

**City of Alexandria
City Council Legislative Meeting
Tuesday, January 26, 2021, 7:00 PM
Virtual Meeting
Meeting Minutes**

Present: Mayor Justin M. Wilson, Vice Mayor Elizabeth Bennett-Parker, Members of Council Canek Aguirre, John Taylor Chapman, Amy B. Jackson, Redella S. Pepper, and Mohamed E. Seifeldin.

Absent: None.

Also Present: Mr. Jinks, City Manager; Ms. Anderson, City Attorney; Ms. Triggs, Deputy City Manager; Ms. Collins, Deputy City Manager; Ms. Baker, Deputy City Manager; Mr. Whatley, Acting Emergency Manager, Fire Department; Mr. Lambert, Director, Transportation and Environmental Services (T&ES); Ms. Garvey, Director, Department of Community and Human Services (DCHS); Ms. McIlvaine, Director, Office of Housing; Mr. Moritz, Director, Planning and Zoning (P&Z); Mr. Duval, Deputy Director, T&ES; Mr. Keeler, Deputy Director, Office of Housing; Mr. Maines, Division Chief, T&ES; Mr. Saenz, Deputy Director, Information Technology Services, ITS; Ms. Suehr, Director, Department of Project Implementation (DPI); Ms. Kott, Division Chief, DPI; Ms. K. Taylor, Director, Finance; Ms. S. Taylor, Legislative Director; Fire Chief Smedley; Ms. Hall, Probation, Court Services; Ms. Skrabak, Deputy Director, T&ES; Ms. Jovovic, Office of Housing; Ms. Wedeles, Special Assistant to the City Manager; Mr. Barre, Information Technology Services (ITS); Mr. Bradford, ITS; and Mr. Smith, ITS.

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

1. Calling the Roll.

Mayor Wilson called the meeting to order and the City Clerk called the roll. All members of City Council were present via Zoom webinar, with Councilwoman Pepper arriving after roll call.

Mayor Wilson stated that due to the COVID-19 pandemic emergency, the January 26, 2021 Legislative Meeting of the Alexandria City Council is being held electronically pursuant to Virginia Code Section 2.2-3708.2(A)(3), the Continuity of Government ordinance adopted by the City Council on June 20, 2020 and Section 4.0-00(g) in HB29 and HB30 to undertake essential business. All members of the City Council and staff are participating from remote locations through a video conference call on Zoom. The meeting can be accessed by the public through the live broadcast on the government channel 70, streaming on the City's website, and can be accessed via Zoom.

2. Public Discussion Period.

The following persons participated in the public discussion period:

1. Ann Shack, Alexandria, spoke about residents' concerns regarding Outflow 001 and communication with Alexandria Renew Enterprises about the project.
2. Alexander King, Alexandria, spoke about the flooding that has occurred in his neighborhood and about the City's proposals to fix the stormwater problems in the City.
3. Jean Ibrahim, Alexandria, spoke about the flooding that has occurred in his neighborhood and the need to address the issues immediately.
4. Jeff Hutchinsen, Alexandria, spoke about the health and safety concerns of the residents who live near the Outflow 001 project.
5. Kelly Conlan Baron, Alexandria, spoke about the flooding problems in the City and the need to address the issues and include residents in the discussion and decisions about the solutions.
6. John Craig, Alexandria, spoke about the flooding problems in the City and the need to include all residents in the discussion and need to address problems sooner rather than later.
7. Vineeta Anand, Alexandria, spoke about the flooding problems in the City and spoke against the proposal to increase stormwater utility fees.
8. Frank Fannon, Alexandria, spoke in opposition the Race and Social Equity resolution passed on Saturday.
9. Darlene E Duffett, Alexandria, spoke about the proposed new stormwater utility fee and expressed concern that the issues with flooding would not be adequately addressed.

ORAL REPORTS FROM MEMBERS OF COUNCIL ON BOARDS, COMMISSIONS, AND COMMITTEES

***Virginia Railway Express (VRE) (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the Transportation Secretary spoke to the group about transportation in Virginia, funding, update on the Long Bridge project and the passage of the Long Bridge and they held installation of officers for the group.

***Children, Youth, and Families Collaborative Commission (CYFCC) (Councilman Aguirre and Councilwoman Jackson)**

Councilman Aguirre reported that the Commission is creating a race and equity subcommittee and a communication subcommittee for the group.

***Visit Alexandria Board of Governors (Vice Mayor Bennett-Parker)**

Vice Mayor Bennett-Parker reported that the group received a presentation from the

City's archaeologist, they received an update on the Torpedo Factory Action Plan, and discussion on planning for FY 2022 as it relates to hotels and marketing and forecasting for future travel. Vice Mayor Bennett-Parker noted that Alexandria Restaurant Week To-Go through February 7 and the prop from the Wonder Women movie was on display at North Union Street.

***City/Schools Subcommittee (Mayor Wilson and Councilman Chapman)**

Mayor Wilson reported that they received an update on COVID-19 and the ongoing school response and health update as it relates to schools. Mayor Wilson also reported that there was discussion about vaccination of educators and the superintendent provided an overview on the latest planning for returning to school for students. Mayor Wilson reported that there was an update on the high school project planning, public meeting and school board meeting on Minnie Howard planning and discussion on co-location projects. Mayor Wilson reported there was an update on facilities assessment and CIP Planning for Schools.

ORAL REPORT FROM THE CITY MANAGER

None.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER
CONSENT CALENDAR**

None.

END OF CONSENT CALENDAR

ROLL-CALL CONSENT CALENDAR (3-4)

City Council approved the items on the Roll-Call consent calendar separately. The approval was as follows:

3. Consideration of a Resolution to Extend the Term of the Potomac Yard Metrorail Implementation Work Group. [ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 01/26/21, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the resolution extending the term of the Potomac Yard Metrorail Implementation Work Group (PYMIG). The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2975

WHEREAS, the implementation of the Potomac Yard Metrorail station is important to the economic and social health of Alexandria and to the immediately surrounding area, and

WHEREAS, City Council wishes to ensure a continued forum for community input as the Potomac Yard Metrorail station advances through design and construction, with full coordination with other City efforts,

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

1. The term of the Potomac Yard Metrorail Station Implementation Work Group (PYMIG) will hereby be extended by 365 days.
2. The term of operations will retroactively commence on June 27, 2019.
3. The PYMIG will include the following representatives:
 - a. Two members of City Council;
 - b. One representative from the Planning Commission;
 - c. One representative from the Transportation Commission;
 - d. One representative from the Environmental Policy Commission;
 - e. One representative from the Park and Recreation Commission;
 - f. One community representative from the neighborhoods east of the CSX tracks within the Potomac Yard Small Area Plan area;
 - g. One community representative from west of the CSX tracks within the Potomac Yard Small Area Plan area;
 - h. One representative from the Potomac Yard Civic Association;
 - i. One representative from the Potomac Greens Homeowners Association;
 - j. One representative from the Old Town Greens Townhome/Condominium Association;
 - k. One at-large business representative with an interest in the project; and l. Two at-large community members with an interest in the project.
4. The functions of the PYMIG shall be to:
 - a. Review and provide input on Environmental Impact Statement documents;
 - b. Provide input on project design;
 - c. Receive updates on funding issues related to the new Metrorail station;
 - d. Facilitate discussion of construction mitigation for community impacts during construction; and,
 - e. Attend and participate fully in all Work Group meetings, in addition to attending work sessions and public hearings of the City Council as needed. If unable to attend, members are encouraged to notify staff in advance and provide comments on meeting materials in a timely manner
5. Staff technical support will be provided by the Department of Transportation and Environmental Services and the Department of Project Implementation, as well as additional staff from other departments.

6. The Council representatives and community members of the PYMIG shall be appointed by the Mayor based on a call for nominations publicized through the City's eNews service, notices to Civic, community and business associations and the City website, and the other PYMIG representatives shall be appointed by the chairs of those bodies to be represented. Representatives from civic and homeowners' associations will be appointed by the Chair of the respective associations.
7. Pursuant to City Code Section 2-4-8, the PYMIG shall meet on an ad hoc basis as needed for the period of 12 months. This term may be extended by council by ordinance or resolution for additional periods of up to 365 days each, not to exceed three years from the date of the initial meeting, if needed for completion of their stated tasks as defined herein, unless otherwise extended by City Council.
4. Consideration of a Resolution Declaring the Official Intent of the City of Alexandria, Virginia to Reimburse Itself for Certain Capital Expenditures from Proceeds of General Obligation Bonds.[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 01/26/21, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Jackson, seconded by Councilwoman Pepper and carried unanimously by roll-call vote, City Council adopted the resolution declaring the City's intent to reimburse itself from the proceeds of future debt obligations for capital expenditures for certain projects paid or to be paid on a temporary basis with existing cash resources. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2976

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF ALEXANDRIA, VIRGINIA TO REIMBURSE ITSELF FOR CERTAIN CAPITAL EXPENDITURES FROM PROCEEDS OF OBLIGATIONS

RECITALS

A. The City of Alexandria, Virginia (the "City") has made or will make expenditures (the "Expenditures") with respect to costs incurred or to be incurred in connection with several projects previously approved in the City's FY 2020 and FY 2021 Capital Improvement Plan.

B. The City Council of the City (the "Council") has determined that the funds to be advanced to pay the Expenditures are or will be available only for a temporary period, and it will be necessary to cause the City to be reimbursed for the Expenditures from the proceeds of

one or more issues of debt (the "Obligations"), which may include tax-exempt bonds to be incurred by the City or another governmental issuer for the benefit of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:

1. The Council declares its intent and reasonable expectation to cause the City to reimburse itself for the Expenditures with proceeds of the Obligations.
2. This Resolution constitutes a "declaration of official intent" under Treasury Regulations Section 1.150-2(d)(1).
3. On the date each Expenditure is made, it will be a capital expenditure (or would be with a proper election) under general federal income tax principles or will otherwise comply with the requirements of Treasury Regulations Section 1.150-2(d)(3).
4. The maximum principal amount of Obligations expected to be issued for these projects is approximately \$120 million.
5. The adoption of this Resolution is consistent with the budgetary and financial circumstances of the City.
6. This resolution shall take effect immediately upon its adoption.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

5. Update on the 2021 Virginia General Assembly

(A copy of the City Manager's memorandum dated January 25, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 01/26/21, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Aguirre and carried unanimously, City Council approved the legislative positions included in Recommended Positions on Bills of Impact to the City, as recommended by Council's Legislative Subcommittee (Mayor Wilson and Vice Mayor Bennett-Parker) at their January 15 and January 22, 2021 meetings. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

6. Consideration of Adopting the ResilientALX Charter.

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 01/26/21, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Jackson, seconded by Councilman Seifeldein and carried unanimously, City Council received and approved the adoption of the proposed ResilientALX Charter. The vote was follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson,

Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

7. Potomac Yard Metro Report

(A copy of the PowerPoint presentation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 01/26/21, and is incorporated as part of this record by reference.)

City Council received the Potomac Yard Metro Report.

8. Pretrial and Probation Office Transition to Standalone Unit.

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 01/26/21, is incorporated as part of this record by reference.)

WHEREUPON, upon motion Councilman Aguirre, seconded by Councilman Seifeldein and carried unanimously, City Council concurred in the transition of the Pretrial and Probation Office to standalone status from its current organizational status as reporting to the Sheriff's Office, per termination of the Memorandum of Understanding, in which the City of Alexandria is the Administrator and the Sheriff's Office has been the Implementing Agent. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

9. Updated Housing Contribution Procedures.

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/26/21, is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Seifeldein, seconded by Councilman Chapman and carried unanimously, City Council: (1) approved the proposed draft language describing the criteria and process for requesting, evaluating, and considering developer requests for exceptions to reduce the mandatory provision of affordable housing when additional density beyond what is envisioned in a Small Area Plan is sought. The amendment reads as follows: Requests for an exception modifying the Affordable Housing Contribution requirement, along with a narrative explaining why such a request is justified, must be submitted no later than at the time of the Concept 2 submission. The request for exception shall not take into account ordinary or industry standard factors. The City shall select an independent expert to review the request and relevant financial documents pursuant to a scope of work established by the City, however, the applicant requesting the modification shall pay for the costs of the third-party review and shall provide its proforma financials for the project (as well as other documentation deemed necessary by the consultant to support the developer's assumptions). The findings and conclusions of the third party review will be shared with City Council as part of its overall consideration of the matter. However, the findings and conclusion of the third party review shall not be binding on City Council's determination whether to grant the modification. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman,

Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

10. Receipt and Endorsement of City of Alexandria Alternative Fuel Policy.

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 01/26/21, is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Bennett-Parker and carried unanimously, City Council received and endorsed the proposed Alternative Fuel Policy. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

ORDINANCES AND RESOLUTIONS

11. Introduction and First Reading. Consideration of Passage on First Reading of an Ordinance to increase the Stormwater Utility Fee by amending Article C (STORMWATER UTILITY) to Chapter 6 (WATER AND SEWER) of Title 5 (TRANSPORTATION AND ENVIRONMENTAL SERVICES).

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 01/26/21, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 11; 01/26/21, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 11; 01/26/21 and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilman Chapman, seconded by Councilwoman Jackson and carried unanimously, by roll-call vote, City Council adopted the resolution to establish an Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group, with the following changes to the proposed resolution (a) item #7, add the following language at the end, "or the maximum duration allowed by the Code;" (b) item #3, instead of the City Council appointing a chairperson, the committee will elect a chairperson from among the membership; (c) change the language in 4a to read, "Review and advise in regards to the plans, design, implementation, costs and financing of the flood mitigation activities with the intent of minimizing community impacts and maximizing overall community benefits. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

The resolution reads as follows:

RESOLUTION NO. 2977

WHEREAS, City Council recognizes that residents have been adversely affected by flooding and wishes to establish a stakeholder advisory group in support of the City's flood mitigation efforts and implementation of the stormwater utility;

WHEREAS, a diverse group of City residents with a wide variety of interests can assist in oversight for the funding, timing, and implementation of projects to mitigate the flooding, monitoring the implementation of the program;

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

1. That there is hereby established the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group.
2. That the Ad Hoc Stormwater Utility and Flood Mitigation Advisory (oversight) Group shall consist of ten (10) members, as follows:
 - a. Three (3) members nominated by civic associations in flood affected areas
 - b. One (1) member of the Alexandria Federation of Civic Associations
 - c. One (1) member that is a representative of a business group
 - d. Two (2) members that are residents with engineering, environmental, financial or related experience that are not a member of any firm involved with or in pursuit of work proposed or being conducted by the City
 - e. One (1) member of the city's Budget and Fiscal Affairs Advisory Committee
 - f. One (1) member with interest or expertise in diversity, race and social equity and inclusivity issues
 - g. One (1) member of city council
3. That the City Council, shall appoint the nine members of the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group. The Mayor shall designate the member of council to serve on the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group. The members of the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group will elect a chairperson.
4. The functions of the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group shall be to:
 - a. Review and advise in regards to the plans, design, implementation, costs and financing of the flood mitigation activities with the intent of minimizing community impacts and maximizing overall community benefits.

- b. Monitor and measure the progress of the City's proposed flood mitigation efforts including major capacity projects, spot improvements and increased system maintenance.
 - c. Serve as a central body for receipt and dissemination of information for the City's flood mitigation implementation efforts; the Advisory Group will produce and present an annual report to city council during spring budget season regarding the Advisory Group's feedback on flood mitigation efforts.
 - d. Review and provide recommendations on proposed Stormwater Utility operating and capital budgets, as well as advise on proposed increases to the Stormwater Utility Fee. Review and provide recommendations on the Inflow and Infiltration operating and capital budgets.
5. That the organizations listed will nominate an individual for appointment as their designated representatives.
 6. That the City will staff the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group.
 7. That pursuant to City Code Section 2-4-8, the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group shall meet on an ad hoc basis and will be formed for an initial duration of one year from the date the group holds its initial meeting, no later than May 2021. The duration may be extended by City Council by resolution for an additional one (1) year period up to three times for a total duration of three (3) years or the maximum duration allowed by the Code.
 8. That pursuant to City Code Section 2-4-8, the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group member appointments shall be revisited on an annual basis.
 9. That the Ad Hoc Stormwater Utility and Flood Mitigation Advisory Group shall cease to exist upon (i) the completion of its enumerated functions, (ii) the date it submits its final oral or written report to City Council, (iii) the expiration of the term specified in this Resolution or of any extensions, or (iv) three years from the date of its initial meeting, whichever comes first.

WHEREUPON, motion by Councilman Seifeldein, seconded by Councilwoman Pepper and carried 6-1, City Council: (1) indicated its commitment to an aggressive approach to addressing flood mitigation on an accelerated basis through increase system maintenance and a substantial additional capital investment in stormwater capacity infrastructure; (2) adopted the proposed ordinance on first reading which phases in a two-step increase in the current

stormwater utility fee of \$140 per billing unit by \$70 to \$210 in June of 2021 and by another \$70 to \$280 in November of 2021, and schedule it for second reading, public hearing, and final passage on February 20, 2021; and (3) provided guidance to the City Manager to reflect this aggressive approach in the forthcoming FY 2022 Proposed Operating Budget and the FY 2022 to FY 2031 Capital Improvement Program. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Pepper, and Councilman Seifeldein; Opposed, Councilwoman Jackson.

ORAL REPORTS AND ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

1. Councilman Aguirre congratulated Alexandria Archaeology volunteers on celebrating 43 years of service and he noted that they held a great presentation on the City's Archaeology and history.

OTHER

12. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated January 20, 2021, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 01/26/21, and is incorporated as part of this record by reference.)

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilwoman Pepper and carried unanimously, City Council received and adopted the FY 2021 City Council Schedule for January 2021 through July 2021. The vote was as follows: In favor, Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Seifeldein, seconded by Councilman Aguirre and carried unanimously, the regular meeting of January 26, 2021 was adjourned at 10:58 p.m. The vote was as follows: Mayor Wilson, Vice Mayor Bennett-Parker, Councilman Aguirre, Councilman Chapman, Councilwoman Jackson, Councilwoman Pepper, and Councilman Seifeldein; Opposed, none.

APPROVED BY:

JUSTIN M. WILSON MAYOR

ATTEST:

Gloria A. Sitton, CMC City Clerk

