advice; specifically, the possible settlement of a workers' compensation claim; pursuant to Sections 2.2-3711 (A)(7) and (8) of the Code of Virginia. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilmember Lovain, and Councilman Smedberg; Opposed, none. Absent: Councilman Bailey, Councilman Chapman, and Councilwoman Pepper.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously City Council reconvened in open session at 7:01 p.m. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilwoman Pepper, 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 pertaining the closed executive session previously circulated to members of Council. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilmember Lovain, Councilman Smedberg, and Councilwoman Pepper; Opposed, none.

The resolution reads as follows:

**RESOLUTION NO. 2829**

**WHEREAS**, the Alexandria City Council has this 22nd day of May, 2018 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 participated in a moment of silence and recited the Pledge of Allegiance.

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

**Washington Metropolitan Area Transit Authority (WMATA) (Councilman Smedberg)**

Councilman Smedberg reported that the WMATA NVTC, and the three jurisdictions have been discussing how they will move handle oversight and governance going forward considering the recent legislation.

**Virginia Railway Express (VRE) (Councilman Smedberg)**

Councilman Smedberg reported that VRE moved forward with Broad Run Station improvements, and conducting CEO evaluation.

Mr. Jinks reported that there will be a bus bridge to the Crystal City Station, and bus rapid transit to Monroe Ave using dedicated lanes to help people get into Arlington and DC. Councilman Smedberg reported that during the shutdowns WMATA will also make access and ADA improvements at the metro station. Mr. Jinks stated that DASH and VRE will be a part of the equation as well when determining alternative transportation during the shutdown, and the options should be available by next spring.

**ARHA Redevelopment Committee (Vice Mayor Wilson and Councilman Chapman)**

Vice Mayor Wilson reported that Ramsey Homes is closing in the next few weeks and will be under construction soon. Vice Mayor Wilson stated that the committee discussed the Andrew

Adkins redevelopment projects status, wherein ARHA and CRC are still negotiating the business agreement terms, which may result in missing the upcoming tax credit deadline.

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

Mayor Silberberg reported that the Patrick Henry School and Ferdinand Day School renovations are on schedule.

Vice Mayor Wilson reported that the committee discussed the high school capacity plan, and kicked off the planning process. Vice Mayor Wilson reported about the T.C. Williams parking coordination, and the need for an update to the transportation management plan. Vice Mayor Wilson stated that the committee discussed the budget calendar alignment, and the capital improvement plan that is moving to a 2-year review cycle. Vice Mayor Wilson reported that the policy recommendations from the after school efforts will be announced next month, and the board will be discussing the make up the board as well.

**Quality of Life Subcommittee (Mayor Silberberg and Vice Mayor Wilson)**

Vice Mayor Wilson reported that the committee received crime statistics that show a decrease in part 1 crime in the final report from last year. Vice Mayor Wilson also stated that there were updates provided on the effort to establish a drug treatment court. Vice Mayor Wilson reported that there was excellent collaboration between several different agencies and the schools when someone at one of the schools was exposed to TB.

Mr. Jinks reported about a CSX freight train derailment, wherein a bridge was torn off its foundation, but there were no injuries and no hazardous materials were involved. Mr. Jinks reported that trains are still able to use the available rail lines at a slow speed until the other rail line is replaced.

**Sister Cities Committee (Councilman Chapman)**

Councilman Chapman reported that the Alexandria-Caen Sister Cities Committee is having the 8<sup>th</sup> Annual D-Day Commemoration on Thursday, June 7<sup>th</sup> at the Lyceum, and the D-Day ceremony at Market Square on Saturday, June 9<sup>th</sup>.

**ORAL REPORT FROM THE CITY MANAGER**

Mr. Jinks recognized Rana Abu Ghazaleh, Dana Wedeles, and Brett John Johnson who were the three members of City Staff that were on the Chamber of Commerce's Top 40 Under 40 List. Mr. Jinks reported about the Community Policing Initiative that the Police Department has recently started collecting data on.

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

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

5. Consideration of the Alexandria Fund for Human Services FY 2019 to FY 2021 Grant Awards.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 5/22/18, and is incorporated as part of this record by reference.)

6. Consideration of a Grant Application to the 2018 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 May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 5/22/18, and is incorporated as part of this record by reference.)

### **(Ordinances)**

7. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend Section 4-2-21 (CHANGES IN VIRGINIA STATEWIDE FIRE PREVENTION CODE) of Article B (FIRE PREVENTION) of Chapter 2 (FIRE PROTECTION AND PREVENTION) of Title 4 (PUBLIC SAFETY) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/22/18, and is incorporated as part of this record by reference.)

### **END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried by 7-0 by roll-call vote, City Council approved item #6 from the consent calendar, considered item #5 under another motion, and item #7 was pulled from the docket to be considered at a future date. The City Manager's recommendations were as follows:

5. Consideration of the Alexandria Fund for Human Services FY 2019 to FY 2021 Grant Awards.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 5/22/18, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council (1) received the report of the Alexandria Fund for Human Services FY 2019 to FY 2021 grant awards; and (2) thanked the members of the AFHS community grant review committee for their leadership in the review and allocation process. 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.

6. Consideration of a Grant Application to the 2018 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 May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 5/22/18, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Smedberg and carried unanimously, City Council authorized the submission of a grant application for \$75,000; and authorized the City Manager to execute the necessary documents that may be required. The vote was as follows: In favor Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, Councilman Smedberg, and Councilmember Lovain; Opposed, none.

7. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Amend Section 4-2-21 (CHANGES IN VIRGINIA STATEWIDE FIRE PREVENTION CODE) of Article B (FIRE PREVENTION) of Chapter 2 (FIRE PROTECTION AND PREVENTION) of Title 4 (PUBLIC SAFETY) of the Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 5/22/18, and is incorporated as part of this record by reference.)

City Council pulled the item for a future date.

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

8. Consideration of Approval of the of the Alexandria Age-Friendly Plan for a Livable Community 2019 to 2021.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 5/22/18, and is incorporated as part of this record by reference.)

City Council received a presentation and had some discussion with Ms. Garvey Department of Community and Human Services; Mr. Eiffert, and Ms. King, representing the Commission on Aging regarding the Alexandria Age-Friendly Plan ("Plan") for a livable Community 2019 to 2021. Council discussed the ongoing need for affordable housing options for individuals aging in the community, and the outreach efforts of various boards, commissions, and committees involved with the plan.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Vice Mayor Wilson and carried unanimously, City Council approved the Alexandria Age-Friendly Plan ("Plan") for a Livable Community 2019 to 2021. 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.

9. Work Session on Environmental Policy Commission Recommendations for Environmental Action Plan Update (Phase 1).

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 5/22/18, and is incorporated as part of this record by reference.)

City Council held a work session with the Environmental Policy Commission (EPC) about the

Environmental Action Plan (EAP), which included discussion about recycling, renewable energy, and building development with Mr. Lambert, Director, Transportation and Environmental Services, Mr. Skrabak, Deputy Director, Transportation and Environmental Services, Mr. Kapsis, Mr. Kathpal, Mr. Milone, Mr. Barstow, and Mr. Sherman, representing the Environmental Policy Commission.

**WHEREUPON**, upon motion by Councilwoman Pepper, seconded by Councilman Chapman and carried 6-0-1, City Council received the report and recommendations (Attachment 2); and (2) held a work session with the Environmental Policy Commission (EPC) to review 37 recommendations for five focus areas which are being proposed for the first phase of the Environmental Action Plan (EAP). The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

10. Consideration of a Modification of the Alexandria Housing Development Corporation's 2017 Plan to Refinance and Renovate Lacy Court Apartments.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 5/22/18, and is incorporated as part of this record by reference.)

City Council received a presentation from Ms. McIlvaine, Director, Office of Housing, Mr. Keller, Deputy Director, Office of Housing, and Mr. Frederick, representing Alexandria Housing Development Corporation.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried 6-0, City Council approved (1) AHDC's request to be released from the requirement to repay immediately a \$500,000 portion of the City's loan when the renovation of Lacy Court is completed; and (2) provide a City grant of \$150,000 to AHDC to fund a pilot rental subsidy program. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

11. Consideration of an Increase in an Approved City Loan to the Alexandria Redevelopment Housing Authority (ARHA) for Ramsey Homes from \$2 million to up to \$3.6 million.

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 5/22/18, and is incorporated as part of this record by reference.)

City Council received a presentation from Ms. McIlvaine and Mr. Keeler.

**WHEREUPON**, upon motion by Councilman Chapman, seconded by Councilman Bailey Smedberg and carried 6-0-1, City Council approved a permanent loan to the Alexandria Redevelopment Housing Authority (ARHA) of up to \$3.6 million for Ramsey Homes which is to be funded from a portion of the proceeds of ARHA's \$5 million previous repayment of the City's Glebe Park loan. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

12. Consideration of a Resolution from the Landlord-Tenant Relations Board Regarding the Voluntary Rent Guidelines. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 5/22/18, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilman Bailey Smedberg and carried 6-0-1 by roll call vote, City Council approved the attached resolution (Attachment 1) establishing the City's 2018 Voluntary Rent Guidelines for maximum rent increases at a percentage of not more than 5% where the tenant pays utilities and not more than 7% where the owner pays utilities, as recommended by the Landlord-Tenant Relations Board. This would maintain the percentages recommended by the current guidelines. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

The resolution reads as follows:

**RESOLUTION NO. 2828**

**WHEREAS**, more than half of the dwelling units in the City of Alexandria are renter-occupied; and

**WHEREAS**, the Alexandria City Council has continually expressed its concern for the well-being of the City's tenants and landlords through proposed charter changes, legislation, and establishment of the Landlord-Tenant Relations Board; and

**WHEREAS**, the Alexandria Landlord-Tenant Relations Board has previously expressed its concern to the City Council regarding excessive rent increases;

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Alexandria, Virginia calls upon the Alexandria Landlord-Tenant Relations Board to monitor and investigate complaints of rent increases in excess of the following guidelines and to conduct a review of the guidelines every six months and forward recommendations to Council at a minimum of every 12 months:

- If the tenants pay all utilities, not more than five percent cumulatively per year;
- If all utilities are included in the rental amount, not more than seven percent cumulatively per year;

**PROVIDED**, however, that Board investigators will recognize and take into account any unusual costs, capital improvements and major repairs to the property (which should be substantiated by the owner), and extraordinary increases (more than 50%) in assessments;

**PROVIDED**, further, that the landlord may apportion increased real estate taxes in an equitable manner;

**PROVIDED**, further, that when a landlord converts utilities to a sub-metered or individually

metered system, the amounts of monthly rents, plus annualized utility costs, shall remain within these guidelines.

**BE IT FURTHER RESOLVED** that the Landlord-Tenant Relations Board will report to City Council on the adequacy of the above guidelines in 2019.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Alexandria to be affixed this 22<sup>nd</sup> day of May, 2018.

13. Second Reading and Final Passage of an ORDINANCE to enact Section 3-2-55 (ELECTRONIC SUMMONS SYSTEM FEE FOR PERSONS CONVICTED IN THE CITY OF ALEXANDRIA DISTRICT OR CIRCUIT COURT) of Article E (ASSESSMENT OF COURT COSTS AND FEES) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION, AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated May 16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 5/22/18, 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; 5/22/18, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried 6-0-1 by roll call vote, City Council received the proposed ordinance which would allow the assessment of an additional \$5.00 as part of the court costs for each criminal or traffic case for second reading and final passage on Tuesday May 22 (the public hearing was held on May 12). The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

City Council adopted an ordinance which would allow the assessment of an additional \$5.00 as part of the court costs for each criminal or traffic case.

The ordinance reads as follows:

#### ORDINANCE NO. 5143

AN ORDINANCE to enact Section 3-2-55 (ELECTRONIC SUMMONS SYSTEM FEE FOR PERSONS CONVICTED IN THE CITY OF ALEXANDRIA DISTRICT OR CIRCUIT COURT) of Article E (ASSESSMENT OF COURT COSTS AND FEES) of Chapter 2 (TAXATION) of Title 3 (FINANCE, TAXATION, AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:



Section 1. That Article E of Chapter 2 of Title 3 of the Code of the City of Alexandria, Virginia, 1981, as amended, is hereby amended and reordained by the addition of the following new section as follows:

Sec. 3-2-55. Electronic Summons System Fee for Persons Convicted in the City of Alexandria District or Circuit Court.

There shall be imposed an electronic summons system fee of five dollars (\$5.00) on any defendant convicted of any statute or ordinance in each criminal or traffic case in the City of Alexandria District or Circuit Court. The fee shall be ordered as a part of court costs collected by the appropriate clerk of the court and shall be remitted to the City of Alexandria Treasurer subject to appropriation by the City Council to the Alexandria Police Department for the funding and maintenance of an electronic summons system.

Section 2. That Section 3-2-55 as enacted pursuant to Section 1 of this ordinance, be, and the same hereby is, enacted as part of the City of Alexandria City Code.

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

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

1. Mayor Silberberg commended the staff and participants of the Bike to Work Day.

Mayor Silberberg reported that she joined the National League of Cities last Friday for a press conference regarding the Mayor's and CEO's for US Housing Investment initiative, which is focused on building public/private partnerships for housing initiatives. Mayor Silberberg reported that during the press conference Kaiser Permanente announced a \$200 million investment in housing and homeless prevention.

14. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated May16, 2018, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 5/22/18, and is incorporated as part of this record by reference.)

Mr. Jinks stated that he would check the availability to have the Alexandria Commission on Persons with Disabilities awards reception prior to a Council meeting in June.

**WHEREUPON**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried 6-0-1, City Council received and approved the schedule. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

## **CLOSED MEETING CONTINUED (if needed)**

15. Consideration of a Closed Meeting to Discuss the Disposition of Publicly Held Real Property.

This meeting was not needed.

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**THERE BEING NO FURTHER BUSINESS TO CONSIDER**, upon motion by Vice Mayor Wilson, seconded by Councilwoman Pepper and carried unanimously, City Council adjourned the legislative meeting May 22, 2018 at 10:24 p.m. The vote was as follows: In favor, Mayor Silberberg, Vice Mayor Wilson, Councilman Bailey, Councilman Chapman, Councilwoman Pepper, and Councilman Smedberg; Opposed, none. Absent: Councilmember Lovain.

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APPROVED BY:

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**ALLISON SILBERBERG      MAYOR**

ATTEST:

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Alexis Lacy    Deputy City Clerk